



OFFICIAL JOURNAL
MUSICIANS' ASSOCIATION OF METROPOLITAN BALTIMORE
Local 40-543, AFM



Baltimore City - Baltimore Co. - Anne Arundel Co. - Howard Co. - Carroll Co. - Harford Co.
(410) 337-7277 - Fax (410) 337-7279 - E-Mail: office@musiciansunion.org - Website: <http://www.musiciansunion.org>

Vol. 32

Fall, 2020

No. 2

2020 – 2021 Membership Dues

Regular Member:

Annual \$170 Quarterly \$45

Life Member:

Annual \$76 Quarterly \$21

Inactive Life Member:

Annual \$70 Quarterly \$19

When paying your dues, please consider making a contribution to TEMPO.

Please Note: *Fourth quarter membership payment is due by December 31, 2020.*

**THIS IS THE LAST NEWSLETTER
TO BE PRINTED AND MAILED TO
OUR MEMBERS!**

The Fall 2020 issue of The Baltimore Musician will be the last printed issue of Local 40-543's newsletter. Going forward, members will receive the newsletter via email, so it is important that we have our members' up-to-date email addresses on file in our database. If you suspect we do not have a valid email address for you, please contact us at office@musiciansunion.org or call 410-337-7277 and give us your name and email address. We will make and mail out paper copies to members who do not have an email address on file.

**Local 40-543 Office Closed
Until Further Notice**

Local 40-543 is conducting its business remotely. Please do not come to the office. Questions about membership status or other matters should be sent to office@musiciansunion.org or you may leave a phone message at 410-337-7277.

Current Email Address:

In this time of online communication, it is important that the Local has your current email address. If you are unsure if yours is up to date, please email us at office@musiciansunion.org, and we will check your contact information.



MUSICIAN'S ASSOCIATION
OF METROPOLITAN BALTIMORE
1055 TAYLOR AVENUE, SUITE 218
BALTIMORE, MD 21286

Non-Profit Org.
U.S. POSTAGE
PAID
HAGERSTOWN, MD
PERMIT NO. 184

Officers:

President	Michael Decker
Vice President	Luis Engelke
Secretary-Treasurer	Mary C. Plaine
Directors-at-Large:	
	Susan Benac - Sara Nichols
	Brian Sanders - Lisa Steltenpohl
Office Manager	Mary Ann Szymanik
Office Manager Emerita	Jean Shaney
Co-Editors Baltimore Musician	Mary C. Plaine
	Mary Ann Szymanik

Secretary's Report

September – November, 2020

NEW MEMBERS

Xiong, Zheyang Jerry; 101 W Read St, Apt 308, Baltimore, MD 21201; Cell: 216-744-6320; Email: zheyangx@usc.edu; Violin

RE-ENTRY

Pilkington, Geoffrey; 5102 Cliffhaven Dr, Annandale, VA 22003; Cell: 703-229-1633; Email: soavecor@gmail.com; French Horn/Wagner Tuba

DECEASED

Melvin Seebode
(9/16/2020)

RESIGNED

Yoon Bae	David Miller
Elise Blake	Melissa Morales
Claudia Chudacoff	Christian Paquette
Michael DeVito	Jacqueline Pollauf
Gary Fitz	Meira Silverstein
Mark Hill	Daniel Pecos Singer
Lily Josefsberg	Steve Swan
Matt Kruft	Steven Temme
Jennifer Lee	Ryan Toher
Minjin Lee	Kang Xia

DIRECTORY CHANGES

Dusold, Amanda; 1326 Maple Ave, Halethorpe, MD 21227; Email: adusold@gmail.com; Cell: 301-404-4639

Gifford, Griz; Email: grizgifford1@gmail.com

Sidlin, Murry; Email: msidlin@gmail.com

Tranchitella, Chris; PO Box 1494, North Beach, MD 20714

Stahl, Eric; 1227 Berry St, Baltimore, MD 21211
Res: 410-467-4076, Cell: 443-802-7137

Warren, Jessica; 712 – 11th St SE, Washington, DC 20003

Treasurer's Report

September -- November, 2020

Abato, Rubenstein & Abato (Legal fees)	\$ 760.00
Case Arts Law LLC (Legal fees)	12,597.00
Comcast (Phone/internet provider)	530.11
Computer Support & Maintenance	83.99
Hillendale Properties (Rent thru Dec, 2020)	4,969.62
Method Integration (Member database)	130.00

Unable to Work Due to Illness or Disability?

Started in 1951 with a \$10,000 personal contribution from then AFM President James C. Petrillo in memory of his late son, the Lester Petrillo Memorial Fund for Disabled Musicians is a charitable trust fund that provides financial aid to disabled members. This fund is not intended to replace health insurance or provide general loans, but does supply modest amounts of assistance to qualified applicants on an emergency basis.

The Trustees have complete discretion in determining eligibility and amount of the benefit, except that no benefits shall be paid to or on behalf of a person who is not physically or mentally disabled (as that term is defined by the Trustees) and who is not a member in good standing of the AFM.

Locals are asked to forward applications, Local recommendations, and supportive medical documentation to the Office of the International Secretary-Treasurer for consideration. Members will receive only one benefit check in any calendar year. However, Local Secretaries may submit applications for assistance on behalf of members in subsequent years if needed.

If you are unable to work due to illness or disability, or know a member of Local 40-543 who fits this description, please contact this Local or call the Federation directly at (212) 869-1330, ext. 236.

If you recently changed your address, phone number or email, please contact the office of the Local to advise of the change.

AFM-EPF

Register on-line
Keep track of your pension
<http://www.afm-epf.org/Home.aspx>



Local 40-543 News

by Mary Plaine, Secretary-Treasurer

Dear Local 40-543 Member,

As is stated elsewhere in this newsletter, this will be the last issue of *The Baltimore Musician* to be printed professionally and mailed out to our members. Going forward,

our journal will be distributed via email, so please make sure that we have your correct email address on file. Should you be a member who does not have an email address, we will see that you get a paper copy. I have mixed feelings about moving forward with this board decision. I hate for one union to contribute to the financial distress of another and want to give a shout-out to the folks at Tri-State Printing, a union shop that Local 40-543 has worked with for several years. In addition to all the traditional printing one may be looking for, Tri-State also will print t-shirts and facemasks. If you need a printer, please give consider giving Tri-State Printing your business, <https://tristateprinting.net>.

At its October 5th meeting, Local 40-543's board of directors voted to reduce the scale wages of the local's freelance price list by 30%. Those new rates, effective immediately, are shown on the new price list that has been mailed with this newsletter. Please read President Decker's column in this newsletter for more information about the decision to reduce the scale wages.

Local 40-543 (Baltimore), Local 21 (Wilmington, DE), and Local 125 (Norfolk, VA), are jointly petitioning the AFM's International Executive Board for approval of a voluntary transfer of territory currently under Wilmington's jurisdiction. If approved, the Maryland counties on the Eastern Shore would become the responsibility of 40-543, and the Virginia counties at the tip of the Eastern Shore would fall under Norfolk's governance.

Local 40-543 supports its sisters and brothers with IATSE Local 868 who have filed unfair labor practice charges against The Music Center at Strathmore. IA Local 868 represents the people who work in the box offices in theatres in the Washington area. Strathmore has taken aggressive and hostile actions against its box office staff. Local 868 feels that Strathmore is using this

pandemic as an excuse to violate its contractual obligations and retaliate against the employees who voted to go union five years ago. Other Local 868 venues chose to furlough their employees, but Strathmore laid off its entire ticket office, meaning no health benefits and no implied promise of future return to work. In fact, Strathmore has chosen to fill vacated positions with external candidates instead of bringing back laid off, experienced ticket office personnel. Here is a link to an online petition, <https://actionnetwork.org/letters/tell-strathmore-ceo-give-workers-a-fair-shake> which I encourage everyone to sign and submit. In addition, letters to Strathmore's management and board members and to Montgomery County Council members are also welcome. Thank you, Anne Vantine, IA Local 868's business agent, for keeping Local 40-543 and other union organizations in the area apprised of the informational leafleting and other actions that are taking place.

With the advent of MPTF's new live-stream program, a musician or ensemble must have an individual tech person who handles the audio-video component of the performance and works with the MPTF tech person to make sure the feed is the best it can be. If you are interested in serving as a local tech person for musicians who will be streaming live concerts under MPTF's aegis, or if you know someone to recommend for this work, please let me know (office@musiciansunion.org).

I fear these winter months will be the most difficult yet, especially for those of us who normally travel to visit parents or host children and friends during the holiday season. Now is not the time to allow COVID-fatigue to get the better of us. The sooner we can get the spread of the coronavirus under control, the sooner we can start opening up our performance venues again and start making music with bigger ensembles. I hope all of our members and their families stay well and safe. If you are out and about playing music with or without other musicians, please take all the safety precautions you can. Insist on all masks all the time, stay as far away from each other as possible, wash your hands, don't touch your face, and keep the services short. Conductors, production staff – no one is exempt from wearing a mask and keeping their distance. Our future, literally, is in the hands of all of us.

From Baltimore's Broadway Across America:

At this time, the France-Merrick Performing Arts Center, home of the Hippodrome Theatre, is closed. We do not currently have a timeline for when the Center will reopen. Theaters were among the first to shut down – and we will be among the last to reopen given the nature of our business. The Hippodrome Theatre continues to follow the guidance of local and state health officials and remains prepared to respond to evolving directives.

2019/2020 SEASON

- **THE BAND'S VISIT** performances scheduled March 17–22, 2020 have been canceled.
- **SUMMER: THE DONNA SUMMER MUSICAL** performances previously rescheduled to February 9–14, 2021 have been postponed; we are working to reschedule this engagement and will announce new dates soon as we are able.
- **DEAR EVAN HANSEN** performances scheduled for May 5–17, 2020 have been canceled. **DEAR EVAN HANSEN** will play the Hippodrome Theatre in the fall of 2021 as part of the 2021-22 season.
- **MISS SAIGON** performances scheduled for June 2–7, 2020 have been canceled.

2020/2021 SEASON

- **AIN'T TOO PROUD** remains scheduled for May 4–9, 2021.
- **HAMILTON** remains scheduled for June 8–July 3, 2021.
- **TOOTSIE** has been rescheduled to August 24–29, 2021.
- **HAIRSPRAY** has been rescheduled to July 27–August 1, 2021.
- **PRETTY WOMAN** has been rescheduled to September 2–October 3, 2021.
- **MEAN GIRLS** performances scheduled for January 19–24, 2021 have been postponed; we are working to reschedule this engagement and will announce new dates as soon as we are able.

- **THE PROM** performances scheduled for March 2–7, 2021 have been postponed; we are working to reschedule this engagement and will announce new dates as soon as we are able.
- **TO KILL A MOCKINGBIRD** performances scheduled for March 30–April 4, 2021 have been postponed; we are working to reschedule this engagement and will announce new dates soon as we are able.

From the Hippodrome: The Road to Re-opening Its Broadway Series

France-Merrick Performing Arts Center's President Ron Legler and Vice President Chris Mahan recently "pulled the curtain back" to shine some light on the complicated puzzle that must come together in order for a season of Broadway shows to visit Baltimore. The performing arts center created a video that takes you behind the scenes to share the complexities of the touring Broadway industry and the efforts being made to get Broadway back on the road. The video can be seen at <https://youtu.be/yGa8gwZWUPA>. The priority continues to be the health and well-being of artists, crew, staff, and audiences. The Hippodrome Theatre is actively working in collaboration with state and local government officials on a plan to re-open following local, state and federal health guidelines. The performing arts center is increasing and improving its air ventilation and filtration systems, undergoing a thorough cleaning, and installing touchless and contact-free equipment while it waits for the producers of Broadway theater companies to put their touring shows together. One of the stipulations addressed in the video is the need for these tours to be able to perform in venues where there can be full houses, 100% capacity, so the producers can meet their financial models. Everyone connected with a performance – the audience, the actors on stage and the backstage crew, the musicians in the pit – will have to be able to be close to each other. It seems as if until this is possible, Broadway productions may not be returning to the Hippodrome in Baltimore. For the latest updates, please follow <https://baltimore.broadway.com/>.

NOTICE

Unless otherwise indicated, full Board was present and all actions of the Board are by unanimous vote. The President has no vote except in case of a tie.

Board Meeting of The Musicians' Association of
Metropolitan Baltimore
Monday July 13, 2020
Virtual meeting via Zoom

Meeting called to order at approximately 11:00 a.m.
Present: President Michael Decker, Vice President Luis Engelke, Secretary-Treasurer Mary Plaine, Directors-at-Large Susan Benac, Sara Nichols, Brian Sanders and Lisa Steltenpohl.

The opening of the meeting was spent "going around the room," giving each member a few minutes to say how they have been spending their time since mid-March.

Minutes from the January 6, 2020, board meeting were approved.

The board examined and approved the December 2019 financial statement, and reviewed the office manager's reports on membership numbers and bank account balances.

Director Benac reported on the Annapolis Symphony Orchestra.

Secretary-Treasurer Plaine reported on the Baltimore Symphony Orchestra, Center Stage, the Hippodrome, and the Music Performance Trust Fund (MPTF). [See the Summer 2020 journal for more details.]

Upon discussion about the Music Performance Trust Fund grants, President Decker moved "that Local 40-543 not recommend any musician for an MPTF engagement unless that person is a member in good standing with Local 40-543." The motion was seconded and passed unanimously; Director Sanders excused.

The board discussed a memo from the AFM's International Executive Board regarding third quarter emergency waivers of the Local's late and reinstatement fees, extending suspensions and expulsion dates, and electronic meetings. President Decker moved "that the board vote to extend the same emergency waivers it had adopted for the second quarter." He also moved "that there be no membership meetings until they can be held in person." The motions were seconded and passed unanimously; Director Sanders excused.

Following discussion about racial and social injustice, the board unanimously adopted the following statement that was extracted from AFM President Ray Hair's remarks: "Racism, bias, bigotry, and bullying are intolerable in our union and in any workplace. We oppose discrimination of every kind, in every place, and we decry the hatred that motivates it. We pledge to confront the ways our union and the music industry have contributed to persistent systemic racism." There was further discussion on the history of Baltimore's white and Black musicians' locals. Decker and Plaine will work on a future newsletter article about the racial history of the AFM in general, and of Baltimore specifically, if material can be located.

Plaine will look into whether the local already has a conflict of interest policy, and if it does not, will present one at the next board meeting for adoption. Decker and Plaine will look into the office's internal staff policies.

There was discussion on the office's lease and possible options to maintaining the current space.

The board supported maintaining the current salary levels for Secretary-Treasurer Plaine and Office Manager Szymanik for the time being, with the understanding that should the Local's financial picture get significantly worse, the issue will be reexamined.

Following discussion on the possible shifting of Maryland's Eastern Shore territory from the Wilmington AFM local to Baltimore, the decision was made to reexamine this in another three months.

The next board meeting is scheduled for Monday, October 5, 2020, at 11:00 a.m.

The meeting adjourned at 1:26 p.m.

Stop! Do Not Allow Yourself to Be Recorded without an AFM Agreement in Place

Anytime an employer notifies you that they intend to record and/or stream a rehearsal or concert, please call or email Local 40-543. Do not give away your talent without getting the wages and benefits to which you are entitled. Do not sign any waivers giving away your rights. Make sure that any recording is done under a local or national AFM agreement. Contact this office whenever your employer is going to stream or record your performance. Your call or email will be treated confidentially.

Freelance Musicians: Are Contractors Protecting Your Health and Safety During This Pandemic?

In the Summer 2020 issue of *The Baltimore Musician*, we included an article entitled *When You Return to Work, Know What Your Employer Is Doing About Health and Safety Protocols*; this article is available for reading on our website, www.musiciansunion.org.

Musicians who work under collective bargaining agreements, such as the Annapolis and Baltimore symphony orchestras, have bargained health and safety protocols with their employers. BSO musicians undergo regular COVID-19 testing, and both orchestras conduct temperature checks and have their musicians answer screening questionnaires when they report to every service. The rule is, if you do not feel well, if you could potentially have the coronavirus, if you have any of “the symptoms” that are not part of your usual collection of aches and pains, then call the personnel manager and do not show up for work. And when you do report for work, wear your mask at all times (unless you have to remove it to play a woodwind or brass instrument during the service), keep your distance from everyone else, and wash your hands frequently. Both the ASO and BSO have taken extra precautions to see that their venues are disinfected and cleaned frequently and that their facilities’ air filtration systems are set to the best levels for cleaning the air in the halls and for bringing in fresh air from the outside. If a musician works under a CBA, they expect their employer will do their best to protect them from getting the coronavirus while they are at work.

But when musicians accept freelance work, which is presumably non-union in Baltimore, whose job is it to protect the players? Who has the responsibility to make sure that everyone – including the conductor – wears their mask 100% of the time, that each player has their own stand and music, and that the players are adequately spaced apart? Who is determining how the repertoire can be rehearsed in the shortest time possible so the musicians can limit their exposure to each other? Who is cleaning the frequently touched surfaces? Who has control of the air handling and filtration system? Who is responsible for screening you, your colleagues, the conductor, and any production crew to make sure no one shows up for the job who is unwell or has been exposed to a situation which might make them infectious yet asymptomatic?

In a freelance situation, unless the union is involved, it is every musician for themselves. Each musician is individually responsible for putting themselves into a potentially harmful situation and should thoroughly quiz

the contractor in order to make the best-informed decision about whether or not to accept the offer of work.

Here are additional questions, in no particular order, to ask a contractor when being offered a job:

- Will musicians be required to provide a negative test before coming to work?
- Will musicians be required to submit daily health questionnaires and have their temperatures taken?
- Will the employer abide by federal rules regarding medical information and privacy?
- What will be the policy about masks and gloves?
- Who is supplying hand sanitizer?
- Is there soap and water available?
- Will there be paper towels instead of blowing hand dryers?
- Who is responsible for frequently cleaning the high traffic/high touch areas, the bathrooms, the chairs and music stands?
- Is there a traffic flow planned so musicians are not too close together when they arrive and depart, unpack their instruments, traverse backstage and hallways?
- What about dressing rooms and bathrooms? How will social distancing work in these spaces?
- How will music be distributed and handled?
- How much distance will there be between the players on the stage? Will there be Plexiglas shields and partitions?
- Where will players warm up?
- How will condensation buildup in instruments be safely handled?
- Who is responsible for the HVAC system? How frequently is the air replaced in the room?
- Will there be HEPA air filter machines on the stage or backstage?
- Will there be vocalists or a chorus in the room with the orchestra?
- Will I be working with musicians who have traveled from areas where there is a high incidence of coronavirus?
- Will I be working with colleagues who are already ill, who are coming to work in spite of being unwell?
- What rules will the employer have for dealing with musicians who are ill or who don’t follow the safety policies?
- Will rehearsals, breaks, performances, and repertoire be adjusted to allow for less time spent in confined areas?

- If there is an audience, what protections are there to keep them appropriately distant from the musicians?

We know that our many of our members are desperate for income, in addition to missing playing music with their colleagues. Local 40-543 wants to help you do that in the safest manner possible. It is the employer's responsibility to provide a safe workplace, and Local 40-543 can help our members work with a contractor or employer to see that best practices are put into place. The first step is contacting this office at 410-337-7277 or office@musiciansunion.org and asking for help.

Online Content Must Still Be Protected

The new reality of COVID-19 has seen more musicians offer their performances online as physical venues shut down. But self-produced, online content must still be protected, and the AFM has developed the Joint Venture Agreement specifically for that purpose.

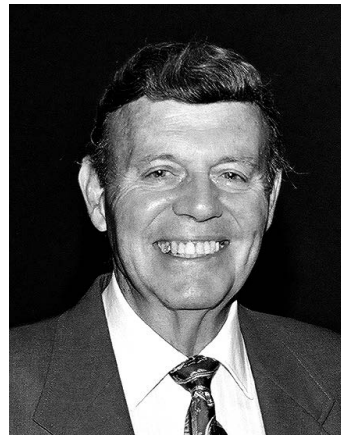
The Joint Venture Agreement evolved from AFM's "Bandstand Records" guidelines, which allow independent bands to self-produce their own recordings with key union protections when no wages are paid and in the absence of an employer. Originally developed for audio recordings, the Joint Venture Agreement now has a video component. This makes protecting self-produced online media easy for musicians.

"This is a simple and straightforward agreement," explains AFM's Electronic Media Services Division (EMSD) Director Pat Varriale. "It captures the basic information needed on a form that is part of the agreement itself to ensure that all musicians who perform will share in future sales or uses of the product, whether audio or video content."

To ensure the Joint Venture Agreement is used properly, EMSD has established the following guidelines:

- Recordings may be solicited for exhibition over the internet, as long as all musicians on the recording consent to that exhibition.
- The member(s) involved in the recording(s) must maintain control and ownership of the product.

The Joint Venture Agreement is the simplest of all AFM agreements, yet it offers vital protections to musicians who create their own media when that media is monetized later. You can find the Joint Venture Agreement in the Document Library on the AFM website or contact this office at office@musiciansunion.org or 410-337-7277 for more information.



In Memoriam

Mel Seebode 1927 – 2020

I never met a more gracious musician than Mel Seebode, a well-travelled local bass player and singer. I had the pleasure of knowing Mel for thirty years.

When I was fired by the infamous Rae Girard at the Tail of the Fox club (Girard went thru five drummers in three weeks), Mel's parting words to me were, "John, you are a fine drummer and you will get plenty of work – don't let this get you down." Good wisdom from a good man to a young guy trying to break into the music biz. Mel was a guiding light to our annual luncheon to honor past retirees of our Union, always having kind words and encouragement to all who attended.

I was honored to speak at Mel's funeral service in Westminster and learned a few things about him I was not aware of, mainly that he won a singing contest at the Hippodrome as a young man. He also sang on the radio as a result of the contest and had quite a following of female admirers ala Sinatra, many of them requesting songs from "Mel of the Sweet Voice." His family had a program book called the Playboy Magazine—This Week in Baltimore. The New Year's Edition of 1962 had Mel on the cover as part of Tommy Panto's Marvaleers appearing at the Celebrity Lounge on North Avenue. Lastly, I will always hear his voice singing the opening line of "It Had to be You" at the Greenspring Country Club with Mel Eddy, a marvelous band that I had the pleasure of working with. Thanks for the memories, Mel.

John Crocken

Mel was the true definition of a gentleman. He would always have a smile on his face and was always an excellent listener. He would always ask me about my family and would always have a sparkling twinkle in his eye when he would speak about his family. When discussing union issues at board meetings, he was measured and tried to look at each issue from both sides. His historical insight was extremely valuable at these meetings. I never knew Mel personally as a bass player, but he played with all of Baltimore's iconic players. At the Local's annual luncheons, Mel would often act as master of ceremonies, and from what I could see, Mel

(Continued on Page 11)

PLEASE AVOID BEING SUSPENDED OR EXPELLED FROM LOCAL 40-543

We know that most of our members have had no work or meaningful income since early March due to the COVID-19 pandemic. In an attempt not to stress out people more than they already are, Local 40-543 did not send out reminders about keeping membership dues up to date. We carry on our books people who should have been suspended or expelled during 2020 due to non-payment of membership dues. Unfortunately, an AFM local must pay quarterly per capita fees to the international union for these members, and these amounts have easily exceeded one thousand dollars a quarter for members whose dues are not current. Therefore, per a motion of the Local 40-543 board passed unanimously at its October 5, 2020, meeting, any member of Local 40-543 whose dues are not paid through the end of the 2020 shall be suspended or expelled on December 31, 2020, depending on when their dues were last paid.

In early November, letters were sent to all 40-543 members notifying them of their membership status and the amount due for them to be a member in good standing through the end of 2020; if you did not receive a letter, please contact this office immediately. We encourage all of our members to make your membership dues current or to consider resigning so you will not be expelled. Members who resign in good standing – and depending on the last time you paid their dues, this may require a clearance payment of \$45 – may rejoin this local or another AFM local as employment opportunities require. Any additional late fees or reinstatement fees required by 40-543 bylaws will be waived through the end of 2020.

If you work for the Annapolis Symphony Orchestra, Baltimore Chamber Orchestra, or the Baltimore Symphony Orchestra, you are required to be a member of Local 40-543 in good standing, meaning you are expected to keep your quarterly or annual dues up to date. If you are hired to play with Center Stage, Everyman Theatre, or the Broadway series at the Hippodrome Theatre, you are expected to become a member of Local 40-543 for the duration of the show.

Regular Members can pay their dues annually at the rate of \$170 or quarterly at the rate of \$45. A Life Member – and a Life Member is someone who has 35 consecutive years membership in 40-543 and has reached the age of 65 – can pay annual dues of \$76 or quarterly dues of \$21. An Inactive Life Member is a Life Member who is not performing under the terms of any collective bargaining agreement and chooses to become

an Inactive Life Member; those dues are \$70 annually or \$19 quarterly; per Local 40-543 bylaws, Inactive Life Members may not vote or hold office.

Membership dues payments may be made by check or online. If you prefer to pay by check, please make the check payable to “Local 40-543, AFM” and mail it to Musicians’ Association of Metropolitan Baltimore, 1055 Taylor Avenue, Suite 218, Baltimore, MD 21286. If you prefer to pay online with a credit card, please go to <https://www.musiciansunion.org/payments.php>.

If your dues are paid through December 2020, now is the time to pay either in full or for the first quarter for 2021.

Please consider adding an additional \$5, \$10, or more contribution to TEMPO. Contributions to TEMPO, the AFM’s separate political fund, are used to help members of Congress who support AFM issues. Contributions to TEMPO are not tax deductible. Your decision to give is strictly voluntary and is not a requirement of membership in the Union. You may send your contribution by check to the office of Local 40-543 or pay by credit card on the AFM’s website, <https://www.afm.org/what-we-are-doing/tempo/>.

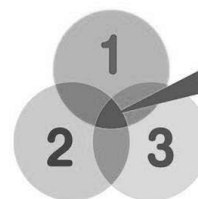
Important notice for preventing COVID-19 outbreaks.

Avoid the “Three Cs”!

- 1. Closed spaces** with poor ventilation.
- 2. Crowded places** with many people nearby.
- 3. Close-contact settings** such as close-range conversations.



One of the key measures against COVID-19 is to prevent occurrence of clusters. Keep these “Three Cs” from overlapping in daily life.



The risk of occurrence of clusters is particularly high when the “Three Cs” overlap!

In addition to the “Three Cs,” items used by multiple people should be cleaned with disinfectant.



BALTIMORE SYMPHONY ORCHESTRA UPDATE

By Brian Precht, BSO Players' Committee Chair and ICSOM Delegate

In many ways 2020 has been a year we'd all like to forget, but it is helpful when we get discouraged to remember all that we've accomplished this year. Baltimore Symphony musicians remember vividly the difficulties of the past. We were walking a picket line just last summer, and in twelve short months we have made enormous strides in so many areas. We have established a new decision-making process with the creation of a vision committee; participated in a work group at the state level led by former state senator Ed Kasemeyer; shepherded new legislature through the Maryland General Assembly that would have provided ongoing bridge funding for the BSO; engaged internationally renowned arts consultant Michael Kaiser to help us write a five-year strategic plan; and subsequently worked together to raise a nearly \$10 million transformation fund to provide a bright future for the BSO.

And then came COVID-19. We had difficult decisions to make about how to move forward. Thankfully, all of the work we did to establish a collaborative approach to issues this past year propelled us forward in the face of a scary and uncertain future. BSO leadership and the musicians agreed that we should continue to stay the course that Michael Kaiser had laid out for the institution, which included getting a long-term collective bargaining agreement. We began meeting on March 20th, finally reaching a tentative settlement on August 27th. This historic agreement provides for many things that are essential for the continued health of the BSO. We agreed to sacrificial salary cuts in the 20-21 season of between 26%-35% for most of the musicians; however, this historic five-year agreement makes great progress on rebuilding the complement that has been badly depleted over the last ten years due to financial constraints. The stability of a long-term agreement will not only drive donor confidence, but it will allow many of the newer musicians to put down roots and consider Baltimore a place where they can build a life for themselves and their families. Finally, it's important to recognize that the salary gains in the later years of the contract will allow us to attract world-class musicians.

All of these things are worth celebrating in a year when there is so much bad news. Another thing to celebrate is the debut of our new digital season. BSO Sessions began streaming on October 17th. Each week a new episode features the orchestra performing on stage at Meyerhoff

Symphony Hall, along with interviews and snippets of rehearsal footage. It gives the viewer a glimpse behind the curtain of what goes into the incredible musical experience of a major symphony orchestra. Each episode is available to stream for \$10 an episode, or viewers can purchase a monthly, all-access plan for \$20 a month. In addition to BSO Sessions, the BSO will be offering a new virtual line-up of educational concerts and interactive curriculum-connected content for students, teachers, and families navigating the challenges of virtual learning. Violinist Kevin Smith put it beautifully: "It's such a pleasure to be back on stage with all of my colleagues. It's wonderful to see people's faces and hear the warm sonorities in the Meyerhoff after so many months away. I'm looking forward to performing with the entire ensemble together at some point in the future and getting back to playing music for our amazing audiences."

While many of our colleagues returned to the stage to participate in BSO Sessions, those who fell into high risk health categories have been able to stay on the payroll by performing at-home activities on a regular basis. This has been a developing pallet of activities and has allowed the institution to connect with our stakeholders virtually, including the Baltimore Symphony Youth Orchestra and many of our supporters. The list of ways that we have been reinventing ourselves in this most unpredictable year continues to grow. It has been a year to remember even though we look forward to putting this pandemic behind us. Most of all, we feel grateful that our work at the outset of the calendar year positioned us to be able to weather the COVID storm when so many of our peer orchestras have struggled to stay solvent.

~~~~~

*Brian Precht joined the Baltimore Symphony Orchestra as a percussionist in 2003. He currently serves as chair of the orchestra's Players' Committee, as well as its ICSOM Delegate and a union steward. Earlier this year he participated in the League of American Orchestras' Emerging Leaders Cohort. Brian has been involved in the BSO's program OrchKids since 2009 and received a Ford Musician Award for Excellence in Community Service for his OrchKids work. He is also active as a composer; his works are regularly performed at the Grand Teton Music Festival and on the Community Concerts at Second Series in Baltimore. He recently released a CD of his settings of the poetry of Walt Whitman entitled "Grand Is the Seen."*

## Congratulations to MPTF Scholarship Winners!

Earlier this year the Music Performance Trust Fund established a scholarship program to encourage the children of professional musicians, and even the musicians themselves, to pursue higher education and become leaders in their chosen fields. Applicants were encouraged to write an essay describing the impact growing up in a music family has had on their own lives.

“Many themes emerged in the application essays we received – perseverance, passion, contribution, commitment, practice – and we were gratified by everyone’s words of optimism and determination,” said Dan Beck, MPTF Trustee. “Those selected most uniquely expressed the lessons they’ve learned from growing up in a music family.”

This fall MPTF announced that it awarded \$100,000 in scholarships to 125 students in the United States and Canada. Four of those students come from the homes of Local 40-543 members. Congratulations to our members and their children!



*Sandy, Michael and Jordan Lisicky*

Jordan Lisicky is in their junior year at SVA (School of Visual Arts) in New York City. Jordan is working towards a BFA in Illustration and is a Silas H. Rhodes Presidential Scholarship recipient. They are a 2018 graduate of the Baltimore School for the Arts. Jordan’s parents are oboists Sandy and Michael Lisicky.

The Recording Industry’s



*Brian and Adam Prechtl*

Adam is an adept and inquisitive student pursuing an education at the University of Maryland in Computer Science and Mechanical Engineering. Transferring from Howard Community College has been a challenging process made harder when coupled with the COVID-19 pandemic. His professional aspirations are still being formulated, but he is moving in the direction of technology services where he will work to integrate technology into problem solving processes for evolving companies.



*Braden, Michael, Nana and Mira Vaughn*

Braden and Mira Vaughn are the children of Michael and Nana Vaughn, who are both members of Local 40-543. Braden and Mira attend the Cleveland Institute of Music. Braden studies timpani and percussion with Marc Damoulakis and Paul Yancich. While in school he studied locally with James Wyman, Jonathan Bisesi, and Brian Prechtl. Mira studies viola with Jeffrey Irvine, having previously studied with Karin Brown. They are very grateful for this scholarship, which will be used toward their college expenses.

## Annapolis Symphony Orchestra Update

The Annapolis Symphony Orchestra returned to work this fall under the baton of Music Director José-Luis Novo as the organization went virtual with its first two Masterworks concerts rehearsed and “performed” (meaning live-streamed with no audience in the house and recorded for future viewing) at The Music Center at Strathmore. Both concerts used only a string orchestra, no woodwinds or brass. The second concert featured Robert DiLutis as soloist in Copland’s Clarinet Concerto, and the repertoire added timpani, percussion, harp and piano to the string orchestra. While the Annapolis Opera Company’s production of *La bohème* and the U.S. Naval Academy’s annual *Messiah* were both cancelled, as of this writing the ASO will go forward with its holiday concert in December; this program will be live-streamed and recorded for future viewing. To learn more about seeing/listening to ASO’s concerts live or in their recorded format, please go to <https://annapolissymphony.org/virtualseries/>. Some ASO concerts are also being featured this fall on WBJC’s Music in Maryland series on Saturday evenings. Plans for the services starting in February 2021 have yet to be announced.

The ASO Players’ Committee and Local 40-543 Secretary-Treasurer Mary Plaine continue to meet routinely with the ASO board chair and management to discuss a wide variety of topics. The ASO’s COVID-19 Task Force also continues to meet regularly to monitor the health and safety of ASO events.

The Annapolis Symphony Orchestra Players’ Committee has recently added two new members. The ASOPC is now comprised of Daphne Benichou, Chair, Kristin Bakkegard, Richard Basehore, Alexandra “Sasha” Mikhlin, David Perkel, Daniel Shomper, Derek Smith, Rachael Stockton, and Susan Benac, Union Steward.

## Other Local News Regarding the Music Performance Trust Fund

The mission of the Music Performance Trust Fund (MPTF) is to provide admission-free, live, quality music, performed by professional musicians, to the public of all backgrounds throughout the United States and Canada. MPTF seeks to enrich the lives of the general public, young and old, through music; to contribute to the public’s knowledge and appreciation of music; to make music and music education an exciting experience; and to expand it to every child’s life experience.

There are four programs for which MPTF provides Local 40-543 with funding. The original program covers traditional concert performances. MusicianFest pays musicians to perform in senior centers. The Educational Initiative Program allots grants to cover school programs. And most recently, MPTF has initiated funding to produce live streaming performances.

Local 40-543 has secured MPTF funding for pianist Robert Boguslaw, his wife Mary, and his chamber group Rock Creek Trio to give two performances that will be streamed to members of Baltimore County senior centers in November and December. We plan to follow up these dates with additional streamed programs for the Baltimore County senior centers in 2021.

Additionally, Local 40-543 is working to set up performances by members that would be live streamed over MPTF’s own Facebook page. These events require that there be a local tech person on the venue site to set up and monitor the audio and video components of each concert; we are currently looking for interested and qualified people to do this work. If you are interested in either playing an MPTF live streamed performance or handling the tech for someone else’s performance, please contact us at [office@musiciansunion.org](mailto:office@musiciansunion.org).

---

## *In Memoriam – Mel Seebode* *Continued from Page 7*

had a personal relationship with virtually everyone that attended. I’ll miss his insights, his huge smile and twinkle.

*Ed Goldstein*

Mel Seebode was a true gentleman in every sense of the word. He was always kind and complementary, made everyone’s day a little brighter. I knew of him before meeting him some 40 years ago. My Mom spent many

afternoons at the Hippodrome in the 1940’s and spoke of Uncle Jack’s Kiddie Club, where Mel performed and was something of a teen idol. I enjoyed working with him in planning the Life Member parties and his visits to the office. I have missed those visits in recent years and will miss Mel.

*Mary Ann Szymanik*  
*Office Manager, Local 40-543*



## The President's Message

*By Michael Decker, President,  
AFM Local 40-543*

There are two important financial issues critically impacting our members: the reduction of employment

opportunities during the pandemic, and the need for unemployment relief for musicians who report income from both W-2 employment and 1099 independent contractor gigs.

The current pandemic has eliminated work for musicians at a level unprecedented since the Great Depression of the 1930s. When a musician joins the American Federation of Musicians, they agree not to accept any engagement that pays less than the amount set in a CBA (collective bargaining agreement) which is negotiated with an employer or less than the appropriate amount specified in a local's price list, which is set by a local's board of directors.

It's one thing when a job is covered by a CBA. Ideally, two sides come together, discuss the issues, bargain, and agree on wages, benefits, and working conditions.

What about a local's price list? Should the amounts on a local's price list represent minimum, acceptable pay, what the marketplace is offering, or should they be aspirational, what the union and its membership think and hope musicians should earn? Should the price list cite top dollar gigs, what the most fortunate, talented and in-demand members can get, or should it reflect the per service rates being offered by non-union employers and contractors?

A local can punish members who accept work for below price list rates. But we all know that there are certain orchestra gigs that pay below scale, and the musicians playing those gigs are willing, perhaps even grateful, to accept that employment. If a local demands that its members refuse to play those gigs, gigs that its members want to play, then a local would be in a position of taking away employment from those members. The situation would be different if those were scab jobs replacing other union members during a strike or lockout, but that's not this situation.

This local will always try to secure the best possible pay and working conditions for its members, but there is a wide disparity amongst our members. Some are first-call, highest possible caliber musicians who seek well-

paid, full-time employment, while for others, perhaps equally talented, musical employment is more of an avocation, extra bucks earned to supplement a principal job outside of music. And then there are many members for whom playing multiple jobs and cobbling together a livelihood is their way of life.

Performance gigs are not just about working conditions and pay; there are intrinsic rewards to doing what we love. Not every employer has the wherewithal or resources to provide the same wages and benefits. It's an economic quandary: the number of great musicians in our local far exceeds the number of great jobs.

A few years back, Local 40-543 extensively studied price lists of peer cities as well as adjacent jurisdictions. Its board of directors discussed pay rates in great detail and then presented its proposals at a full membership meeting. The attendees resoundingly voted to approve a price list with scales that proved to be more aspirational than reflective of the wages members were willing to accept in order to get work. There's no perfect solution to this dilemma. When we last adjusted our price list, many rates increased but the jobs paying those rates didn't.

As Local 40-543 attempts to organize more musical employment, we must recognize that not all employers can pay at the highest tier. What happens when an employer pays its employees more than the employer can afford and the employer folds? I don't believe the Baltimore Opera failed because of its superb, well-paid orchestra, but could that have been a factor? Did musician wages contribute to the failure of Concert Artists of Baltimore? Perhaps. We need to recognize that there is so much competition for philanthropic support and declining sizes of audiences for classical music. The financial viability of our smaller orchestral ensembles is at risk; I don't think the wages paid musicians are the cause, but they may be a factor in institutional failures.

Our musicians are worth every penny they are paid, and much more. But it's time for us to do everything possible to increase performance opportunities. We have approximately 500 members and fewer than 100 of them have salaried positions. In addition to bargaining wages and benefits, our local needs to enact policies that help create jobs.

At its last meeting and after difficult gut-wrenching contemplation, our board unanimously voted to decrease the base scales on the local's price list by 30%, effective immediately. One intention is to provide affordable rates so that members who play with lower tier orchestras do so without violating union rules. But at these rates every player in such ensembles needs to be a

member of this local and demand to be paid these most reasonable rates.

The new price list sets minimum, not maximum, scales. Of course, individual players can seek to negotiate pay above the minimum scale. Doing this may help the local organize more orchestras and create more jobs.

~~~~~

The second issue I want to address is one that affects many of our free-lance members, those who have “hybrid” employment from both traditional employers who issue a year-end W-2 as well as gig income reported on a 1099 (or not reported at all). These people have fallen through the cracks in the CARES Act, and now, many months into the pandemic, the government has failed to help them.

Traditional unemployment insurance (UI) is paid to workers whose employers issue a W-2. That’s fine, but the Federal CARES Act created Pandemic Unemployment Insurance (PUA), which for the first time ever provided benefits for those paid as independent contractors. The problem is that benefits ought to be paid based on a musician’s total income. Tragically now, a person can get full benefits if they work only on W-2 jobs or only on 1099 jobs. But many, probably most, of our members have musical careers in which they work for a variety of employers, some who issue W-2s and others 1099s. The problem is that people are allowed to receive UI *or* PUA, but not both.

Let me cite an example: a musician earned \$70,000 last year. \$5,000 of that was paid by a local university for teaching a class (W-2 income), but the biggest portion, \$65,000, came from gigging (1099 income). The current

policy is that someone who has both W-2 and 1099 income gets unemployment benefits only for the W-2 portion. This musician earned \$70,000 in annual salary but their benefits were only paid on \$5,000. How can someone whose historical annual income is \$70,000 be expected to survive on a \$70 a week unemployment benefit? Sadly, until this policy is changed, this person would have done better to refuse any part-time W-2 income; it’s too late for that now because benefits are based on previous employment.

We need to do a better job educating the public and certainly our government employees and politicians that creative artists with combination careers – having at least two and probably many more sources of income – are very common ways of earning a living. I encourage Local 40-543 members to contact your elected representatives to demand that independent workers with mixed income types should qualify for unemployment benefits based upon their total income and not just that reported on W-2s. Remember that these are musicians who don’t have the fortune of a regular primary employer to help them through the crisis. When the pandemic struck they probably lost all of their income and have little prospect for improvement in the near future.

I don’t think our elected representatives (well, at least not most of those in Maryland) are opposed to curing the situation, but we know the squeaky wheel gets the grease, so please reach out to your Congresspeople and Senators and ask them to ensure that independent workers with multiple types of income can access the same unemployment assistance that the CARES Act provides those with more traditional employment arrangements.

Combination Income Gets Shortchanged in Benefits					
Type of Worker	Historical W-2	Historical 1099	Total Income	Eligibility	Benefit Amount
	Income	Income			
W-2 only	\$70,000	\$0	\$70,000	UI	\$425
1099 only	\$0	\$70,000	\$70,000	PUA	\$425
W2 & 1099	\$5,000	\$65,000	\$70,000	UI	\$70

Local 40-543 Pianist's Memoir Available for Holiday Reading



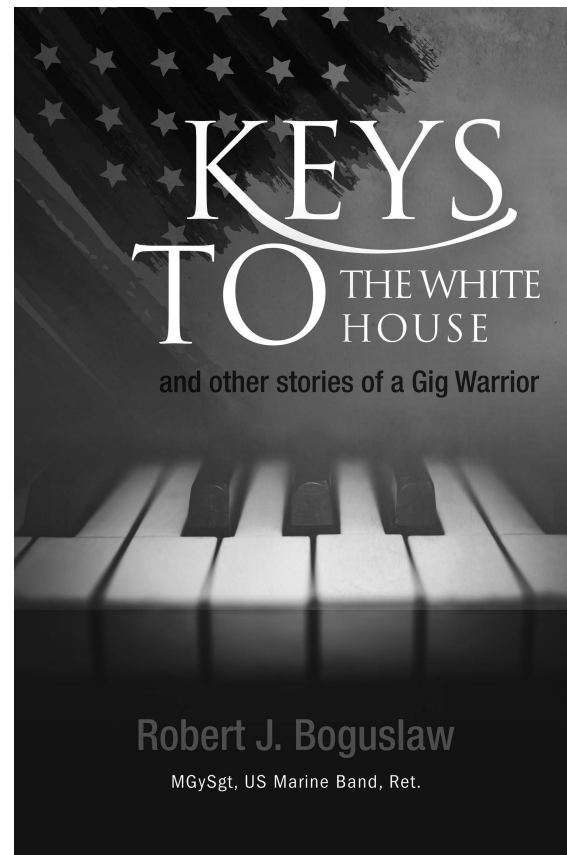
Bob Boguslaw has had a remarkably varied career as a pianist over the last forty years. He has performed as a soloist with world-class orchestras and bands, played jazz concerts in some of the

world's great concert venues, played shows in South America for audiences of up to 100,000 listeners, and spent twenty-two years with the "President's Own" United States Marine Band. As a member of the "President's Own," he played for four US Presidents and seven Marine Commandants, as well as numerous heads of state and luminaries in the arts and entertainment industries.

Bob completed his Bachelor's Degree in piano performance at the University of Miami in 1979 and immediately began playing with show bands on cruise ships. He continued to study both classical and jazz piano and eventually returned to school at the University of Kentucky to work on a Master's degree in piano performance. While achieving his Master's degree, Bob worked nightly as a freelance jazz pianist and did numerous solo classical recitals. Shortly after Bob's 1990 summer performances with the New Hampshire Music Festival Orchestra, he auditioned for and was accepted as a member of the U.S. Marine Band. In May of 1991, Bob moved to Maryland and began his twenty-two-year career as a U.S. Marine Band musician.

During his tenure with the Marine Band, besides frequent White House performances, Bob appeared with the Baltimore Symphony, the Royal Philharmonic, as a soloist with the National Gallery Orchestra, and with jazz greats Wynton Marsalis, Paul Winter, and Louis Bellson, among others. In the 1990s, Bob started his own groups, "The Way," "The Rock Creek Trio," and "Bob Boguslaw's Real Live Jazz". He currently remains quite active as both a performer and teacher in West Friendship, where he lives with his wife and daughters.

Bob writes, "For years I would come home and tell my wife stories about events that I had been a part of at the White House in my capacity as a pianist for the Marine Band. Mary would inevitably respond with, 'You should write that down.' As I approached retirement from the military, I realized that I really wanted to leave some sort of documentation of what has been a pretty unique career to my children and future generations. It also



occurred to me that anyone who was a freelance musician in the latter half of the 20th century would probably find my anecdotes of interest. Therefore, I began the process of writing down my varied gig stories in 2012, thus the 'Keys to The White House.' The book takes us from the night clubs and cruise ships of Miami, to show bands in South America, to the concert halls and horse farms of central Kentucky, to White House state dinners and Kennedy Center Honors celebrations. The best and worst gigs, the emotional highs and lows, and some of the lessons that life has taught me through music, are all in this book."

Books may be ordered directly from Bob on his website, www.bobboguslaw.com or ordered from Amazon or Barnes and Noble.





UNION PLUS HARDSHIP ASSISTANCE

If you're a union member and experience involuntary unemployment, disability, or a natural disaster, Union Plus may be able to help.

Visit unionplus.org/assistance to get complete details about all Union Plus Hardship Assistance¹ including:

JOB LOSS GRANT - \$300

Applicant must have recently suffered an involuntary job loss for at least 90 consecutive days. Available only to eligible Union Plus Credit Cardholders² and Union Plus Personal Loan Holders.

DISABILITY GRANT - \$1,600 – \$2,700

Applicant must not have worked for at least 90 days and lost 25% or more of their monthly income due to a recent illness or disability. Available only to eligible Union Plus Credit Cardholders.

UNION PLUS MORTGAGE ASSISTANCE³

Union Plus Mortgage holders who experience involuntary unemployment or disability could be eligible for interest-free⁴ loans, which are used to make mortgage payments.

INSURANCE PREMIUMS WAIVED³

Union Plus Life and Accident Insurance holders' payments may be waived for up to three months if the applicant has been laid off or locked out for more than 30 consecutive days.

DISASTER RELIEF GRANTS

Applicants may be eligible for a \$500 grant if their residence is in a county or parish recently affected by a FEMA-declared natural disaster determined eligible for Individual Assistance. Available only to eligible Union Plus Auto Insurance Policyholders, Union Plus Credit Cardholders, Union Plus Insurance Policyholders, Union Plus Mortgage holders, Union Plus Personal Loan Holders, and Union Plus Retiree Health Policyholders.

For details on these and other Union Plus Hardship Assistance and to apply for grants, visit unionplus.org/assistance.

¹Certain restrictions, limitations, and qualifications apply to these hardship assistance grants. Additional information and eligibility criteria can be obtained at unionplus.org/assistance.

²Credit approval required. Terms and conditions apply.

The Union Plus Credit Cards are issued by Capital One, N.A. pursuant to a license from Mastercard International Incorporated.

³**Capital One, N. A. is not responsible for and does not endorse the mortgage and insurance products/services offered in this message.**

⁴0% interest charged for the life of the loan.

Please contribute to TEMPO

Invest in your union's future while expanding freedom of speech for American musicians

Contributions to TEMPO, the AFM's separate political fund, are used to help members of Congress who support AFM issues. Contributions to TEMPO are not tax deductible. Your decision to give is strictly voluntary and is not a requirement of membership in the Union. You may send your contribution by check to the office of Local 40-543 or pay by credit card on the AFM's website, <https://www.afm.org/what-we-are-doing/tempo/>.

George Alderson**
George Allen
Thomas Alonso**
Andrew Balio
Willie Barber
Susan Benac**
Karin Brown
Peter Cohn

Lorraine Combs
David Coombs**
Kyle Coughlin
Miriam Dorf
Barry Dove
Mark Dulac
Paula Hatcher
Kevin Hayes

James Kelly
William Kendall**
Gregory Kuperstein
Janet Kuperstein
Daniel Levitov
Gregory Pascuzzi
Earl "Jerry" Peterson
Mary Plaine**

E Craig Richmond
Lucy Myers Rouse
Barbara Seidman
Ronald Tilghman
Philip Tippens
Linda Tippens
Richard Vasquez
Mary Woehr**

*\$25 – \$49 — ** \$50 and Above

Happy Holidays!



Best wishes for 2021!