

Arpeggio

Arpeggio is the official quarterly journal of the Philadelphia Musicians' Union • January 2022, Issue No. 10



Official Notice

Any notice or information that appears in this publication will serve as an official notice to the membership.

Arpeggio

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Arpeggio is the official quarterly journal of the Philadelphia Musicians' Union Local 77, AFM

Officers
 Ellen Trainer, *President*
 Marjorie Goldberg, *Vice President*
 Jarred Antonacci, *Secretary-Treasurer*

Address
 121 S. Broad Street Suite 320,
 Philadelphia, PA 19107
 (215) 985-4777 • local77@afm.org
 www.local77afm.org

Executive Board
 Rebecca Ansel, David Fay, Robert Suttman

Open Mon-Thu 10am-4pm, Fri 10am-1pm

Annual Member Dues 2022

Regular: \$200.00
 Life: \$100.00
 Youth: \$100.00
 Student: \$100.00

Life Members
 Minimum age requirement is 65 years old. Must have 35 cumulative years of AFM membership.

Youth Members
 Applicants must be age 20 years or younger. Youth Members have the same rights and obligations as Regular Members, subject to all AFM and Local rules, regulations and Bylaws (Local/AFM fee waived).

Student Members
 Must be registered in an accredited school, college or university. When no longer a student, s/he converts to Regular Member without additional fees. Student Members have the same rights and obligations as Regular members, subject to all AFM and Local rules, regulations and Bylaws (Local/AFM fee waived).

President's Message

By Ellen Trainer, President



2022! This year promises to be an exciting time for all of us in Local 77. We've successfully completed 2021 with many members returning to work. The Philadelphia Ballet made it through the Nutcracker with strong ticket sales. The Philly POPS completed its "Holiday POPS" show with no positive COVID cases, while entertaining enthusiastic crowds. The Philadelphia Orchestra welcomed back maestro Yannick Nézet-Séguin this week and members performed to standing ovations.

The ability to schedule these programs is due to each and every one of you. Your willingness to continue to inspire through your musical offerings kept donors and subscribers engaged and connected. Without the devotion and dedication of your orchestra committee leaders,

the fragile creative ecosystem could have ground to a halt months ago. Countless hours were spent in Zoom meetings, negotiating with managements over testing and safety procedures. I want to personally thank all of you who serve on safety committees, orchestra committees, and members committees for collaboratively working with Local 77 officers to negotiate new policies.

Renovations to Local 77's new home are progressing. Our goal is to be in our new space by the end of March. We're excited to be closer to the Avenue of the Arts and closer to all of you. We look forward to an open house in the near future.

Congratulations to the Orchestra Committee of Opera Philadelphia, who spent more than six months working out a one-year contract extension with a six-percent increase. After a few months' hiatus, we'll be back at the table for the next year's contract negotiation. Speaking of contracts, we have a busy negotiating future ahead of us. The Philly POPS, the Philadelphia Ballet, and Opera Philadelphia will all be negotiating expiring contracts. I call on all members of the bargaining units to work with your committees in participating in surveys, Zoom

meetings, and one-on-one conversations. We are all here to work together for stronger contracts. We must continue to maintain solidarity within the bargaining unit. That is what moves managements during negotiations. We all have the power to bargain better contracts, so stand together with your brothers and sisters of Local 77!



Emergency Pandemic Policies

January 1, 2022 – March 31, 2022

The Philadelphia Musicians' Union, Local 77 herewith warrants and certifies to the International President's Office that its Executive Board has adopted the following emergency pandemic policies and extensions, pursuant to authorization granted by the International Executive Board (IEB) of the American Federation of Musicians.

Waiver No. 1

A waiver of its bylaw requirements for any or all of late fees, reinstatement fees, or any such similar fee normally assessed of members who fail to pay their 2020 periodic membership dues by the Local's dues deadline. Local bylaws affected are Article VI, Section 3 & 4.

Waiver No. 3

Local 77 will be conducting its executive board and committee meetings via electronic means (telephonic and video conference), in accordance with the IEB's policy for holding electronic meetings.

Waiver No. 4

Local 77 will be conducting its membership meetings via electronic means. Consultation with the International President's Office required.

Accepting Applications



Click the image above to apply for relief. Please be sure to include as much supporting documentation as you can, as well as detailed explanations of your current circumstances, to provide us with a complete picture of your situation. Each application will be considered on its own merits. All Local 77 members in good standing are eligible to apply for a one-time award in the amount of \$500.*

***All awards are subject to availability of funds.**

If you have questions or need assistance in filling out this application, please contact us at info@pmrfund.org.

LOCAL 77 IS PROUD TO ENDORSE

Jonathan Lovitz

Democratic Candidate for
Pennsylvania House of Representatives
District 182 (Center City)

EXPERIENCED LAWMAKER,
EQUALITY CHAMPION,
PRO-EQUITY,
PRO-BUSINESS,
PRO-SOLUTIONS,
UNION MEMBER

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VOLUNTEER WITH THE LOVITZ FOR PA CAMPAIGN!

There are so many ways to help make a difference in this campaign:

- Phone banking - Making calls to recruit volunteers and/or talk to voters
- Phone banking - Making calls to solicit donations for the campaign.
- Door knocking - Knocking on doors to talk to voters about Lovitz For Pa
- Host a Zoom Event fundraiser
- Host an In-Person Fundraiser (when safe to do so)
- Community Endorser
- Petition Sign Ups (collecting names & signatures to get Jonathan on the ballot)

Visit LovitzForPA.com/Volunteer to sign up today!

To learn more about Jonathan and his candidacy for the 182nd District visit www.LovitzForPA.com

Follow him at: [Twitter: @LovitzForPa](https://twitter.com/LovitzForPa) • [Facebook: @LovitzForPA](https://facebook.com/LovitzForPA) • [Instagram: @LovitzForPA](https://instagram.com/LovitzForPA)

Secretary-Treasurer's Report

Club Date or Recording Session? – A Call To Organize!

By Jarred Antonacci, Secretary-Treasurer



I hope this winter edition of Arpeggio finds you safe and well. Happy New Year! As we look ahead in 2022 and survey the ever-changing pandemic landscape, I want to return to a topic that is more important now than it has ever been: organizing.

As you know, our city is home to some of the greatest and most influential musicians the world has ever known. Philadelphia has a rich musical history in both the classical and jazz genres. In addition to landmark classical performance venues, there is a vibrant history of jazz and commercial performance venues, many of which have been shuttered over the years. Home to jazz legends like John Coltrane, Billie Holiday, and Jimmy Heath, Philadelphia is a bastion of jazz history. And

Philly jazz club owners have been honing their digital marketing chops since at least the first lockdown.

Many of our musical engagements have looked different since March of 2020. We have all had to deal with social distancing, plexiglass, masking, bell covers, filters, aerosols, and the list goes on. We all quickly learned about air filtration systems, N95 masking and MERV values—something I can honestly say I never thought I'd need to know. If

"I hereby grant to you permission to utilize my appearance and any video and/or sound recordings of same in any related programs in any and all manner and media in perpetuity."

you are a working freelance jazz or commercial musician who has played a club date since March of 2020, you have likely seen changes at the venue that have nothing to do with health and safety and everything to do with capturing your intellectual property.

Many clubs have outfitted their stages with multi-camera 4K high-definition cameras and audio recording equipment. At the peak of the shutdown, many clubs were having

musicians perform for a streamed audience. In some instances, the clubs solicited online donations from viewers in support of the musicians. This system had worked for individual musicians on social media, who saw the addition of the cameras and audio equipment as a positive initiative. Who doesn't want a high-quality video copy of their gig? But chances are, if your performance is streamed at any club you likely won't be able to get a copy of your performance. Venues typically own the recording, and don't release it to artists whose performances have been captured for the club's own promotional use. In addition, language on one release form includes the following:

"If the performance is subsequently subsidized by a corporate sponsor...or is distributed via networks or streaming channels...I may be entitled to other compensation, although NO SUCH COMPENSATION IS PROMISED HEREIN. For the full and complete consideration stated above and of the consideration of the Producers of (band name) and (club name), its owners and partners and subsidiaries, including me as a performer participant in this production and/or TV Programs, I hereby grant to you permission to utilize my appearance

and any video and/or sound recordings of same in any related programs in any and all manner and media in perpetuity."

The short of it is this: if you sign up to play a club date, you aren't just signing up for a creative music gig that may or may not pay well, you're signing up for a recording and video session. Your stream will likely be archived on a hard drive, and may be used in any way the club sees fit in the future. In January of 2022, one venue released a new streaming service where patrons can pay to watch any of the performances that had been captured at the club since the installation of their streaming concerts. The money received from the subscription service is not, to the knowledge of anyone Local 77 has consulted thus far, being shared with the musicians whose content is available for one-time, on-demand viewing or unlimited monthly or annual subscription streaming.

You might ask, can artists at least view their own performances for free? The answer is simple. No. This new system has assured that any club can continue to grow a library of content on the backs of freelance musicians without any recourse or policing of the content or its subsequent future use.

So what do we do? We organize.

Power comes from within, and organizing workers around issues that are widely and deeply felt are what ignites the flame needed to fuel that power. We are having discussions with the jazz and freelance community around these issues. This is uncharted territory

for musicians, clubs and the bureaucracy that governs the way we do business day to day.

Our intellectual property is all we have, and is something that we should cherish and protect. Once we are recorded and streamed, our performance is out there for the world to see and capture however they'd like. It's only a matter of time before venues begin cutting record deals around their archived recordings, continuing to profit off of the freelance musicians who perform on their stages. This is our new reality.

If we do nothing, nothing will change. If we accept what's thrown at us and don't collectively push back and demand fair treatment, nothing will change. What will "the union" do to help? *Only you can answer that question. Members run the Union.* What kind of change do you want to see? What can we do collectively

to effect the change we want? When we stand together, we move together. Collective action is what unionizing is all about.

Let's be the change we want to see.

Local 77 Member Orientation

Date: Tuesday, February 1, 2022

Time: 7pm

Location: Zoom

Meeting ID: 847 3721 6071

We invite all new and existing members to attend member orientation at the end of January. We will be discussing filing local single engagement contracts, navigating the AFM and Local 77 websites and conversations around building power in the workplace. We hope you can attend!

Local 77 Balance Sheet: 4th Quarter • December 31, 2021

Cash in Bank

TD Bank Money Mkt.	\$11,529.98
Sun Federal Checking Account.	\$3,249.33
Sun Federal Savings Account.	\$10.00
TD Bank – Checking.	\$275,265.32
Total Cash in Bank.	\$290,054.63

Other Receivable

Playcheck77	\$2,000
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Investments at Fair Value

NY Life Securities LLC.	\$559,880.81
Total Investments.	\$559,880.81

Total Current Assets. \$851,935.44

Fixed Assets- Property & Equipment

New Condo (Academy House).	\$336,574.25
Furniture and Fixtures.	\$37,082.74
Equipment	\$23,126.57
A/D - Furniture & Fixtures.	(\$37,082.74)
A/D - Equipment.	(\$18,783.72)

Total Fixed Assets

Property & Equipment.	\$340,917.10
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Other Assets

Security Deposit.	\$4,000.00
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Liabilities (Tax Credit). (\$4,575.84)

Equity

Fund Balance.	\$1,144,302.81
Net Income (June, '21 - Dec. '21).	\$57,125.57

Total Liabilities & Equity. \$1,196,852.54

Committee Reports



Philadelphia Orchestra Update

By: David Fay, Members Committee Chair

While we were hoping that things would be improving, COVID issues continue to plague us at the Philadelphia Orchestra. Positive cases within the orchestra have been very minimal, however when we added vocal soloists and choir into the mix things got more complicated. For our annual *Messiah* performances, one soloist and a few choir members tested positive the day before our first rehearsals were scheduled to begin. The soloist had previously rehearsed with the other soloists and the conductor, so all had to isolate. That meant we had to find a whole new cast of soloists and conductor.

We managed to get one performance in but then we had more positive cases in the choir — taking out most of the tenors — and had to cancel our second performance. The same choir was scheduled to perform Beethoven 9 at Carnegie a few weeks later, so it was decided that postponing that performance would be the best option. We have added a second weekly test to our safety protocols and are now requiring string players to wear masks on stage until the latest surge is over.

We have been very fortunate to have Dr. Patrick J. Brennan from Penn Medicine on our board of directors, and he has been offering helpful guidance throughout the pandemic. All other concerts are continuing as planned.

We held a successful bass audition during the month of December. Three out of four positions were filled. We were unable to fill the principal position so will have to hold another audition as soon as possible. The associate-principal and two section spots were filled and we look forward to welcoming the new members next season, if not before. Violin and horn auditions will also be taking place this year.

In other good news, our recording of Florence Price's Symphonies Nos 1 and 3 has been nominated for a Grammy!



Philly POPS Update

By: David Nelson, Committee Co-Chair

The Philly POPS performed eight Christmas shows at the Kimmel Center in December and they were a success. Audience was full and we felt that safety and testing protocols were followed. As of this writing, The Philly POPS continues to advertise and sell tickets for our Spring '22 shows which includes a newly added show at the Met, but has not hired any musicians of the orchestra for any of the upcoming performances. It is truly frustrating as we navigate this breach of contract.

Committee Reports



Philadelphia Ballet Update

By: Darryl Hartshorne, Members Committee Co-Chair

cases of COVID in the pit, cases of players testing positive who had played in the pit the day before. By the day after Christmas it appeared that we might have been seeing cases cascading among unmasked players. At this point everyone was performing in fear.

We asked for a meeting with management between shows that day, and with a heavy heart asked them to consider a pause in performances until December 29th. We felt this would give time to reveal any cases that were building, allow our personnel manager (Anne is also our principal bass player) time to fill positions as needed, while at the same time giving the Ballet a chance to finish the run safely.

The administration asked us if we could ask the AFM International Office Symphonic Services Division for a one-time, non-precedent-setting waiver to Section 30(a) of the Integrated Media Agreement (IMA), which prohibits the use of archival recordings to replace the work of live musicians. The idea was that the orchestra players would be paid for all services in which the recording was used instead of live musicians until our return.

Eventually we learned that this had already been asked of the AFM (during Delta and for the same scenario) on more than one occasion. The International Executive Board (IEB) had declined to grant the waiver in each case, so that option was not possible.

Management refused to pause the show. They also sent us a completely unwarranted and aggressive email warning of “breach of contract” if the orchestra refused to play the second show that day. We had given no indication that we wouldn’t play that afternoon, and this shocking letter followed very cordial discussions done in good faith.

Many players were becoming very afraid for their health and the health of their loved ones at home. We made sure to let players know that any decision to not come in due to an unsafe work environment would be fully supported by the Union. By the next day, various individuals in the orchestra started taking that previously unthinkable decision of not coming in to work. Of those who chose to go into work, many included unmasked players who were either untenured players or subs who, despite knowing that any decision they made

would have full Union support, still feared consequences for not showing up. In the end, ten players chose to not play in an increasingly unsafe work environment. As a result there weren’t the forces necessary to use the full live orchestra for the two shows on the 27th.

The administration had three options: they could have performed the show with either one–or two–piano accompaniment, they could have played with any players who did come in supplemented with piano, or they could have agreed with us that the best course of action was to close the show for a few days for the safety and mental well-being of the musicians.

They chose a fourth option: they chose to purposely and directly go against the ruling of the IEB and performed both shows that day to the archival recording we made on December 16th in a special capture session under the rules of the IMA. Though they did acknowledge us as the orchestra on the recording in pre-concert announcements, it was an utterly shocking decision. They claimed, and still claim, that they were “forced” to make the decision.

Meanwhile, we were able to come to an agreement about daily testing for all players for the remainder of the run. Masked players used at-home rapid antigen tests, and unmasked players were tested with rapid molecular tests at the Kimmel Center. As a result the full orchestra was in the pit playing again on December 28th, feeling much more secure that cases would be caught

quicker. Though a few more cases were found, including in unmasked players, we were able to make it through the end of the run, though with some reduction in numbers.

In the end, there were thankfully fewer than ten PCR-confirmed cases among the players, some of those in subs who weren’t actively playing at the time. Also, after some positive at-home test results were cleared by negative PCRs, we believe there was a very low amount of community spread in the pit, if any. We think this is only possible because of the increase in testing and from having not played on the 27th.

Our next goal is to ensure full pay for all players who, for everyone’s safety, chose to or had to miss services due to COVID during the run. Though there is no specific language in the IMA that speaks to the consequences of using an archival recording without approval, we are working to ensure all players are paid for the two performances in question, including those who are on the recording but were not on the roster for those services on the 27th.

Other consequences to the Ballet for the illegal use of the recording are in the hands of the Local 77 office and the AFM International Office.

We will carry forward the lessons from our experiences and continue to improve our workplace safety in the pit for our *Swan Lake* and *Balanchine* runs in March.





Announces auditions for the following position:

Third Horn

PRELIMINARY / SEMIFINAL AUDITIONS

March 28 – 29, 2022

April 27 – May 7, 2022

FINAL AUDITIONS

June 3, 2022

Employment will begin based on the winner's availability and The Philadelphia Orchestra schedule. Candidates advancing to the final round of our audition will be considered for The Philadelphia Orchestra's substitute list.

Please apply at www.philorch.org/auditions no later than January 25, 2022.

Repertoire will be available on our website by January 10, 2022. Complete audition information will be e-mailed after February 10, 2022.

The Philadelphia Orchestra is an Equal Opportunity Employer. Inclusion, Diversity, Equity, and Access Strategies (IDEAS) is at our core vision and values guiding who we are, what we do, and how we do it.

IDEAS-PhilOrch

Email: auditions@philorch.org

The Philadelphia Orchestra
1 South Broad Street, 14th Floor
Philadelphia PA 19107
www.philorch.org



Announces auditions for the following position:

ASSOCIATE CONCERTMASTER (Third Chair)

Preliminary/Semifinal auditions will occur February 21 – 27, 2022. Final auditions to take place on March 19, 2022.

Employment will begin based on the winner's availability and The Philadelphia Orchestra schedule. Candidates advancing to the final round of our audition will be considered for The Philadelphia Orchestra's substitute list.

Please apply at www.philorch.org/auditions no later than December 20, 2021.

Repertoire will be available on our website by December 1, 2021. Complete audition information will be e-mailed after January 7, 2021.

The Philadelphia Orchestra is an Equal Opportunity Employer. Inclusion, Diversity, Equity, and Access Strategies (IDEAS) is at our core vision and values guiding who we are, what we do, and how we do it.

IDEAS-PhilOrch

Email: auditions@philorch.org

The Philadelphia Orchestra
1 South Broad Street, 14th Floor
Philadelphia PA 19107
www.philorch.org

PHILADELPHIA BALLET ORCHESTRA

Beatrice Affron, Music Director

Announces auditions for the following positions:

Section Cello

Audition Date: March 7, 2022

Academy of Music, Philadelphia

Please submit cover letter and resumes (which must include contact phone numbers) via email by February 14, 2022 to:

Beatrice Affron paballetorchestraauditions@gmail.com

Second Flute and piccolo

Audition Date: Monday, March 21, 2022

Academy of Music, Philadelphia, PA

Second Oboe and English horn

Audition Date: Tuesday, March 22, 2022

Academy of Music, Philadelphia, PA

Please submit cover letter and resumes (which must include contact phone numbers) via email by February 14, 2022 to:

Beatrice Affron paballetorchestraauditions@gmail.com

Audition materials will be sent upon receipt of resume.

We reserve the right to reject last-minute applications if space is not available.

UNFAIR

- Kingston Chamber Music Festival
- Gina Corso, Jersey Gina Entertainment

The Kingston Chamber Music Festival and Gina Corso are on the AFM International Unfair List.

As a reminder, it is a violation of Article 8, Section 3 of the AFM Bylaws to work for an organization on the Unfair List.

Article 8, Section 3: Members shall not render musical services for organizations, establishments, or people who are listed on the International UnfairList or for any other organization, establishment, or person who the member knew or reasonably should have known is owned or effectively controlled by an organization, establishment, or person listed on the International Unfair List. Any member who violates this Section shall be subject to penalties in accordance with Article 11, Section 13 [See Article 13, Section 4]

**Please contact the Local 77 office if you are asked to play any engagement by these employers.
Our strength is in our solidarity.**

Membership Activity

New Member Spotlight



Meghan Woodard, Oboe

Meghan Woodard enjoys a rich career as an oboist, oboe professor, and scholar based in the Greater Philadelphia area. Meghan is a sought-after orchestral and chamber musician on oboe, English horn, and Baroque oboe. She regularly performs with the Reading Symphony Orchestra, Symphony in C, the Black Pearl Chamber Orchestra, and is a member of Revolution Winds, an internationally performing woodwind quintet known for musical activism and recent residencies at the Aruba Symphony Festival and Drexel University. Meghan currently holds positions as Professor of Applied Oboe Lessons at Haverford College, Bryn Mawr College, Immaculata University, and the Shipley School. Meghan's editorial position as Lead Oboe Recordings Reviewer at The Double Reed (a publication of the International Double Reed Society) informs her ongoing scholarly research in analyzing oboe recordings as historical documents. She holds a Doctorate of Musical Arts degree in Oboe Performance from Temple University as well as degrees from the University of Iowa and Ithaca College. Meghan's primary oboe teachers include Peter Smith, Geoffrey Burgess, Andrew Parker, Paige Morgan, Gareth Hulse, and Olav Van Hezewijk.

Percussionist Dave Tarantino is a native of the Philadelphia area and is happy to be back after 11 years in Boston. While there, Dave was an active orchestral freelancer and played with the Boston Philharmonic, Portland Symphony, and New Bedford Symphony. In addition, he was a member of the percussion section of the Israel Philharmonic in Tel Aviv, Israel, during the 2016-17 season, working closely with music director Zubin Mehta and performed on four continents. Since Dave moved back to Philly, he has had the opportunity to perform with local groups such as the Philadelphia Ballet, Reading Symphony, and Orchestra 2001. He is currently a teaching artist for Play On Philly and works as a general music teacher in the School District of Philadelphia. Previously, he was a coach for the Boston Youth Symphony and on the faculty of the New England Music Camp. Dave completed his Doctorate of Musical Arts, and Masters in Music at Boston University, and Bachelor of Music at the New England Conservatory of Music. Dave loves Philly and is excited to be a part of its vibrant music and arts scene once again. He has especially enjoyed having easy access to his favorite hoagie and cheesesteak places, and is proud to join the Philadelphia Musicians' Union!



Dave Tarantino, Percussion

New Members

1. Brackett, Kade • 6440 Littlerock Road SW, Olympia, WA 98512 • (360) 789-9036
kadebrackett@gmail.com • Clarinet
2. Capsouto, Magee • 823 S. 10th Street, Philadelphia, PA 19147 • (212) 444-2031
magee.capsouto@gmail.com • Violin
3. Chen, Beatrice • 1425 Locust Street, Apt 19B, Philadelphia, PA 19102 • (312) 806-6061
chenbeatriceclara@gmail.com • Viola, Baroque Viola
4. Feingold, Zachary • 33 Eagle Road, Marlboro, NJ 07746 • (908) 907-2570
zachfeingold@gmail.com • Bassoon
5. Huckins, Eric • 19 Cornfield Lane, Commack, NY 11725 • (631) 747-4655
eric@erichuckins.com • French Horn
6. Jacobson, Pamela • 229 Fairview Road, Springfield, PA 19064 • (562) 397-2175
pamviolan@yahoo.com • Viola, Violin
7. King-Bails, Cheyenne • 11908 Barlow Street, Philadelphia, PA 19116 • (267) 247-2209
cheykb98@gmail.com • Violin, Viola
8. McMillian, Henri • 1528 E. Duval Street, Philadelphia, PA 19138 • (267) 283-7434
ugofunk@aol.com • Trumpet,
9. Merritt, Mharlyn • 1201 S. 23rd Street, #212, Philadelphia, PA 19146 • (267) 997-5755
mharlyn-merritt@mharlyn.com • Vocals, Guitar, Harmonica, Keyboard
10. Pai, Jasmine • 604 Rutledge Court, Edgewater, NJ 07020 • (201) 952-2213
jasminepaicello@gmail.com • Cello
11. Rivers, Ajibola • 4077 Hillside Road, Lafayette Hill, PA 19444 • (610) 564-2726
ariversarts@gmail.com • Cello, Bass (Electric)
12. Tarantino, David • 2023 Kater Street, Philadelphia, PA 19146 • (609) 668-8058
davetarantino@gmail.com • Percussion (General), Drum Set
13. Tello, Jr., Julian • 5529 Parliament Drive, Arlington, TX 76017 • (210) 462-6578
jtello.viola@gmail.com • Viola, Viola (Baroque), Violin, Violin (Baroque)
14. Woodard, Meghan • 150 Burmont Road, Drexel Hill, PA 19026 • (203) 206-7755
meghan.e.woodard@gmail.com • Oboe, English Horn

Address/Phone/Email Changes

1. Browne, Nicholas M. • 14 Cherry Ave., Montpelier, VT 05602
nmbrowne@gmail.com
2. Kerber, Ronald P. • 33 Woodchuck Drive, Barnegat, NJ 08005 • (215) 450-3412
kerbersax@comcast.net
3. Lee, Seula • 1440 Carrollton Pkwy, Apt 25308, Carrollton, TX 75010 • (484) 707-8141
seula.lee@curtis.edu
4. Paduraru, Alexandra • 528 West Marshall St., Apt. E, West Chester, PA 19380 • (484) 995-4886
alecs_ioana@yahoo.com
5. Wilensky, Stephen • 2601 Pennsylvania Ave., Apt. #1050-C, Philadelphia, PA 19130 • (215) 763-6894
swemw@comcast.net
6. Yeast, Branson • 105 S. 21st. Street, #1F, Philadelphia, PA 19103
bransonyeast@gmail.com

Reinstated

1. Chaffin, Michael
2. Clement, Julian
3. Cristofaro, Mark
4. Gellerstein, Sam
5. Hussey, Sarah J.
6. Johnson, Monique R.
7. McCommon, William Barry

Resigned

1. Herron, Greg

The Philadelphia Musicians Union, Local 77
is a proud member of the
Philadelphia Council AFL-CIO



THE PHILADELPHIA MUSICIAN



Official Monthly Journal Published in the Interest of Members
THE PHILADELPHIA MUSICAL SOCIETY
LOCAL 77, AMERICAN FEDERATION OF MUSICIANS
120 NORTH 18th STREET, PHILADELPHIA, PA.



VOL. XIII

PHILADELPHIA, SEPTEMBER, 1943

No. 6

THE RECORDING BAN

Samuel R. Rosenbaum, President of Radio Station WFIL, who recently enlisted in the Armed Services as a Lieutenant Colonel in AMGOT (Allied Military Government of Occupied Territory), sends another letter to the Radio Industry, suggesting that they come to immediate terms with Petrillo.

As a last gesture before taking his commission as a Lieutenant Colonel in AMGOT, Samuel Rosenbaum, President of Radio Station WFIL, sent the following letter to the Broadcasting Industry, which letter, we feel, is of much interest to our membership and is reprinted for their information:

Before withdrawing tomorrow into the anonymity of army uniform I send you a parting message on the subject of the recording situation.

Last October I wrote to all of you to say that I did not believe the slambang attack on Petrillo would succeed. It did not.

Last January, after the Senate hearings, I wrote to all of you again. I pointed out that while it would take legislation to solve the problem, the legislation you would get would be the opposite of what you were asking for.

Now I write once more to urge you to review the position. Congress will be fully occupied with war and post-war matters, besides which the recording of music will seem to it like a trifle. I predict Congress will give it no attention unless the music industries and the union agree on

a program and get together on a law which will be satisfactory to both.

Some of you, and particularly our National Association, still believe in Santa Claus, and are waiting for the War Labor Board to make a ruling for the transcribers that will force the musicians to accept re-employment by the record-makers. I am not speaking as a lawyer, but you all know how specious is the plea that the war will be made longer if advertisers cannot send you musical jingles on platters. You know perfectly well it is a matter of revenue, not patriotism or war service. Certainly we serve the war effort. So do plenty of others. That is no reason to expect to continue to get something for nothing when we are in business for profit.

WLB Prediction

It is my prediction the War Labor Board will wash its hands of this whole dispute when it gets the facts. It has plenty of real work to keep production moving for munitions and food that really fight for victory, without lending itself to an effort of the music industries to perpetuate the commercial pirating of records made and sold for home use only.

(Continued on page 2)

20% Withholding Tax Muddle on Music Clarified by Official Ruling Received From the Treasury Department

President Petrillo's office sent the following letter with copy of official ruling from the Treasury Department, to all Locals and licensed booking agents of the American Federation of Musicians. These letters are self-explanatory and members are advised to be governed accordingly:

July 26, 1943.

"The following ruling made by the Treasury Department in connection with the 20% Withholding Tax authorizes the employer to make the 20% deduction from the NET wages rather than from the full amount of the contract, providing, however, that a proper segregation of wages and expenses has been made in the contract in accordance with the suggestions contained in my letter of July 12th.

We have received numerous complaints

that many local revenue collectors are unaware of this ruling. In cases where this is so, we suggest that a copy of the ruling herein enclosed be presented to those collectors. In a similar manner this ruling may be presented to employers who may be uncertain as to how they should make the 20% withholding deduction.

I must point out, however, that this ruling will apply only if the provisions of my letter of July 12th are fully complied with, namely, that the wages and expenses be separately itemized and that the following clause be inserted in the contract:

THIS PRICE INCLUDES EXPENSES AGREED TO BE REIMBURSED BY THE EMPLOYER IN ACCORDANCE WITH

(Continued on page 3)

NEW PRICES FOR 1943 - 44

The new price list books for next season's prices effective Labor Day, 1943, are now ready for distribution to our members. You may call for them at your convenience at the Secretary's or Treasurer's offices.

In last month's issue of this Journal we published a few of the changes made in our price list. Among some of the changes was the price to apply on Saturdays on miscellaneous engagements. We stated at that time that on engagements starting after 6 P. M. the price will be \$12.00 for 3 hours, etc. We wish to correct this to read "on engagements terminating after 8 P. M., the price shall be \$12.00 for 3 hours, etc."

Another correction is that 15 minutes intermission each hour (off the stand) must be given to all members playing single engagements, and not "20 minutes" as published last month.

Last month we published that the Saturday price will apply on certain holidays. This has now been eliminated and holiday prices will not apply, with the exception of New Year's Eve, which remains the same as last year.

By Order of the Executive Board.
Attest: GUY A. SCOLA, Secretary.

Notice to Leaders and Contractors

Leaders who take charge of a permanent engagement (or any substantial part thereof) for a contractor who is present on the engagement, shall receive 25% above price list. (Leading a show shall be considered a substantial part of the engagement.) In other words, the 50% extra that a contractor receives shall be divided 25% to the contractor and 25% to the Leader.

Escrow Notice!

Many members have failed to collect their money which has been held in escrow by the Local.

It has been some months since the Escrow System has been abolished and we would like those of you who still have money coming to you to call for same at the tax office as soon as possible.

Monthly Meeting, Tuesday, September 7, 1943, at 1 o'clock P. M.

THE RECORDING BAN

(Continued from page 1)

Meanwhile no new records are being published and none will be until all of us get together. Therefore I feel it not amiss to leave a constructive thought with you. It is largely a repetition of what I recommended last January, but maybe I was too early then. Maybe it is still too early. Very often a disease has to get a lot worse before it begins to get better. That is up to you.

I know I am addressing an audience that has no sympathy with the whole idea of the right of copyright. I believe a majority of you, by number, are convinced, for instance, that the fees collected by ASCAP for composers and publishers are a form of tribute that is collected but not earned. Therefore it is not surprising if you resist the further extension of the right of copyright which affords the only possible solution to this recording impasse.

Urges Performer Rights

Yet I now depose, suggest and urge that the performer should have a right of protection similar to that which the law already gives the composer and his publisher. In fact, in some jurisdictions the performer's copyright is recognized at common law. Such is the law as declared by the Supreme Court of my own State of Pennsylvania, so it cannot be so shocking, and you might as well start to get used to the idea.

In fact, I venture another prediction, that sooner or later Congress will grant the performer that copyright by statute. It will come because it is right and just that it should. How much better that it should be done promptly, by agreement between the performers and the employers, and that there be an understanding based on mutual respect and protection.

I shall not weary you by repeating all the arguments I presented in my letters of last October and last January. But I shall sum them up. I said (1) the musicians have a just complaint against the commercial use for profit of records played, made and sold "for home use only"; (2) the performer has a right of protection which should be given recognition.

Juke Box Industry

These arguments I implemented by some facts. The juke box industry collects an annual gross which I was then informed was \$150,000,000 per annum, but which I am told now is nearer to \$250,000,000. This business is built entirely on records, mostly second-hand, without employing a single live musician.

True, radio stations use records, and

TREASURER'S NOTICE!

Dues in Local 77 are \$14.00 per year, payable in advance—\$7.00 in April and \$7.00 in October.

April, 1943, dues are \$7.50 during September.

Escrow slips cannot be used at this office for payment of dues.

Do not send cash by mail unless registered. Make checks or money orders payable to Local 77, A. F. of M., for the amount due the Local only. Any other amounts for other than the above, should be made on separate checks.

there are said to be 400 stations that employ no live musicians. They will have to pay a performing royalty somehow before they are through, and my plan will show the way.

On the other hand, I asked that it should not be overlooked that the gross of the motion picture industry is many times the gross of even the juke-box industry, and it should be included in any over-all computation of the sources of royalty.

It is my conviction that the musicians have no just complaint against the record-publishers and manufacturers or against the transcribers, or against that segment of the radio industry which employs live musicians in accordance with the 1937 Plan of Settlement. The complaint against the other commercial users of music for profit is, however, in my opinion, justified.

Union has declined to accept any more engagements to play for recordings. We have said to Union, in effect: "What do you want?" Union says: "Nothing. We just don't want to record because we want to protect live performers."

Proposes an Accord

Therefore I propose that the commercial music industries get together with the union on the following program:

It seems to me it is up to the industries to propose a method by which live performers will be given protection and members of Federation will again play for recording.

Here, I believe, it is:

Let us propose to union that we will join with it in urging Congress to extend the right of copyright to cover the performer, provided union will agree that right will be exercised in a manner that will create new employment instead of merely enriching those who already have employment. You ask how this can be done. This is how:

Practically every professional performer is a member of the American Federation of Musicians. Let us recognize that fact. We then ask the federation to make it a condition of its membership that every member must assign to the federation his performing copyright under this new law. We shall now ask the federation to set up a machinery for administering the new copyright which is in accord with public conscience and the better interest of all music and musicians.

Such machinery, for instance, could be a board of trustees named by federation but including a representative of the public and a representative of the industries. This board would disburse the royalty fund collected and use it for live employment of federation members, after certain deductions. The deductions would be: First, the cost of administration of the fund; second, a fair share of the royalty to the performers who create it. Any employer who employs live musicians would receive credit against his royalty obligation.

Favors Disk Royalties

In other words, any commercial user of records for profit would have to pay the federation fund a fixed royalty for such use, based on his gross revenue derived from the use of records, against which he would be entitled to credit for any money he spent for live musicians.

Let us suppose a royalty of 3 per cent were agreed. A radio station which de-

rives \$10,000 per annum gross revenue by the use of records would be obligated either to pay the fund \$300 per annum or spend that much for services of members of its local of the federation. What is wrong with that?

On this basis, an annual fund of large amount, possibly ten millions of dollars, would be produced from the start, without any undue hardship to anybody, and make possibly ordinary justice to the organized musicians without whose services the music industries would, of course, not exist.

As to the expenditure of the fund, I recommend that it be spent pro rata in the different parts of the country from which it is collected, and that it be spent in connection with the educational system of the country, so that it would work no unfair competition with the commercial music industries, which create it.

It does not require much imagination to see that this opens up possibilities for the development of the art of music in this country, such as has never been experienced in the history of music.

This is my plan and proposal, I leave it with you and recommend that you study it calmly, without the high temperature that is so far evident in all of your public statements.

"Forget About Petrillo"

Forget about Petrillo. He is merely an instrument in an economic conflict which must be resolved with justice and vision.

I view with complete good nature the prospect that now you will soon hold another lot of district meetings an unanimously approve resolutions which ignore my suggestion and indorse your association.

If you do, then I want you to know what will happen next. Here is a final prediction: The manufacturers and the union will get together without you. They will get Congress to grant performing copyright. Every recording engagement from then on will require the performer to assign his copyright to the record-publisher. The publisher will collect the royalty and give the union a small fixed fee per record. You will pay more royalty than you now have any idea of, and you will pay it whether you employ live musicians or not. The public is not interested, as long as it

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N. CLIFFORD PAGE

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20% Withholding Tax Muddle

(Continued from page 1)

THE ATTACHED SCHEDULE, OR A SCHEDULE TO BE FURNISHED THE EMPLOYER ON OR BEFORE THE DATE OF ENGAGEMENT."

JAMES C. PETRILLO,
President, A. F. of M.

TREASURY DEPARTMENT
Office of

Commissioner of Internal Revenue
Mr. Joseph A. Padway,
736 Bowen Building,
Washington, D. C.

Reference is made to your letter of July 8, 1943, transmitting copy of Form B Contract, under which the American Federation of Musicians operates, and a copy of the schedule showing a breakdown of the payroll and other expenses which is submitted to the employer before the employment starts, and requesting a ruling to the effect that the employer should deduct and withhold the income tax at the source on wages based upon the amount paid as salaries.

You state that the purchaser of the music, who is the employer, is charged with the expenses incurred by the musicians and in making payment to the musicians for their services he allows them their wages, in accordance with union rules, which are included in the contract price, and also pays them the expenses which they have incurred, etc.; and that payment is made by check, with the amount representing expenses indicated thereon.

The Bureau holds that the amounts paid in advance, or reimbursement made to employees specifically for traveling or other expenses incurred in the business of the employer are not subject to collection of the income tax at the source on wages under the provisions of Section 466 (a) of the Internal Revenue Code, as added by Section 172 of the Revenue Act of 1942, and Section 1622 (a) of the Code, as added by Section 2 of the Current Tax Payment Act of 1943. Any reasonable segregation of such expenses is acceptable.

In view of your statement that the amounts representing expenses are indicated on the checks issued to the employees operating under the Form B Contract, and that a schedule is presented to the employer before the engagement starts showing the payroll and expenses separately, withholding of the income tax at the source on wages is not required on payments made to the employees specifically as reimbursement for expenses incurred. The employers here under consideration should, therefore, withhold the income tax at the source on the amounts paid to the employees for services performed.

Respectfully,

T. MOONEY,
Deputy Commissioner.

Since receiving the above ruling, many establishments were still deducting the

gets its records. The juke box will escape scot-free and you broadcasters will foot the bill. Instead of being used for the good of music by creating more opportunities for the young people of our country to make a living as musicians, the money will add to manufacturers' profits. If you let it go like that, all well and good. We all have friends among the manufacturers, too.

Now this transmitter will sign off and cease to trouble you for the duration. I love you all, those who disagree with me, who are many, and those few who tell me indulgently they believe I am right. Whatever happens, I know broadcasters will continue to serve the public interest. They will have to.

Apropos of the above, when Sam Rosenbaum notified Rex Riccardi, President Petrillo's assistant, that he had enlisted in AMGOT, Riccardi immediately sent the following letter to him, which we are happy to publish, inasmuch as it expresses our thoughts and best wishes:

July 22nd, 1943.

"Lt. Col. Samuel R. Rosenbaum
3240 School House Lane
Philadelphia, Pennsylvania

Dear Sam:

I received your letter of July 18th with mixed feelings of happiness and regret—happiness in the knowledge that you are making the supreme sacrifice in serving our country in this time of great need and crisis.

I can think of no one who is temperamentally and psychologically more suited to the task to which you have been assigned. Your general past attitude towards the minority groups, your keen and sympathetic understanding of the problems of the working man, strongly fortify you to discharge the obligations and duties which you will encounter in the Division of Military Government of the Occupied Territories.

On the other hand, I experienced a whimsical regret in the knowledge that the City of Philadelphia, the labor movement and the cultural institutions will be temporarily deprived of your services. However, this is secondary. We who know you have full confidence that your responsibility will be discharged with great credit to yourself and to the City at large.

It is my sincere prayer that the good Lord spare you and return you in good health to your loved ones and your friends within the very near future.

With best wishes, I remain

Sincerely,
(Signed) A. REX RICCARDI."

NOTICE!

Our controversy with Joseph Uhler, president and manager of the Congress Hall Hotel in Cape May City, has been amicably adjusted, and accordingly has been removed from the Local Unfair List.

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withholding tax from the musicians on the gross amount of the contract and not from their actual net wages. We immediately contacted the Local Treasury Department and after explaining our position to them, they agreed to cooperate with us by advising these establishments that they must comply with the ruling handed down by Mr. Mooney, of the U. S. Treasury Department in Washington.

In addition to the above, we inquired regarding miscellaneous engagements, in line with the purchaser of music's regular business, such as one- and two-night engagements in private clubs, and he advised us that the employer has no right whatsoever to deduct the tax on the full amount. Members are still entitled to exemptions on a miscellaneous basis, as follows: \$1.70 for a single man per night; \$3.40 for a married man per night; and 85 cents for each dependent. This means that on an engagement of two nights in a private club, where a musician may earn \$17.00 for the two nights, and said musician is married with one child, he is permitted exemption of \$4.25 per night, or \$8.50 for the two nights. His withholding tax therefore should be on the balance of \$8.50, and he pays only \$1.70.

GUY A. SCOLA, Secretary.

No WMC Ruling on Musicians

In the recent directive of the War Manpower Commission, musicians were not classified as "non-essential" or "essential." They are still treading a middle road between non-deferrable occupations and critical occupations, and have not been placed in either category. However, they take their chances on induction the same as men in other businesses whose jobs were not cited on either list.

As matters now stand, we are in no different position today than we were when the original "work or fight" order was issued by the WMC. You will remember that the Secretary's office submitted a brief to the Regional Director of the WMC, outlining the modus operandi of the professional musician, to which the Regional Director replied (I quote from his letter of April 22, 1943):

"I should like to point out that it is the explicit policy of the War Manpower Commission to encourage transfer of workers from less essential to essential industry. While it is true that your members are under no legal compulsion to accept war employment, labor market conditions in the Philadelphia area indicate that thousands of workers now employed in less essential industry will need to transfer to war jobs in order to meet war production schedules in this area in the next twelve months."

The status of musicians, therefore, has not been changed from what was explained to you in the June Journal under the caption "Classification of 'Work or Fight' Order."

GUY A. SCOLA, Secretary.

A Stated Meeting of the Executive Board

July 21, 1943

Note: M. and S. denotes Moved and Seconded.

F. Liuzzi, chair; to order, 10 A. M. Acconciamesso—absent. Secretary read bills of the Local. M. and S. the bills be paid as read. Carried.

Secretary read bills of the Defense Fund. M. and S. the bills be paid as read. Carried.

Applications for membership: J. Fred Beissel, Harold Brown, Joseph W. Gallagher, Jack H. Kamens, Thos. A. Kaplan, Stephen Kitsko, James Marquiss, Eugene M. Sullivan, George C. Trimble, Fred Vincen. M. and S. the applications be accepted. Carried.

Secretary reports on Carroll's Cafe-Bernie Berle matter, where the management, after taking up the orchestra's option, wanted to cancel out, and the Local insisting that the contract be honored. M. and S. the actions of the officers be ratified. Carried.

Secretary reports on the 20% Withholding Tax as it is applicable to our members on both miscellaneous and steady engagements. M. and S. the report be accepted. Carried.

Chair reports on the KYW situation and that we are waiting to hear from the National Office, to whom the matter has been referred.

M. and S. that the decision be held in abeyance on this case pending further advice from the National Office. Carried.

Chair reports on the negotiations to date with the Philadelphia Orchestra Association, and that the Association insists on paying \$12.00 per hour sustaining broadcast, and the Union insisting on \$15.00 per hour in accordance with our Price List. The Association insists further that they will not recommend a season for 1943-44 unless the Local agrees to the \$12.00 price.

M. and S. that we insist on the \$15.00 price in accordance with the demands made by the Local. Carried.

Morris Getson, Jack Swerdlow and Morris Kohler, members of the Troc Orchestra, appeared representing all the members employed at the Troc Theatre, requesting that the Union lift the ban at the Troc Theatre in connection with alternating with each other, so that they can double up on other jobs in view of the shortage of musicians.

M. and S. that blanket permission be denied. Carried.

M. and S. that the members of the Troc Theatre orchestras be advised that upon application to the President or the Secretary, with reasonable assurance that no men are available, that they be permitted to alternate with the other shift men. Carried.

Chair presents matter of Jimmy Perri refusing to turn over to him written reports on his activities as Assistant to the President.

M. and S. that the Executive Board rule that Perri be instructed to turn in a written report to the President at the end of each week. Carried.

Interrogation of Jack Orkin (sworn) re conditions under which he played an engagement at the Stephen Girard Hotel on July 4, 1943

M. and S. that the minutes of this interrogation be sent to the Trial Board for their information in connection with the Local's case against Jules Lipschutz. Carried.

Chair presents request of the USO Labor Plaza to have the musicians receive 10 minutes intermission on the hour instead of the 15 minutes as provided by our Price List.

M. and S. permission be denied. Carried.

Secretary presents request of the USO Labor Plaza to have the orchestra broadcast by remote control on a chain hook-up.

M. and S. permission be granted provided the broadcast does not exceed once weekly. Carried.

Herman Nissenbaum, member of traveling orchestra appearing at the Warwick Hotel, appeared requesting permission to become a full member of Local 77 without depositing his transfer card for a period of six months.

M. and S. that the request be denied, as it is contrary to law. Carried.

Chair presents matter of the Philadelphia Opera Company desiring to sign an agreement with the Local for the employment of musicians next season. However, a clause in the agreement calls for the performances to take place at the Erlanger Theatre for the two weeks that the Company is in Philadelphia. This theatre refused to sign an agreement with the Local as has been done in the past years.

M. and S. that we insist that the Erlanger Theatre sign an agreement with us before we permit any enterprise to operate in the Erlanger Theatre. Carried.

Ralph Kirsch, seashore representative, reported that he discovered Viola Klais making a recording which was to be used for a juggling act in Hunt's Pier, Wildwood, N. J., and that he confiscated the record and turned same over to the Secretary's office.

M. and S. that charges be placed against Viola Klais through Ralph Kirsch for violation of the law. Carried.

Commander De Santis, of the Joseph B. Grange Post 716, appeared requesting permission to have a non-union orchestra participate at their banquet to be held at the Broadwood Hotel on August 7th.

M. and S. the request be denied. Carried.

Meeting adjourned, 2.50 P. M.

Attest: GUY A. SCOLA, Secretary.

A Stated Meeting of the Executive Board

August 4, 1943

Note: M. and S. denotes Moved and Seconded.

F. Liuzzi, chair; to order, 10 A. M. Acconciamesso, Musumeci—absent. Secretary read bills of the Local.

M. and S. the bills be paid as read. Carried.

Secretary read bills of the Defense Fund. M. and S. the bills be paid as read. Carried.

Applications for membership: Maxwell D. Brown, Jerome E. Coteta, Edward Durso, Leonard Rovner, Albert P. Bidwell, Rudolph Colantino, Jr., Arthur Denish, John De Masi, Frank "Lester" Di Vito, Arthur S. Harris, Stanley A. Levey, Louis G. Picciani.

M. and S. the applications be accepted. Carried.

Bossle presents matter of reducing our mortgage which is now \$32,500.00.

M. and S. that we reduce our mortgage by \$17,500.00, making a balance due of \$15,000.00. Carried.

Jim Perri appeared in connection with the Board's action at the last meeting in ruling that he submit a written report of his activities each week to the President. Perri requests that inasmuch as he was not called into the Board room to defend his actions, that he now would like to do so.

Secretary presents request of Abe Neff on behalf of the Met Ballroom that a special price of \$8.00 instead of \$9.00 per night apply when the establishment operates only three days weekly; in the absence of this concession, Mr. Neff states the ballroom will undoubtedly close for the balance of the summer.

M. and S. the request be denied, as it is contrary to our price list. Carried.

Mr. David Hocker, manager of the Philadelphia Opera Company, appeared in connection with the proposed agreement to be signed with the Local, as it has to do with the Company giving two weeks' performances in the Erlanger Theatre.

Liuzzi leaves chair at 11.45 to go to Pertrillo's office in New York.

Kirsch in chair for the balance of the meeting.

M. and S. that the previous decision of the Board apply. Carried.

Henry Schmidt, A. A. Tomei, Gordon Kahn, David Cohen, members of the Philadelphia Orchestra Committee, appeared and discussed the conditions to apply in next season's trade agreement with the Philadelphia Orchestra Association.

Secretary presents request of Paul Judge for permission to make an audition for Wagner's Ballroom some time in August.

M. and S. that permission be granted provided the date of the audition is made to the Secretary's office prior to the audition taking place and also provided the audition is not held in view of the public. Carried.

Secretary presents request of Jules Flacco for an additional extension of time in which to make payment on his fine, inasmuch as he has been unemployed for some time.

M. and S. that Flacco be given an extension of time to Labor Day. Carried.

Secretary presents request of the Meyer Davis office for permission to have the Benjamin Franklin Hotel close for a period of two weeks from August 28th to September 11th, during which time the hotel will have necessary alterations made. The hotel desires to apply the two weeks at the end of the existing contract.

M. and S. the contract be enforced in full. Carried.

Secretary presents communication from the Warner Bros. notifying us that the Earle Theatre will close for alterations for two weeks, as will the Stanley Theatre in Camden.

M. and S. the Secretary be instructed to advise the Warner Bros. that even though the theatre closes for alterations, their contract must be lived up to, i. e., the men must be paid whether the theatres are open or not. Carried.

Kirsch reports on the seashore jurisdiction, specifically the Congress Hall Hotel,

where after lengthy discussions and threat of a labor dispute, the management finally paid the moneys due our members and the booking agent involved.

M. and S. that Kirsch's report be accepted. Carried.

Meeting adjourned, 2 P. M.
Attest: GUY A. SCOLA, Secretary.

A Special Meeting of the Executive Board

August 11, 1943

Note: M. and S. denotes Moved and Seconded.

F. Liuzzi, chair. Acconciamesso—absent.

Ben Abrams and William Marshall appeared requesting that the Board reconsider their previous decision in denying the request of the Benjamin Franklin to be permitted to close their dining room for a period of two weeks, from August 28th to September 11th, in order to make necessary alterations to the room, and apply the two weeks involved to the termination of the contract. Abrams submits letter signed by the full orchestra wherein they signify their wish that the request be granted.

M. and S. to reconsider the previous decision of the Board. Carried.

M. and S. the request be granted. Carried.

M. and S. the following resolution be adopted. Carried.

WHEREAS, It is the desire of the Philadelphia Musical Society, Local 77, A. F. of M., to be granted a club liquor license,

THEREFORE BE IT RESOLVED, That an application for said license to expire October 31, 1944, be filed with the Pennsylvania Liquor Control Board, and that Frank P. Liuzzi, President, and Joseph Bossle, Sr., Treasurer, be authorized and they are hereby authorized to execute the necessary application and bond, and any other papers required by the Pennsylvania Liquor Control Board.

Attest: GUY A. SCOLA, Secretary.

A Stated Meeting of the Executive Board

August 18, 1943

Note: M. and S. denotes Moved and Seconded.

Liuzzi, chair; to order, 10.25 A. M. Acconciamesso—absent.

Secretary read bills of the Local. M. and S. the bills be paid as read. Carried.

Secretary read bills of the Defense Fund. M. and S. the bills be paid as read. Carried.

Applications for membership: Eugene Perlstein, "Berl Williams" Wm. S. Chapman.

M. and S. the applications be accepted. Carried.

Bossle presents communication written to him by one Domenic Cannero, who is a soldier overseas, who desires that a serenade be tendered to a member of his family on August 25th, for which he enclosed a money order for \$20.00 to cover the price for musicians.

M. and S. this matter be left in the hands of the President. Carried.

Merrick Valinote and F. Tiberini appeared requesting that the two orchestras at the Troc be permitted to take another steady job on the outside and have same played by the two orchestras; i. e., one

Report of Assistant to the President

JIMMY PERRI

July 19th. SAKS THEATRICAL AGENCY—Was contacted with reference to 80 cents due one of our members which money was held out of her wages for commission. The money was refunded at once.

July 20th. USO LABOR PLAZA—Attended a meeting with four members of the committee. They requested the time be changed to four hours straight instead of four hours within 4½ hours. They also requested 10 minutes intermission each hour instead of the usual 15 as required by law. They were advised that our Executive Board would not go along on the 10 minutes intermission.

July 21st. SAM'S CAFE—Received information that a non-union accordionist was playing in the show. After explaining that we could not permit our members to play in the same establishment with non-members, the accordionist joined the Union.

July 22nd. POWELTON CAFE—Received information that a non-union accordionist who had agreed to join the Union several weeks before but failed to do so, was now playing in the show. After advising the management that we would prohibit our members from playing with this non-union accordionist, the musician involved joined the Local.

July 22nd. WAYS THEATRE CAFE—A booking agency booked one of our members for \$35.00 for one week. Upon checking the scale, it was found to be incorrect, as both the agency and our member miscalculated the proper scale. Upon contacting the agency, the error was corrected and our member was paid the full union price.

July 27th. CLENDENINGS'S—Had a long discussion with the manager in connection with one of our members who is only 17 years of age, playing there. It was agreed that things remain status quo pending the outcome of the Union contacting the Liquor Control Board for a ruling on Minors employed in establishments where liquor is dispensed.

July 31st. TONY'S BAR—Finally contacted the proprietor re giving musicians receipts for all taxes withheld. The accountant for the establishment was contacted in turn, and it was agreed that all of our members would be given receipts for all taxes withheld.

August 2nd. CLUB BALI—Attended a meeting with the two local orchestras and proprietor in connection with a dispute about intermissions. After the meeting, all parties were satisfied as to the proper intermissions to be taken.

August 2nd. JACK DEVLLN'S—Found a non-union pianist playing lulls. After contacting the management and explaining to him that this was contrary to our laws as we could not permit our members to play with non-members, he agreed and is now employing union musicians exclusively.

August 3rd. WESTBURY GRILLE—A Local musician had a contract for one week. On the opening night, the manager wanted to cancel the musician. The member was advised by your agent to finish the week, which she refused to do. It was then agreed that she receive the outside price for the engagement, which was \$11.25.

August 4th. BREEN McCracken

week, when the orchestra is engaged at the Troc at night, the other orchestra plays the outside job, and the following week, vice-versa.

M. and S. that Merrick Valinote be advised that in accordance with our by-laws, we cannot grant him permission to accept two contract jobs that conflict in point of time, or share this contract with any other leader.

Motion amended to add "but that the men playing at the Troc Theatre can play any engagements during their off time at non-contract price.

Motion as amended carried.

Ben Rizzo appeared representing Chas. Kerr's orchestra, that inasmuch as they are in need of a trumpet player, and the only one that seems available is the trumpet player from the Earle Theatre which theatre is closed for two weeks but the men are being paid, that we permit the Earle Theatre trumpet player to play with the Kerr orchestra.

M. and S. that inasmuch as it is contrary to our law, the request be denied. Carried.

Joseph Verrecchia appeared requesting the substitute price for the Wilson Line, 3 hours nightly.

M. and S. the substitute price be \$10.00 for 3 hours per night. Carried.

Kirsch moves that the Contract Vising Committee go into session one hour earlier on Board meeting days, for the purpose of vising contracts. Carried.

Chair presents question of resuming the escrow system as of Labor Day.

M. and S. that we hold this matter up for further consideration. Carried.

Secretary presents request of Joseph Pistor to have the Friendly Society Price apply next season on the Franklinville Quartette Club.

M. and S. the request be granted. Carried.

Chair presents question of sending one delegate to the United Labor Committee meeting on August 25, 1943.

Ingber nominates Scola to represent Local 77 at this meeting. No objections.

Chair presents request of Benny-the-Bum's to be removed from the Unfair List.

M. and S. the request be denied. Carried.

Chair reports on the Radio Situation.

Chair reports on the contemplated symphony concerts to be given throughout the communities and to be paid for by the Federation in accordance with the request of the President of the United States.

Secretary reports on the Philadelphia Orchestra in connection with our negotiations to date with the Association for next season's agreement.

Chair presents request of the Warwick Hotel to permit the traveling band engaged at the Hotel to play for approximately one-half hour at the USO Service Club on August 18th, for which a regular union orchestra has been employed.

M. and S. the request be granted. Carried.

Chair presents request of the USO Labor Plaza for permission to borrow approximately 100 to 300 of our chairs to be used at the Plaza for the balance of their outdoor canteen.

M. and S. the request be denied. Carried.

Meeting adjourned at 3 P. M.

Attest: GUY A. SCOLA, Secretary.

POST—Upon investigating, found a non-union trio employed. A meeting was arranged with the management, who insisted on operating the same as usual. The Post was then put on the Local Unfair List. The agent and A.G.V.A. were contacted at once and full cooperation was extended. On a later date, August 12th, the manager changed his mind and agreed to employ a union trio at union wages.

August 5th. SILVER FLEET INN—Found a non-union orchestra employed. After speaking to the manager, he agreed to employ union musicians, inasmuch as he didn't want any labor trouble.

August 5th. LARRY'S CAFE—After a meeting with the proprietor, he agreed to engage a union orchestra to start on or about Labor Day.

August 6th. MINSTREL TAVERN—Found a non-union pianist employed. The proprietor is still looking for a union pianist.

August 9th. THE COTTAGE CAFE—After speaking to the proprietor, he agreed to pay \$5.00 due our member for wages.

August 9th. COLLEGE INN—The owner over-charged several members of the orchestra on the 20% Withholding Tax. After a lengthy discussion, and explaining the mistake he made, he agreed to refund the money that was over-charged.

August 11th. SAM'S—Found two non-union musicians playing the show as a musical act. They were instructed they must join the union if they desired to do this type of work. They agreed to do so.

August 13th. CLEARFIELD HOTEL CAFE—Checked to classify and it was agreed by the employer that union musicians exclusively would be employed.

August 16th. TAHITI BAR—A Local pianist was engaged to play two nights. He worked one and was cancelled. After contacting the booking agent, it was agreed that our member would be paid for the two nights.

August 17th. NORMANDIE GRILLE—A non-union pianist was immediately stopped from playing lulls. A Local pianist was booked for one week. It was agreed by mutual consent that he accept one night's wages at the outside scale price of \$17.50, which was paid. In the meantime, another Local pianist was employed.

August 17th. DAN McGARRIGAN, booking agent, contacted with reference to \$8.00 due one of our members. He agreed to pay same at once.

August 17th. ED SUEZ AGENCY—After being contacted, he agreed to pay \$15.00 due our member for services rendered.

The above activities are in addition to the agent's investigating traveling bands and collecting the 10% tax thereon.

Attest: GUY A. SCOLA, Secretary.

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TID-BITS OF OUR BOYS
IN THE SERVICE
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Every month the ranks of Uncle Sam's Armed Forces are getting bigger and bigger. Throughout the United States, musicians from every Local have joined the Service. Over thirty thousand members of the American Federation of Musicians are either in the Army, Navy or Marine Corps, and here in Philadelphia, from Local 77, every day our boys are joining the Armed Forces. Since the last issue of "The Philadelphia Musician," the following members have been called to serve their country:

- ROY STUEHLMAN
NORMAN SCHWARTZMAN
GEORGE STEINBERG
WARREN CLARK
WM. H. MCCOMICK
MARTIN MASTER
FRANCIS "PAT" PATTERSON
NATHAN PERLMAN
SIDNEY A. LESHNER
JOSEPH R. BATTISTA
ADOLPH POLLOCK
PETER S. RUBINS
FRANK K. WISSERT
GORDON DICKMAN (JOE BASS)
HOWARD S. JENSEN
MAX SPECTOR
SIDNEY MAYRO
WM. DRESSLER
VICTOR LATRANO
JOSEPH E. DE POLIS
RONALD G. TAYLOR
MARIO D. TREZZA
ROBT. H. EISENMAN
NORMAN "KING" KOHOUT
RALPH H. ROSENBERG
SPARTACO F. DONATO
JULES LAVINE "LAVAN"
EDW. G. PEILIKE "WEBER"
RICHARD L. WILSON, JR.
KENNETH HERTENSTEIN
ARNOLD MAXIN
JACK T. McGRATH

To these boys and to all of our other boys in the Service, we send our best wishes for their continued good health, and our prayers for their speedy return. May God's blessings be upon all of them.

We publish herewith three short letters received from our boys. From Bowman Field, Louisville, Ky., P.F.C. MIKE FORCHETTI writes: "Dear Friends: Thought I'd drop a couple lines to let you know that I'm stationed at Bowman Field, Kentucky, with the 67th Army Air Force Band and I like it very much. One of the reasons I wrote you this short letter is, to thank you for the Monthly Journal which I have been receiving for quite some time. All I ask is to just keep on sending me the Journal, it reminds me of times when I used to receive it back home. In closing I'll say, 'thanks again.'"

From Camp Lee, Va., PVT. KENNETH HERTENSTEIN says: "Just a line to let you know that I am definitely in the Army. Another musician to add to the list. I don't just know how this affects me with the Union but I understand my dues are suspended while I am in service. Please send the 'Philadelphia Musician' and 'International Musician' to me if possible. I am stationed here at

Camp Lee, Va., in the Quartermaster's Corps to take my basic training. I hope to be placed in a service band after the basic if possible. Please mention something in the 'Philadelphia Musician' with my address so my musician friends will know where I am stationed. Very sincerely, PVT. KENNETH HERTENSTEIN, Co. L, 4th Platoon, 7th Q.M.T.R.C., Bldg. T. 481, Camp Lee, Va."

And from Peterson Field, Colorado Springs, Col., S/SGT. BOB HORTON states: "Would it be possible to send my copy of 'The Philadelphia Musician' to my present address? I receive it at times from my parents but get such a big lift reading news about the boys and information relative to the Local that I would like to look forward to receiving it regularly. Played some music when I first came in the service, but inasmuch as Uncle Sam has sent me to so many schools and have traveled around this country from base to base, have had little opportunity to get back in the swing of one of my first loves, music. This army life is OK with me, but being back home making that nice green scale trump is really music to the ears. Until later." . . . It gives us a great deal of pleasure to hear from these boys and we sure would like to hear from all of you Service Men so that we can pass it on to all the boys. Please send us in any questions, any items of news, anything at all pertaining to yourself, and we will be glad to publish same in this column, which belongs to you. . . . PVT. FRANK CASPER, who recently was transferred from the Infantry to the Air Corps, was home on a short furlough and he tells this column that he is now in the Air Force Band, Greensboro, N. C. With him in this band are RAYMOND BROWN, HARRY DORAN and PAUL CARDIA. . . . JULES LAVEN, NAT PERLMAN and SID LESHNER are stationed with the Air Corps in Atlantic City, N. J. . . . CPL. AL DEL GOVERNATORE, who is a radio-gunner, is stationed in Jacksonville, Fla. . . . THEODORE MACK and JOSEPH CHAZIN are back in our midst again as civilians, both being honorably discharged from the Armed Services. . . . The famous 11th Army Air Force Band that was stationed in St. Petersburg, Fla., was recently transferred to Gulfport Field, Miss. . . . Come on, you soldiers, sailors and marines, drop us a note of what you are doing and where you are, so that we can write all about you.

Lee Herman receives a letter from his brother who is in the Army somewhere in the South Pacific, who has not seen a show for two years, and finally a U. S. O. unit arrives and the show was appreciated and enjoyed. One of the entertainers Lee's brother spoke to was a Philadelphia boy by the name of Joseph Rankin. G. S.

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It is contrary to the rules of Local 77 for music to be picked up by a P. A. system from one room in any establishment and carried on into any other room for the purposes of doing away with an orchestra. Members stand instructed to refrain from performing where a P. A. system is installed which will carry their music to any other room in any particular establishment.

Members are instructed to file contracts within one week of signing of same in accordance with the law.

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Defaulters' and Unfair List of A. F. of M. Philadelphia Jurisdiction

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Barrington Band, Barrington, N. J.

INDIVIDUALS

- American Aircraft Workers (Bendix), Philadelphia, Pa. Benny-the-Bum's, Benjamin Fogelman, manager. Bubeck, Carl F. Mrs. Jeannette Dean, Somers Point, N. J. Elate Club, Wm. H. McCoy, Pres. Faucett, James H. German-American Melody Boys' Band. Davey Glass. Gold, William. Garcia, Lou. Griffin, Wm. E. S. Hodges and National Home Show of Greenville, S. C. Holmesburg Country Club. Kaye, Al. Lawton, Miss Judith. Levy, Ben, Phila. Martin, John. Muller, Geo. W. Otto Rothe, Phila., Pa. Samuel Ottenberg, President. Pearl, Harry, New York. Victor Potamkin. Philadelphia Electric Country Club. The Philadelphia Gardens, Inc., Ray Fabiani and John McShain. Ross Russell, mgr., "Shanghai Nights' Review." Shayne, Tony. Sheehan, Thomas, Athletic Ass'n of the Episcopal Church, 510 N. 52nd St. Simm's Paradise Cafe. Spread Eagle Inn, Strafford, Pa. Stone, Thomas. Street, Benny. 1214 Club, Davey Glass and Benny Street. Weissman, Dan.

ORGANIZATIONS

- Eth Chapter, Gamma Phi Fraternity, Camden, N. J. M. O. C. Ballroom at Mt. Carmel, Pa. Phi Sigma Chi Fraternity, Sigma Province. Zeta Psi Fraternity.

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- Club Ball. College Inn. Lido Venice Cafe.

Local 77, Unfair List

- Banda Bianco. Crystal Ballroom Kugler's Restaurants (15th and Chestnut Sts., and Broad and Chestnut Sts. (Arcadia). Schwarzwald Inn Walt Whitman Hotel, Camden.

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Archbold, Leslie D. (a. sax. and clar.).
 Armstrong, Joseph T. (drums, etc.).
 Boyle, Thomas J. (guitar).
 Brody, Jerome (sax. and clar.).
 Chamberlain, Donald J. (guitar).
 Cordini, Florindo F. (accordion and sax.).
 Davis, Allan B. (trumpet).
 Dietz, Carl F. (trumpet).
 Dorszewski, Wanda "Dee" (piano).
 Francesconi, Carmela "Frances Lange" (guitar).
 Goodfarb, Louis (piano).
 Guerra, Selma (a. sax. and piano).
 Hall, Edward (piano).
 Hanrahan, Rodgers F. (piano, drums, etc.).
 Helriegel, Paul W. (trumpet).
 Herwitz, Robert (sax.).
 Lemanowicz, Theodore A. (piano).
 Lewis, Joseph H. (banjo and guitar).
 Mancusco, John (drums, etc.).
 Montgomery, J. Thomas (d. bass, drums and piano).
 Perkel, David H. (drums, etc.).
 Poland, Albert (drums, etc.).
 Prudente, Vito (electric guitar).
 Sassani, Charles R. (piano).
 Seflin, Herman (t. sax. and clar.).
 Six, Charles (drums, etc.).
 Skeen, Lewis R., Jr. (trombone).
 Strimple, "Jack" John (Vibraphone and drums).
 Vinciguera, Phillip "Vincent" (guitar and leader).
 Waterson, William R. (piano and organ).
 Winiarski, John "Winters" (accordion and piano).

ELECTED TO MEMBERSHIP

July 26, 1943
 Brown, Maxwell D. (a. sax. and clar.), 3417 Haverford Ave. *Eve. 4842.
 Durso, Edward (drums, etc.), 1637 Porter. *Ful. 6640.
July 29, 1943
 Rovner, Leonard (t. sax. and clar.), 2550 S. Reese.
August 2, 1943
 Portnoy, Martin (a. sax. and clar.), 4937 Ella. *Mic. 2830.
August 3, 1943
 Fischer, Joseph E. No. 2 (d. bass), 405 E. Cheltenham Ave. *Pil. 5139.
 Bidwell, Albert P. (a. sax. and clar.), 6200 Ellsworth. *Gra. 2226.
 Colantino, Rudolph, Jr. (a. sax. and clar.), 1825 Reed. *Dew. 2707.
 De Masi, John (trumpet), 710 W. Clearfield. *Rad. 8651.
 Denish, Arthur (trumpet), 3823 Delaware Ave., Pennsaukin, N. J. *Merchantville 2750-J.
 Di Vito, Frank "Lester" (guitar), 1449 S. 9th. *How. 2336.
 Greenbaum, Bernard "Bernie Graum" (trumpet), 244 E. Roosevelt Blvd. *Mic. 9778.
 Harris, Arthur S. (piano), 1011 Wagner Ave. *Dav. 1815.
 Levey, Stanley A. (drums, etc.), 4911 Pine. *She. 2562.
 Picclani, Louis G. (guitar), 3032 Wharton. Dew. 6833.
August 6, 1943
 Perlstein, Eugene (t. sax. and clar.), 4510 N. 5th. *Dav. 8035.

CONGRATULATIONS

Mr. and Mrs. "Boots" Mellor on birth of daughter, Doris-Jane.
 Mr. and Mrs. Morris Zeft on birth of son, Jerome Lewis.
 Mr. and Mrs. Herman Ellencrig on birth of son.

REINSTATED

Chazin, Joseph
 De Colibus, Joseph
 D'Orio, Vincent A.
 Harper, Robert S.
 Johnson, George
 Lento, John "Leonard"
 Mack, Theodore
 Marta, Alfred
 Sosenko, Jay Jerome
 Ziegler, Joe

RESIGNED

De Ford, Robert P.
 Di Cuircio, Nicholas
 Vaughn, Robert L.
 Westbury, Thomas

IN SERVICE U. S. A.

Battista, Joseph R.
 Clark, Warren
 De Polis, Joseph E.
 Dickman, Gordon
 Dinenberg, Irwin S. "Fox"
 Donato, Spartaco
 Dressler, William
 Eisenman, Robert
 Frampton, James
 Hertenstein, Kenneth E.
 Jensen, Howard S.
 Kohout, Norman King
 Latrano, Victor
 Lavan, Julian
 Leshner, Sidney A.
 Master, Martin
 Maxin, Arnold
 Mayro, Sidney
 McCormick, Wm. H.
 McGrath, Jack T.
 Patterson, Francis "Pat"
 Pelleke, Edward G.
 Perlman, Nathan
 Pollock, A. T.
 Rosenberg, Ralph H.
 Rubino, Peter
 Sayers, Sylvan
 Schwartzman, Norman
 Spector, Max
 Steinberg, George
 Stuhlman, Roy
 Taylor, Ronald G.
 Trezza, Mario
 Wilson, Richard L., Jr.
 Wissert, Frank

DECEASED

Giacomino, Vincent
 De Masi, Jerry
 Wohlleben, Theodore G.

CONVALESCING

The Sunshine Committee is happy to report that the following members are improving and pray for their speedy recovery:

Fred Braun
 Bert Comfort
 Louis De Santis
 Wm. Lodholz
 Harry Rollin

NECROLOGY

The Local extends its sympathy to the families of the following members in this their hour of bereavement:

Vincent Giacomino
 Theodore G. Wohlleben
 Daughter of Mr. and Mrs. Edward Clauson
 Son of Angelo Bove
 Jerry De Masi
 Wife of Morris Mosaicant

Change of Address and Telephone

Beau de Coffeur, Les, 2444 Flamingo Place, Apt. 1-D, Miami Beach, Fla. *Miami Beach 58-1624.
 Berkowitz, Donald, 2430 N. Front. *Neb. 6376.
 Black, Albert, 705 W. Roosevelt Blvd. *Dav. 5974.
 Brennan, Joseph J., 3729 Lilac Lane, Holmesburg.
 Canali, Felix, 625 Kenilworth Rd., Wynnewood Park, Ardmore, Pa. *Ardmore 5197; Of., Gre. 3388.
 Carr, Charles, 237 S. 8th. *Mar. 2896.
 Carr, Edwin, 237 S. 8th. *Mar. 2896.
 Conetta, Joseph, 703 N. 19th. *Pop. 3198; Of., Emerson 0639.
 Deppe, Russell T., Box 638, Woodlyn, Pa., 1313 7th Ave., Grace Park, Pa. *Swarthmore 3598.
 De Prospero, A. Fritz, 2454 77th Ave. *Han. 2824.
 Drossin, Julius, 5857 Woodcrest Ave.
 Familant, Michael. *Madison 3082-J.
 Frantz, Leonard, 5771 N. 17th.
 Gambino, Adolph A. (D. Bass), 1834 W. Passyunk Ave. Ful. 3749.
 Gordon, Leon, 2112 Chancellor. *Rit. 2837.
 Greco, Carl F., 2814 Lardner.
 Hall, Madelyn, 5 N. Huntington, Margate City, N. J.
 Hase, Albin, 3904 N. 8th. *Sag. 1304.
 Jacoby, Elliot G., 33 N. 63rd.
 Joseph, John B., 952 Walnut, Allentown, Pa.
 Krakover, Eddie, 4130 Parkside Ave. *Tri. 1345.
 Krepyk, Isadore, 2224 N. Natrona.
 Legacki, Anthony "Larry." *Cum. 0761.
 Mack, Theodore, 517 Locust Ave., Westmont, N. J. *Col. 1827-M.
 Miller, Walter G., 301 S. 17th. *Kin. 0923.
 Moldawer, Oscar A., 2011 Delancey.
 McGovern, Owen J., 2431 S. 18th. *Dew. 5508.
 McNamara, Arthur, 5621 Woodland Ave. Of., Wal. 9808.
 Nelson, Graycie Elmore, P. O. Box 114, Old Orchard Beach, Me.
 Parrott, Donald, 1322 E. Howell. *Cum. 3914.
 Rickenbach, Elmer S., 206 E. Tabor Rd.
 Riso, Vincenzo, 1946 Durfor.
 Rudin, Nat, 1848 W. Albanus. *Mic. 8724.
 Russell, Edwin S., 5618 Miriam Rd. *Cum. 3360; Of., Jef. 9933.
 Shaffer, Roy, 145 Lewis, Phillipsburg, N. J.
 Spramelli, Anthony. *How. 4647; Of., Dew. 9711.
 Summers, Jean Mae, Spruce Hotel, 13th and Spruce. *Pen. 2300.
 Terranova, Guido, 1714 Chestnut.
 Toscano, Michael, 915 W. Tabor Rd. *Han. 3522.
 Townend, Robert, 317 Wilson, Bristol, Pa. *Bristol 3297.
 Vollmer, James F., 4418 Loring.
 Waad, Harry, 1347 N. Dover.
 Walters, Wm. F., 847 S. Cecil. *She. 4679.
 Zawilla, Henry A., 1471 S. 9th, Camden, N. J. *Camden 0582-R.
 Zollo, Leo, 234 Glen Gary Drive, Upper Darby, Pa. *Hiltop 8462.

AMPLIFIER FOR RENT—Paul Martin, POP. 4149. If no answer, call STE. 5516.

NANETTE STUDIOS—Photography, Theatrical and Social, 1102 Manning Street. Pen. 4733.

**REAL ESTATE AND INSURANCE
 George R. Merrill, 1219 Land Title Bldg.**

Arpeggio Advertising Information

MEMBER PRICING

Advertisement Size	Print Price	Electronic Pricing
Business Card (2 x 3)	....\$35.00	.....\$17.50
Qtr. Page (4 x 4 1/2)	.....\$50.00	.....\$25.00
Half Page (7 1/2 x 4 1/2)	....\$75.00	.....\$37.50
Full Page (10 x 7 1/2)	.....\$150.00	.....\$75.00

NON-MEMBER PRICING

Advertisement Size	Print Price	Electronic Pricing
Business Card (2 x 3)	... \$100.00	..... \$50.00
Qtr. Page (4 x 4 1/2)	.....\$175.00	.....\$87.50
Half Page (7 1/2 x 4 1/2)	....\$300.00	.....\$150.00
Full Page (10 x 7 1/2)	.....\$500.00	.....\$250.00

ADVERTISING GUIDELINES

All advertisements submitted must be camera-ready. We will not publish the following types of advertisements:

- Travel
- Insurance
- Credit Cards

Send advertisement check made payable to Local 77, AFM to the following address:

**ATTN: Newsletter Advertising
 The Philadelphia Musicians'
 Union Local 77 AFM
 121 South Broad Street, Suite 320
 Philadelphia, PA 19107**

If you have any questions please call the Local 77 office at (215) 985-4777

PUBLISHING DEADLINES

Our newsletter will be sent quarterly, and *only electronically* during the pandemic. If you would like to advertise in the newsletter please have your submissions in by the deadlines below.

- 1st Quarter: Jan 1-Mar 31 (DUE 4/1)
- 2nd Quarter: Apr 1-Jun 30 (DUE 7/1)
- 3rd Quarter: Jul 1-Sept 30 (DUE 10/1)
- 4th Quarter: Oct 1-Dec 31 (DUE 1/1)

Newsletter submission requests should be sent to:

local77@afm.org

All advertisement requests are subject to the approval of the Local 77 Executive Board.



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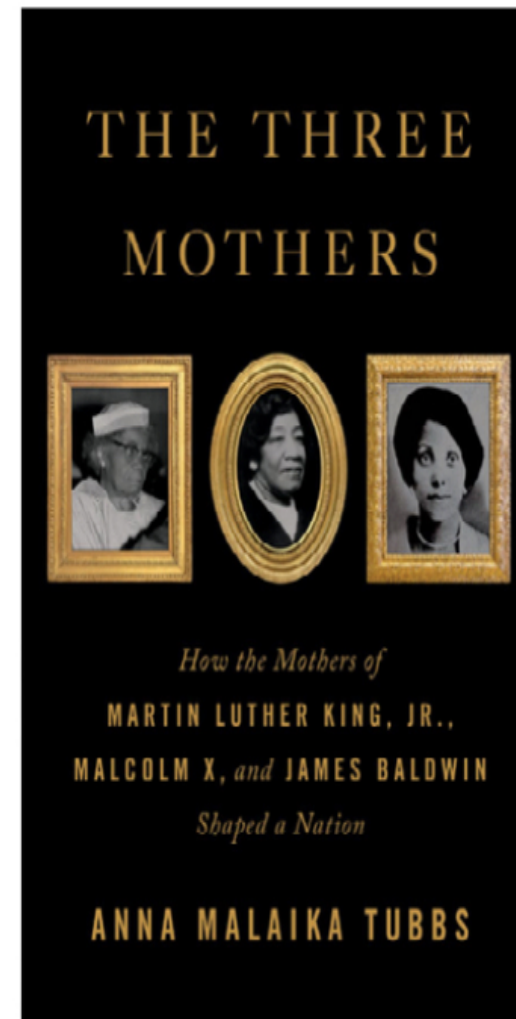


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Study Group + Book Club

Third Mondays @ 7:30pm!

In February, we will begin *The Three Mothers: How the Mothers of Martin Luther King, Jr., Malcom X, and James Baldwin Shaped a Nation* by reading up to Part IV (p. 105).

For Zoom link:
local77IDEAS@gmail.com

Executive Board Minutes

October 15, 2021

PRESENT: President Trainer, VP Goldberg, S-T Antonacci, Executive Board members Ansel, Fay and Suttman are present (virtual). PROCEEDINGS: Meeting called to order by President Trainer at 11:04am. The Executive Board reviewed the minutes from the previous meeting. VP Goldberg motions to approve the minutes as amended. EB Ansel seconds. VOTE: 4 approve. 0 opposed. S-T Antonacci reported on the balance sheet and profit & loss statement from September. EB Fay motions to accept the S-T report. EB Ansel seconds. VOTE: 4 approve. 0 opposed. S-T Antonacci reported on the status of the new construction inside of the Academy House. At the moment, the construction permit is being held up at City Hall. President Trainer and S-T Antonacci have called on elected officials in city hall to assist with the application approval. S-T Antonacci reported on the latest Finance Committee meeting. The Finance Committee discussed the financing of the condo construction as well as potential raises for the officers in January 2022. The Executive Board discussed the potential of raises for the officers. EB Fay suggested that a one time 6% increase should go into effect, and that all future raises should be tied into the increases contained in the Philadelphia Orchestra contract. EB Suttman proposed salary increases to correlate with the cost of living increase. EB Suttman suggested that the Executive Board present the salary increases to the members at a future membership meeting to vote on. There will be further discussion at the next board meeting about which

direction to consider pursuing. S-T Antonacci reported on the membership status. As of 10/15/21 Local 77 has 723 members—this is an increase of 10.5% from June of 2019, when Local 77 reported 655 members at the 2019 AFM Convention. Since the previous meeting, there have been five new membership applications submitted. Discussion held on the suspend/expel report for the upcoming AFM Per Capita dues payment that needs to be submitted by the end of October. EB Fay reported on the Philadelphia Orchestra (POA). In the past two weeks, one of the members contracted COVID. This positive case was contained to only one member. President Trainer reported on the Chamber Orchestra of Philadelphia (COP). The wind and brass musicians of the COP were required to perform at home COVID testing prior to the engagements. VP Goldberg reported on the Philly POPS. The POPS has agreed to pay five musicians as a result of a grievance filed for hiring practices this summer that violated the Collective Bargaining Agreement. Discussion held on the POPS. EB Ansel reported on the Philadelphia Ballet. The Ballet committee and management have been in discussions regarding their interest in potentially signing the COVID side letter. VP Goldberg reported on Opera Philadelphia. Management and representatives from Local 77 are currently in negotiations. Currently, Opera has cut their normal 40 services down to 16, while they continue to employ over 40 administrative workers. Discussion held on Opera Philadelphia. VP Goldberg reported on the Walnut Street Theatre negotiations. Job security is a concern. Management proposed an offer to increase the pay by .5%. Discussion held on a potential

work action at the Walnut Street Theatre. Discussion held on the Mann Center. S-T Antonacci and VP Goldberg reported that Local 77 is going to enter into discussions surrounding an agreement. S-T Antonacci reported on the Philadelphia Theatre Company CBA. At the moment, the Local 77 office is drafting a proposal and will have more updates in the coming weeks. S-T Antonacci reported on a meeting held with President Eiding of the Philadelphia Council AFL-CIO and President Trainer regarding the endorsement of Democratic candidate for the PA House District 182, Jonathan Lovitz. Mr. Lovitz received an endorsement from the Laborers Union recently, which is likely to influence similar labor organizations to offer their support. Local 77 is proud to be the first arts union to endorse Mr. Lovitz. Open discussion held on diverse hiring practices in various freelance organizations. Discussion held on apparel for the fall season, including collared Local 77 shirts. EB Ansel motions to adjourn. VP Goldberg seconds. VOTE: 4 approve. 0 opposed. Meeting adjourned at 12:35pm.

October 29, 2021

PRESENT: President Trainer, VP Goldberg, S-T Antonacci, Executive Board members Ansel, Fay and Suttman are present (virtual). PROCEEDINGS: Meeting called to order by President Trainer at 11:04am. The Executive Board reviewed the minutes from the previous meeting. VP Goldberg motions to approve the minutes as amended. EB Fay seconds. VOTE: 5 approve. 0 opposed. Executive session entered from 11:17am—11:27am. President Trainer updated the Board on the architect and contractor

regarding the new office space. Local 77 has had issues with City Hall issuing the construction permit. With the help of Jonathan Lovitz, Candidate for PA-182nd District, the offices of Councilmember David Oh and Isaiah Thomas, the construction permit was approved as of October 28, 2021. The ceiling in the new office has been painted and President Trainer has a meeting scheduled with the contractor to discuss the next steps. S-T Antonacci reported on the third quarter per capita payments made to the Federation for Local 77 members. When the report was filed, there were 687 active members totaling \$10,307.00 in per capita fees for the quarter. S-T Antonacci reported on the suspend/expel report for the third quarter. S-T Antonacci reported on the membership activity since the previous meeting. Discussion held on the Fall general membership meeting. The Fall general membership meeting will be held on Monday November 22, 2021 at 7pm. Discussion held on the Local 77 proposal to utilize the AFM Freelance Co-Funding program and hire a part-time organizer for a six-month period. President Trainer and S-T Antonacci met representatives from Senator Nikil Saval's office and additionally with organizers at a local organizing school in Philadelphia to discuss potential candidates for this position. Discussion held. Discussion held on the 2021 AFL-CIO Holiday Sponsorship program designed to help union family members in need during the holiday season. EB Suttman motions to approve a \$500.00 donation for 2021. VP Goldberg seconds. VOTE: 5 approve. 0 opposed. Discussion held on the Philadelphia Orchestra. VP Goldberg reported on the Chamber Orchestra of Philadelphia. VP Goldberg reported on the Philly POPS. The POPS is hiring for the Bocelli concert at the Wells Fargo Center in December of 2021. The rate quoted to musicians was incorrect. S-T Antonacci reported on discussions held the POPS regarding missing pension payments. The AFM-

EPF is in communication with the POPS regarding this issue. Discussion held on further issues surrounding the POPS. EB Ansel reported on the Philadelphia Ballet. President Trainer reported on the Opera Philadelphia negotiations. Discussion held. President Trainer and VP Goldberg held a meeting with Opera Philadelphia Senior VP of Artistic Operations, David Levy regarding a grievance surrounding a violation of hiring practice within the Collective Bargaining Agreement. S-T Antonacci reported on the proposed Venue Agreement between Local 77 and The Mann Center. Following the submission of the initial proposal, a follow-up negotiation will be scheduled. Discussion held on the proposed Agreement. S-T Antonacci reported on the proposed Collective Bargaining Agreement submitted to the Philadelphia Theatre Company. Their current agreement expired on August 31, 2021. Local 77 is awaiting a response to schedule a future negotiation. Discussion held on the Local 77 IDEAS Council Chairperson and Philadelphia Musicians' Relief Fund Project Director Laura Munich. Ms. Munich has requested financial assistance to attend the Nonprofit Executive Leadership Institute in Bryn Mawr, PA, for which she has been granted a partial scholarship. VP Goldberg motions to fund the remaining balance of tuition in the amount of \$573.00. EB Fay seconds. VOTE: 5 approve. 0 opposed. While attending the training sessions, Ms. Munich will report on her progress to the Executive Board monthly at a regular meeting from November 2021 through April 2022. Discussion held on the Philadelphia Orchestra and Kimmel Center merger. EB Suttman reported on research he had done on a comparison of pre-pandemic and post pandemic traveling shows—orchestra size, number of local musicians hired, number of traveling musicians employed, whether or not the show is an Equity show or not, and length of the run. EB Suttman motions to grant permission to S-T Antonacci for the following performance engagements: Jazz Orchestra of Philadelphia 12/17-

12/18; Timberdale Brass Quintet, 12/2; Mendelssohn Club 12/8-12/10. EB Fay seconds. VOTE: 4 approve. 0 opposed. Antonacci recused. EB Suttman motions to grant permission to President Trainer to perform with the Philly POPS for their upcoming ABBA series in November. VP Goldberg seconds. VOTE: 5 approve. 0 opposed. EB Ansel motions to adjourn the meeting. EB Suttman seconds. VOTE: 5 approve. 0 opposed. Meeting adjourned at 12:55pm.

November 15, 2021

PRESENT: President Trainer, VP Goldberg, S-T Antonacci, Executive Board members Ansel, Fay and Suttman are present (virtual). PROCEEDINGS: Meeting called to order by President Trainer at 1:32pm. EB Fay reported on the Philadelphia Orchestra (POA). Discussion held on personnel issues. Discussion held on the recent Time for Three recording session and subsequent rates that are owed to musicians. The musicians of the POA are donating \$15,000 to the San Antonio Symphony. Additionally, there has been a concert dress committee formed, to discuss the recent changes. The Executive Board reviewed the minutes from the previous meeting. EB Suttman motions to approve the minutes as amended. EB Ansel seconds. VOTE: 5 approve. 0 opposed. S-T Antonacci reported on the October profit & loss as well as the balance of accounts as of October 31, 2021. EB Fay excused at 1:59pm. As of November 15, 2021 Local 77 has 720 members. VP Goldberg motions to accept the S-T Report. EB Ansel seconds. VOTE: 4 approve. 0 opposed. VP Goldberg motions to accept four new members. EB Ansel seconds. VOTE: 4 approve. 0 opposed. S-T Antonacci reviewed the fully executed contract between Local 77 and Owners Rep LLC for the construction of the new office space inside of Academy House. S-T Antonacci reviewed the agenda items and documents for the upcoming General

Membership meeting on November 22, 2021. Discussion held on the meeting agenda items and recommendations. EB Suttman excused at 2:29pm. S-T Antonacci reported on the Freelance Co-Funding proposal sent to the Freelance Services division. Local 77 is awaiting a response. Discussion held on the Chamber Orchestra of Philadelphia. VP Goldberg reported on the Philly POPS. The POPS orchestra is performing the music of ABBA at Verizon Hall on November 17th, 20th, and 21st. S-T Antonacci reported that the AFM-EPF has confirmed the POPS had re-issued missing pension checks. EB Ansel reported on the Philadelphia Ballet. The Ballet management is not likely to sign the COVID Side-letter. President Trainer reported on the Opera Company of Philadelphia. Discussion held on the negotiation timeline. EB Ansel reported on the Walnut Street Theater. Discussion held on Walnut safety protocols and the current proposal from Walnut management. S-T Antonacci reported that there is a meeting on November 16, 2021 between Local 77 and the Mann Center for the Performing Arts regarding a proposed venue agreement. Brief discussion held on the 2022 AFM Convention, held tri-annually in Las Vegas, Nevada. The 2022 convention is slated to run from June 20, 2022-June 23, 2022. Discussion held on an invitation from the President of the Baltimore Local for the Local 77 Officers to present at their February 2022 general membership meeting. EB Ansel motioned to adjourn. S-T Antonacci seconds. VOTE: 3 approve. 0 opposed. Meeting adjourned at 3:16pm.

November 29, 2021

PRESENT: President Trainer, VP Goldberg, S-T Antonacci, Executive Board members Ansel, Fay and Suttman are present (virtual). PROCEEDINGS: Meeting called to order by President Trainer at 10:19am. President Trainer updated the Board on the office construction process.

The materials have been loaded into the unit, and the flooring has been removed. EB Fay reported on the Philadelphia Orchestra (POA). Discussion held on the POA fellowship program. President Trainer reported on the Chamber Orchestra of Philadelphia (COP). The orchestra committee met with management regarding the future of the music director position. VP Goldberg reported on the Philly POPS. The POPS have begun rehearsals for their holiday concert series. The safety committee had submitted a list of safety concerns to management. POPS administration addressed the concerns. Discussion held on personnel concerns surrounding the holiday concert series. EB Ansel reported on the Philadelphia Ballet. The Ballet has provided COVID tests for musicians. Nutcracker rehearsals begin December 9th and performances begin on December 10th. President Trainer reported on Opera Philadelphia negotiations. The next negotiation is scheduled for December 1st. EB Ansel reported on Walnut Street Theatre negotiations. S-T Antonacci reported on the Mann Center. Discussion held on the 2022 AFM Convention in Las Vegas, NV. Discussion held on potential joint recommendations for the Convention. Discussion held on Local 77 personnel attending the Convention. The Executive Board reviewed the minutes from the previous meeting. VP Goldberg motions to approve the minutes as amended. EB Fay seconds. VOTE: 5 approve. 0 opposed. S-T Antonacci reported on the membership activity since the previous meeting. To date, Local 77 has 721 members. Discussion held on new member applicants. EB Fay motions to accept the new members. EB Ansel seconds. VOTE: 5 approve. 0 opposed. S-T Antonacci reported on the general membership meeting held on November 22nd. The meeting had nearly 60 attendees. Membership voted in a resolution presented by the finance committee to adjust the officer salaries according to the SSA Cost-of-

Living calculation beginning January 1, 2022. Additionally, membership voted in a recommendation presented by the 2019 election committee to amend the Local 77 election bylaws, effective after the 2022 election. Discussion held on the Local 77 2022 election. EB Suttman reported on the Philadelphia Chapter of the Theatre Musicians Association. The Philadelphia TMA Chapter will be releasing their first newsletter today. There will be a TMA membership meeting on December 13th. President Trainer reported on the non-union theater shows coming into town and discussed the potential for leafleting. VP Goldberg motioned to adjourn. EB Suttman seconds. VOTE: 5 approve. 0 opposed. Meeting adjourned at 12:20pm.

December 13, 2021

PRESENT: President Trainer, VP Goldberg, S-T Antonacci, Executive Board members Ansel, Fay and Suttman are present (virtual). PROCEEDINGS: Meeting called to order by President Trainer at 1:35pm. The Executive Board reviewed the minutes from the previous meeting. EB Suttman motions to approve the minutes as amended. EB Ansel seconds. VOTE: 5 approve. 0 opposed. S-T Antonacci reported on the November profit and loss and the balance sheet as of November 30, 2021. VP Goldberg motions to approve the profit and loss and balance sheet report. EB Ansel seconds. VOTE: 5 approve. 0 opposed. S-T Antonacci reported on the membership activity since the previous meeting was held. The current membership count totals 726. Four new membership applications were submitted to join Local 77. S-T Antonacci motioned to accept the new member applicants. VP Goldberg approved. VOTE: 5 approve. 0 opposed. President Trainer and S-T Antonacci will meeting with Zorie Barber, the IT specialist that has been contracted to set up the computer and phone systems in the new office

inside Academy House, to discuss the technological layout of the new space. EB Fay reported on the Philadelphia Orchestra (POA). The POA had a full membership meeting to discuss the new fellowship program, European tour and upcoming auditions among other items. President Trainer reported on the latest negotiations with the Mann Center. S-T Antonacci reported on the venue walk-through for the Philly POPS Bocelli engagement at the Wells Fargo Center. VP Goldberg and President Trainer reported on the discussions held with musicians following the engagement. VP Goldberg reported on the streaming agreements that will be filed by the POPS for the streaming of their holiday show. S-T Antonacci reported on the POPS' Jazz Orchestra of Philadelphia (JOP) rehearsal, which took place on December 12, 2021 in preparation for an upcoming performance on December 28, 2021. EB Ansel reported on the Philadelphia Ballet. The Ballet is currently in the middle of their Nutcracker production. Despite COVID concerns, things are running smoothly. VP Goldberg reported on the Opera Company negotiations. There are upcoming flute auditions, of which there are 75 applicants. VP Goldberg and President Trainer reported on the Walnut Street Theater negotiations. Discussion held on the 2022 AFM Convention. Discussion held on scheduling the next board meeting. S-T Antonacci motioned to adjourn. VP Goldberg seconds. VOTE: 5 approve. 0 opposed. Meeting adjourned at 2:50pm.

December 28, 2021

PRESENT: President Trainer, VP Goldberg, S-T Antonacci, Executive Board members Fay and Suttman are present (virtual). PROCEEDINGS: Meeting called to order by President Trainer at 11:05am. The Executive Board reviewed the minutes from the previous meeting. EB Suttman motions to approve the minutes as amended. VP Goldberg seconds. VOTE:

4 approve. 0 opposed. Discussion held on Local 77 representatives attending the AFL-CIO conference in Atlantic City. S-T Antonacci updated the board on the spearheading of an initiative surrounding a joint resolution focused on organizing. Other AFM locals that are currently involved in drafting the resolution are located in California, Oregon, Washington, Idaho, New Mexico, Chicago, Boston, Delaware and Colorado. S-T Antonacci reported on receiving an application for the Local 77 organizer position. Discussion held on finalizing the organizer job posting, which will be circulated on www.unionjobs.com. S-T Antonacci reported on the new member activity since the previous board meeting. VP Goldberg motions to accept one new member. EB Suttman seconds. VOTE: 4 approve. 0 opposed. S-T Antonacci reported on a meeting with President Trainer and Zorie Barber, the IT specialist engaged to facilitate the technological components of the new office space at Academy House. Discussion held on the electronic devices needed to outfit the boardroom and common area for virtual meetings and in-person trainings. President Trainer reported on the construction updates at the new office space. The electrical work is currently underway, and there are ongoing discussions surrounding the location of the panel box, as it is located inside of another office and may need to be relocated. EB Fay reported on the Philadelphia Orchestra (POA). The POA had their Messiah concert. Because of effective safety protocols, last minute changes had to be made regarding personnel to accommodate positive COVID cases. The POA will be altering their upcoming Beethoven 9 program out of an abundance of caution. Discussion held on a personnel issue. VP Goldberg updated the board on the POPS holiday concert series, which included two streaming agreements as well. S-T Antonacci updated the board on

the Jazz Orchestra of Philadelphia performance at the Annenberg Center. COVID safety protocols effectively caught positive COVID cases, and last-minute personnel changes were made to accommodate the vacancies. VP Goldberg updated the board on the Philadelphia Ballet. Ballet management illegally used a recording of the orchestra, after being specifically told that they did not have authorization to do so. The orchestra committee and Local 77 leadership have been in constant communication surrounding a host of positive COVID cases with orchestra members. President Trainer updated the board on the Opera. They are in ongoing negotiations with the assistance of AFM Symphonic Services negotiator Todd Jelen. VP Goldberg reported on the Walnut Street Theatre negotiations. Local 77 IDEAS Council Chairperson Laura Munich entered at 12:01pm. Ms. Munich reported on her attendance thus far in the Non Profit Executive Leadership course, which runs until April of 2022. Ms. Munich reported on the format, and content of the course, which initially focused on personal and professional development. The latest sessions have been focusing on strategic planning, with a specific concentration to non-profits. Organizational planning/ budgeting and recruiting a diverse staff are among the topics in the coming weeks. Ms. Munich excused at 12:31pm. Discussion held on possible attendees for the upcoming Sphinx Conference, being held January 26-29, 2021. EB Suttman reported on the national Theatre Musicians Association meeting, held December 27, 2021. EB Suttman reported on a presentation explaining a new music software called KeyComp. VP Goldberg motions to adjourn. EB Fay seconds. VOTE: 4 approve. 0 opposed. Meeting adjourned at 12:59pm.