



# American Federation of Musicians

LOCAL 400 - HARTFORD, CT

A.F.L.-C.I.O.

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THE CONNECTICUT VALLEY FEDERATION OF MUSICIANS

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December 21, 2015

Stephen Collins  
Director of Artistic Operations and Administration  
Hartford Symphony Orchestra  
166 Capitol Avenue  
Hartford, CT 06106

Dear Mr. Collins:

We are willing to meet on December 28 at 7:00 PM, as you propose. However, if this meeting is to be productive, you need to start to look at the negotiations from a more realistic perspective. We have reached the position we are in because the new management of the HSO has ignored its legal obligations and resorted to confrontational tactics. Your letter of December 15 is a continuation of those tactics.

In May, you made a unilateral change to a critical employment condition. For six months, in the face of our repeated pleas that you restore the rights of the musicians and accept the findings of the NLRB, you refused to fulfill your legal obligations. Finally, on the eve of trial, you entered into a settlement agreement in which you claim to have restored prior terms and conditions of employment. Before you even signed that agreement, at our last bargaining session, you threatened to shut down operations of the Orchestra unless we gave up the very rights that you promised the NLRB that you would restore. It appears that you are still demanding that we give up the guarantees that you have promised in the NLRB settlement. If that is the case, then the December 15 letter is a repetition of your illegal threats.

As you may recall, we submitted the most recent contract proposal. Your letter states that you will make a new proposal. We expect that your proposal will reflect the fact that you have just entered into individual contracts with many of the musicians with salaries based upon guarantees of 180 services. Of course, our position continues to be that the proper guarantee should be 191 services, but we may have an answer to that question from the arbitrator before our meeting. In any event, it would be inconsistent with your settlement of the NLRB charge to continue to insist that the Union give up what you just offered to our members.

We can address the claims in your letter at the bargaining table, but a few points cry out for a response. First, you claim that our position has driven away donors and is damaging the funding of the Orchestra. On the contrary, you have admitted that, even if the Union agrees to everything you have proposed, the budget would not be balanced. At the bargaining table, however, you have refused to discuss other steps needed to balance the budget. All you are willing to discuss are concessions by the musicians. We are the ones who want to arrive at a comprehensive solution to the problems of the Orchestra. Management is only interested in discussing concessions by the musicians, not ways to balance the budget.



You dismiss the Union's call for shared sacrifice with the claim that "management staff ... has already been restructured and reduced." Your contract proposal calls for many musicians to take a 30% pay cut, while management is unwilling to sacrifice a single penny. These musicians are earning a fraction of what members of management are making. You attempt to obfuscate this issue by claiming that musicians are being "paid for services that are not performed...." That is not true. The contract is clear. Musicians are paid a salary based upon the number of services that the HSO has promised to offer. Our members are ready to fulfill their obligations. If management is unable to fulfill its obligation to make services available, the financial burden resulting from that failure should not fall exclusively upon the musicians. The management that has failed in its duties should bear the burden of its failures.

You have the right to insist that bargaining be limited to the terms and conditions of the musicians. However, we have the right to insist that the HSO abandon its demand that the musicians give up their remedy for your unfair labor practices. You should consider all of the consequences of carrying out your threats. You will still be obligated to the musicians on their individual contracts. In addition, we believe this would be an illegal lockout caused by your refusal to remedy your unfair labor practices. This creates the potential of liability to our members for the rest of this season and all of next season. If the HSO is unable to meet that economic liability, the Bushnell Memorial Corporation will be liable as a single employer. If you have any doubts that the Bushnell is a single employer with the HSO, have your lawyer get in touch with our lawyer.

For 20 years, the HSO and the Musicians' Union worked together on a foundation of mutual respect and concern for the well-being of our Orchestra. When the HSO faced losses arising out of the Great Recession, the Union agreed to reductions in order to help this institution that means so much to our members. Since you took over bargaining for the HSO, this relationship has been repeatedly undermined. Your confrontational approach and violations of the law have accomplished nothing for the Orchestra. At times, it seems that you go out of your way to deliberately provoke the musicians. Nevertheless, despite your repeated provocations, the Union has not once threatened or even suggested that we would engage in a strike. We care too much about the institution to take any rash actions.

Despite the Union's willingness to continue performing in the face of your violations of the law, you now claim that the future of the HSO is in jeopardy. If that is true, it is a direct result of your decision to abandon the collaborative approach to bargaining. It would be a very sad day for the arts in Hartford if your tactics undermine both the HSO and the Bushnell, two of the leading cultural institutions in our community. We are the musicians who built the HSO into the quality orchestra that it has been. Your suggestion that we are responsible for the financial problems faced by the Orchestra is just one more example of the ways in which you have destroyed the relationships necessary for a quality musical organization to thrive.

Sincerely,

Joseph Messina, President  
Greig Shearer, Chair Negotiating Team  
Robert Groff  
Edward Rozie

Candace M Lammers, Secretary-Treasurer  
Arthur Masi  
Michael Pollard  
Steven Wade