



AGMAZINE

January 1994

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Official Organ of the American Guild of Musical Artists
A Branch of the Associated Actors and Artistes of America • Affiliated with the AFL-CIO

Nominations Are Open for the Board of Governors

It is time once again for all members to nominate candidates to run in the upcoming election as members of the AGMA Board of Governors.

Every member in good standing should participate in this election so that all members may be properly represented on the Board.

Members may nominate their choices for candidates by petition requiring at least ten signatures of members in good standing as of February 1, 1994.

Petitions for members of the Board of Governors are included in this issue of AGMAzine. They are due in the National Office in New York City by February 19, 1994.

The franchise to nominate and

vote is an empty right unless exercised. AGMA cannot continue to be a democratic organization, run by membership, unless you, the members, actively participate in the election process.

Following is a list of those Board members, by area, whose terms expire in 1994, as well as a breakdown of the membership by category in each area:

New York Area

Twelve Solo Singers: Martina Arroyo, Claudia Catania, John Darrenkamp, J.B. Davis, Hilda Harris, William Fleck, William Ledbetter, Judith Otten, Joseph Sopher, Luigi Vellucci, Louise Wohlafka, Don Yule

(Continued on page 6)



AGMA members and staff marching in the 1993 Labor Day Parade in New York.

Pictured L-R: Pamela Smith, Julia Williams, Linda Landi, Janine Fabres, William Cason, Mrs. and Mr. Harris Davis, and Gerald Otte. (Photo: Michael Rubino)

Greetings from the National Executive Secretary

Happy New Year! AGMA is embarking on some new directions at the beginning of this year which we believe will carry us successfully into the future. The Board of Governors is in the process of appointing members nationwide to its new committees. This is part of an overall effort to streamline our operations and to make the union more inclusive of and more responsive to our national membership.

In an effort to include more participation in the operations of the Board of Governors, we are attempting to expand the teleconferencing of the by-monthly meetings. Extensive telephonic communications are expensive, but we feel it is extremely important to hear the concerns and constructive input of our board members. AGMA has been cognizant

of the economic downturn that we've all been facing and has taken internal steps to see that in managing our everyday business, the union incurs only expenses that are vital to our progress and future.

These measures will insure that our membership derives the most benefit as we collectively ride out this downturn. We look toward a reinvigorated economy and renewed appreciation of the salutary impact of the Arts on education, values, communications, the economy itself, indeed—upon every aspect of our lives.

AGMA's prospects for the New Year are exciting and auspicious. My very best to all members, delegates, representatives, local executive committee members, Board members, staff, and friends.

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A look back at AGMAzine...

The American Guild of Musical Artists
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New York, New York 10024
(212) 265-3687

Lawrence Tibbett, Founding President
Jascha Heifetz, Founding Vice-President

Louise Gilmore, National Executive Secretary
Thomas Jamerson, Assistant to the
National Executive Secretary
Alexander Dubé, Administrator for Dance
Dolores Galdi, Co-Director of Membership
Linda Landi, Co-Director of Membership
Michael Rubino, Director of Public Relations
Grace Pedro, Financial Secretary

Regina Resnik, President
Gerald Otte, 1st Vice-President
Chester Ludgin, 2nd Vice-President
Eugene Lawrence, 3rd Vice-President
Barbara Bystrom, 4th Vice-President
Franco Gentilesca, 5th Vice-President
William Cason, Treasurer
Yolanda Antoine, Recording Secretary

Becker, London & Kossow, Counsel Boston	Robert M. Segal Suite 1000 11 Beacon Street Boston, MA 02108 (617) 742-0208
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Design and Layout: Kevin Hanek



Jascha Heifetz and Lawrence Tibbett
backstage before the AGMA gala

...in 1938

(AGMA Benefit Concert, Carnegie Hall, February 20, 1938)

"...There is certainly no doubt that the thousands of people who filled...Carnegie Hall on February 20th enjoyed it to the utmost, and the enjoyment of the Artists who took part in the programme was evident from the sparkle and brilliance of each one's performance."

...in 1964

(Reprinted from Variety magazine, May 27, 1964, on the 10th anniversary of Brown vs. Board of Education and Leontyne Price's first appearance in Atlanta)

"...A few years ago, when Leontyne Price was first creating such a sensation at the Metropolitan Opera in New York, one of the Met executives was asked when Atlantans would get to hear her.

"When she can ride in an unsegregated taxi from the airport and stay in an unsegregated hotel and eat in an unsegregated restaurant,' he replied.

"These things have come to pass now, more or less...And so, last Thursday night, 5,000 people had the chance to judge Miss Price for themselves...In a dozen years of attending Met performances here, I cannot recall a comparable explosion of applause...As I listened to that hauntingly beautiful presentation, I thought: This is the real story of racial progress in America...this is what the struggle is about...The chance for the individual to be judged on ability, not accident of birth, is what the racial struggle concerns at its heart. It will not be solved alone by law..."



Leontyne Price honored by the New York Singing Teachers Association at their annual awards dinner.

...in 1968

"...AGMA members in good number turned out for the New York City Labor Day parade September 2nd, garbed in costumes from Mozart operas, contributed for the occasion by Herman Krawitz of the Metropolitan Opera Association. A call for volunteers was issued by AGMA...pointing out that in a national election year, it is important for both political parties to realize that organized labor has legislative objectives needed to strengthen the labor movement and the American community."



AGMA members march in the annual Labor Day parade in costumes lent by the Metropolitan Opera.

What Has AGMA Done For Me...Lately?

Thomas Jamerson

Assistant to the National Executive Secretary

There is a very important clause in every Individual Artist's Contract which is referred to as the "Pay or Play" clause. This clause means that the Artist signing the contract is guaranteeing to the Company that he or she will perform the duties outlined in the contract (the "play" part) and at the same time, the company is guaranteeing that it will pay for the Artist's time with fees outlined in the agreement (the "pay" part) so long as the Artist is ready willing and able to perform as provided in the Employment Agreement. This guarantee renders the contract non-cancelable. As an example, should the company not be pleased with the way a particular Artist portrays a role or should the company change their mind about a particular production to be presented and not be able to utilize the contracted Artist in that different production by mutual agreement, the company can not unilaterally cancel the agreement. They must live up to their guarantee of compensation and pay the full face value of the agreement or come to an agreement with the Artist and AGMA to satisfy the contract in some other way. Likewise, the Artist cannot decide to cancel an agreement with one company to take another contract with another company which might be a little better in terms without mutual agreement between the parties involved, including AGMA.

It should be noted that there is a

condition referred to as "Force Majeure" which could supersede this "Pay or Play" clause. This is a condition which is not within the control of the Artist or the Company which causes either party to be unable to fulfill the terms of the agreement. It is loosely referred to as an "Act of God". Verifiable illness of the Artist or a fire which destroys the theater in which the Company performs might be considered Force Majeure.

This Pay or Play clause has assisted many Artists over the years. In most instances the companies automatically honor the contract but occasionally it is breached. In these cases, the union has been able to successfully argue the case in an arbitration hearing. As an example, an Artist was recently awarded \$42,000 under this clause. In fact, within the past 8 years the Pay or Play clause has earned awards of over a quarter of a million dollars to AGMA Artists. AGMA will not discuss these cases nor use the names of the Companies or the Artists involved respecting the parties' confidentiality.

This explanation of the "Pay or Play" clause is only a brief outline and should not be considered all encompassing. To discuss all of the various subtleties would take pages. Obviously, this clause has benefited AGMA Artists very well and will continue to do so. Just one more way AGMA is able to protect its members.

Principal Artist's Health Plan Update

In the newsletter sent last month, the list of opera companies contributing to the new Principal Artist's Health Plan (Plan B) contained the names of a few companies which contribute to the AGMA Health Fund on a different basis. To clarify this, it should be stated that the New York City Opera and its National Company as well as the Western Opera Theater contribute a full Year's coverage for their Employees who work full time.

Fe Opera all contribute the full premiums to the AGMA Health Fund for the qualifying Artists employed by these companies. The Santa Fe Opera contribute for the months their Artists are employed where the New York City Opera and its National Company as well as the Western Opera Theater contribute a full Year's coverage for their Employees who work full time.

"...within the past 8 years the Pay or Play clause has earned awards of over a quarter of a million dollars to AGMA Artists..."

New York City Opera 50th Anniversary Party

To all present and former artists, directors, etc. of the New York City Opera:

The party commemorating the 50th Anniversary of the New York City Opera will be held in New York City at the Radisson Empire Hotel on February 21, 1994 from noon until 6:00 P.M. There will be a buffet meal, and the cost will be \$35 per person. Please send checks payable to Lila Herbert, and send them to her in care of:

McGill
120 W. 70th Street, #6-B
New York, NY 10023
(212) 787-3472

The deadline for reservations is February 15, 1994.

AGMA Emergency Relief Fund

*...enriching the art
by aiding the
Artist*

Chicago AGMA Members Hope to Break Fund-Raising Record

Last year for the first time, Chicago area members held a raffle for the AGMA Relief Fund, led by star organizer/fund-raiser, Carolyn Berghoff. With so many wonderful prizes available and a limit of 500 tickets, the price tag of \$20 per chance must have seemed too good to pass up, because all 500 tickets sold in advance of the drawing!

This year, there are even more enticing prizes - Grand Prize of a pair of season tickets to Lyric Opera of Chicago, a value of nearly \$1,000; tickets to Symphony Orchestra Choral Concerts; Ravinia Festival, and other performances; plus a \$300 gift certificate to Tower Records; the limited edition 12-CD set from Chicago Symphony Orchestra, "The First 100 Years", and much more.

With more prizes and more chances to win, we are hoping for another sell-out raffle, which would bring the Relief Fund \$15,000 - a Chicago area fund-raising record!

We encourage you to purchase tickets for this prize-packed raffle, by calling Carolyn Berghoff at (312) 779-4924, or make check payable to the AGMA Relief Fund and send it with a stamped, self-addressed envelope to AGMA Chicago, 8855 South Hamilton, Chicago, IL 60620. The drawing will take place at the AGMA Chicago annual meeting, February 21, 1994.

AGMA Relief Fund Statements of Revenue, Expenses and Changes in Fund Balance (Cash Basis)

	<u>Year Ended September 30</u>	
	<u>1993</u>	<u>1992*</u>
Revenue:		
Contributions Received:		
Theatre Authority, Inc., East	\$ 87,500	\$ 87,500
Theatre Authority, Inc., West	25,050	29,400
Other Contributions	<u>299,192</u>	<u>\$411,742</u>
	<u>\$411,742</u>	<u>118,464</u>
	<u>\$235,364</u>	
Net Investment Income:		
Interest (including amortization of premiums and discounts)	27,763	36,734
Dividends	2,502	2,412
Gain on sale of securities	<u>30,381</u>	<u>6,544</u>
	<u>60,646</u>	<u>45,690</u>
Less: Advisory and custodian fees	<u>7,049</u>	<u>53,597</u>
Total Revenue	<u>\$465,339</u>	<u>39,519</u>
	<u>\$274,883</u>	
Expenses:		
Financial Assistance:		
Monthly payments for older or disabled members	37,618	39,692
Other assistance payments to members	58,298	56,136
Member services	45,000	43,471
Contributions paid to organizations	<u>15,266</u>	<u>10,011</u>
	<u>156,182</u>	<u>149,310</u>
Administrative:		
Salaries and payroll taxes	22,894	21,797
Employees' medical insurance	4,157	8,059
Staff pension plan contribution	4,473	2,889
General insurance	1,322	
Legal	11,245	
Accounting	11,528	10,800
Office supplies and expenses	2,467	746
Bank charges	561	370
Professional workshops	780	1,110
Depreciation of computer equipment	1,203	1,203
Miscellaneous	<u>3,410</u>	<u>1,793</u>
	<u>62,718</u>	<u>50,089</u>
Fund Development:		
Outside fund raising		27,833
In-house fund raising	<u>53,372</u>	<u>46,241</u>
	<u>53,372</u>	<u>74,074</u>
Total Expenses	<u>272,272</u>	<u>273,473</u>
Excess of Revenue over Expenses		193,067
Fund Balance, beginning		<u>697,753</u>
		<u>696,343</u>
Fund Balance, end	<u>\$890,820</u>	<u>\$697,753</u>

* Restated for comparative purposes
The accompanying notes are an integral part of these financial statements

Member Services: The Board of Trustees has determined that for each of the years ended September 30, 1993 and 1992, 75% of the Fund administrator's salary shall be considered to be member services.

In-House Fund Raising: In-house fund raising for the years ended September 30, 1993 and 1992 includes the Development Coordinator's salary and other expenses such as mailings, printing, and special projects.

The Fund's complete Financial Statements drawn by the Accountants are available for inspection at the AGMA office. Copies will be provided on request.

Sandra Warfield in an Evening of Cabaret to Benefit the AGMA Relief Fund

The one-hundred five year-old Players Club on Gramercy Park provided the atmospheric setting for a delightful and fun-filled evening of cabaret with Sandra Warfield on Friday, December 10, 1993. Ms. Warfield had just returned from a smashingly successful two hour, one-woman show at the Bernhardt Theatre in Zurich, Switzerland.

The evening began with a lovely cocktail hour at which guests mingled and explored the interesting nooks and crannies of the private club, steeped in theatrical history.

The Relief Fund was honored to have Regina Resnik, President of AGMA and Chairman of the Relief Fund Board of Trustees, speak to guests about the programs and services provided by the Fund, and of the ever-increasing needs of classical performing artists. Ms. Resnik then introduced her long-time

friend and colleague, Sandra Warfield McCracken, who entered the stage singing a jazzy version of Carmen.

The exciting cabaret program varied from songs of Cole Porter, Noel Coward, and Poulenc, to "Hard to be a Diva, Baby" by Barry Keating, as well as selections by Jerry Herman, Kurt Weill and William Bolcom. At the close of the fifty-minute act, with the crowd applauding for more, Ms. Warfield did an encore of a West African folk song, "Everybody Loves Saturday Night", sung in four languages! The room was filled with the voices of our guests joining Ms. Warfield in this rousing rendition.

Thanks to Sandra Warfield, and the caring participation of many generous individuals who made contributions to the AGMA Relief Fund, this warm and wonderful evening brought the Fund over \$10,000!



Sandra Warfield (l.) and AGMA President and Relief Fund Chairman Regina Resnik, following the Fund's Evening of Cabaret.

AGMA Emergency Relief Fund

Broadway Cares/Equity Fights AIDS Recognizes the AGMA Relief Fund AIDS Program

The AGMA Relief Fund AIDS program has again been acknowledged by Broadway Cares/Equity Fights AIDS, an organization that has raised and distributed millions of dollars to AIDS service organizations across the country.

As an incentive to our members to join hands in supporting the services of the Fund, Broadway Cares/Equity Fights AIDS has encouraged the Fund to advertise their contributions as matching grants. To date, we have received \$12,000 - \$3,000 short of our membership fund raising goal.

With the support of Broadway Cares/Equity Fights AIDS, our members, and individuals and organizations who care about the arts, the Relief Fund is able to

provide financial assistance to artists with AIDS and those testing HIV positive. The Fund helps pay for medical bills, rent and other essential living expenses. Additionally, the Relief Fund staff provides support services, assistance in making career transitions, family and health counseling, referral for other sources of treatment, support groups, volunteer programs and generally offers comfort when spirits are low.

We are grateful for the donations which we continue to receive through our membership appeal and would like to encourage those who haven't already done so to give whatever they can toward helping us to reach our \$15,000 membership fund-raising goal. THANK YOU!!!

A Small Gesture ...A Great Gain

I would like to share a wonderful gift giving idea with you. For the past several productions that I have worked on, instead of giving flowers, candy, small gifts, etc. to those involved, I have made a contribution in the cast and crews' name to the AGMA Relief Fund. Posting an announcement on the call Board has elicited a strong and positive response from all. People who already knew of the Relief Fund, or those not yet aware of its various programs, have either contributed to it, or perhaps utilized the Fund in time of need.

The staff at the AGMA Relief Fund can notify people by mail for you, or perhaps supply a notice to post backstage. I hope you will consider this option whenever appropriate to the situation. A small gift can in reality do so much.

*David Pfeiffer
Stage Director*

AGMA Election 1994 for the Board of Governors

Deceased

Norman Anderson
 Emile Ardolino
 Arthur Armijo
 David Barton
 Jack Bittner
 Charlotte Black
 Paolo Bortoluzzi
 John Butler
 Stanley Carlson
 Jerry Carpenter
 Michael Chiusano
 Leonard Del Ferro
 Agnes De Mille
 Ray Devoll
 Bruce Ferden*
 Michael L. Graham
 Margaret Hawkins*
 Ossie Hawkins
 Spencer Henderson
 Hans Hopf
 James Jamieson
 Mark Jollie*
 Orrin Kayan
 Erich Leinsdorf*
 Andrew Levinson
 Marienka Michener*
 Lucia Popp
 Marie Powers
 Dorothy Raedler
 Elsie Reiman
 Wesley Robinson
 Ariel Rubstein
 Peter Mark Schifter
 Jerry Solomon
 Gregory A. Stewart
 Jess Thomas
 Tatiana Troyanos
 James Tyeska
 Mervin Wallace

*Distinguished individual in related profession

ELECTION MEMBER COUNT 1994					
Area	Active Solo Singers	Active Instrumentalist	Active Stage Directors	Active Choristers	Active Dancers
1. New York & Vicinity	635	2	96	539	401
2. Southern California	86	0	7	237	25
3. Chicago & Midwest	111	1	23	321	64
4. San Francisco & Vicinity	60	0	17	139	68
5. New Orleans & Vicinity	26	0	1	39	5
6. Philadelphia & Vicinity	31	0	2	101	31
7. Washington/Baltimore	95	0	11	180	14
8. Pittsburgh & Vicinity	7	0	3	52	20
9. New England	44	0	3	47	31
10. Texas	31	0	2	47	39
11. Northwest	27	0	5	73	28
TOTAL	1153	3	170	1775	726

Nominations (Continued from page 1)

Ten Choristers: Lee Bellaver, Bernard Fischer, Beno Foster, Jonathan Guss, Elinor Harper, Lila Herbert, Lorraine Keane, Linda Mays, Mary Meyers, Alan Sokoloff

Seven Dancers: Michael Byars, Frank Dallapolla, Stephanie Godino, Candace Itow, Stanislaw Kmiec, Paul Sackett, Adam Sklute

Southern California Area

Two Solo Singers: Anne Marie Biggs, Paul Hinshaw

Four Choristers: Andrew Black, Sally Etcheto, Richard Greeley, Kenneth Knight

Chicago Area

One Solo Singer: Rochelle Ellis

Five Choristers: Michael Cook, Marilyn De Stefano, Richard

Livingston, Bryan Miller, Thomas Sillitti

One Dancer: Manard Stewart

San Francisco Area

Three Choristers: Kenneth Rafanan, Tom Reed, Claudia Siefer

One Dancer: Evelyn Cisneros

Philadelphia Area

One Solo Singer: Robert O'Neil

One Chorister: Judith Russo

Washington/Baltimore Area

Four Choristers: Beth Botsis, Valerie Eichelberger, Wilson Nichols, Jr., James Pierce

One Dancer: Barbara Stuckey

New England Area

One Dancer: David Porter

Northwest Area

One Chorister: Raoul Bellis-Squires

PETITION

For Nominations for Members of the AGMA Board of Governors

We, the undersigned members of AGMA, in good standing, hereby nominate

as a

(Solo Singer, Stage Director/Stage Manager, Chorister or Dancer)

member of the AGMA Board of Governors from the _____ area.

1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____
16.	_____	_____
17.	_____	_____
18.	_____	_____
19.	_____	_____
20.	_____	_____

(10 signatures are required.* Both signatories and nominees must be residents of the above area.)

THIS PETITION MUST BE FILED WITH THE NATIONAL OFFICE IN NEW YORK BY FEBRUARY 19, 1993.

I, _____, agree to run for election as a member of the AGMA Board of
Governors

_____ (Signature of nominee)

* A few more signatures than 10 is well-advised in the event that one or more may be invalid due to late payment of basic dues, inactive status or some other irregularity.

A Branch of the Associated Actors and Artists of America • Affiliated with the AFL-CIO
Official Organ of the American Guild of Musical Artists

AGMAZINE



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AGMAZINE

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Have You Moved?

Sending your AGMA notices, announcements, AGMAzine and other Guild documents to wrong addresses is costly and wasteful. Please be certain that AGMA has your correct address in its files. If you have moved recently and have not notified AGMA of your new address, please do so at once.

A separate change of address should go to the AGMA Pension and Health Fund, as well.

*Call the
AGMA
Hotline...*
(212) 247-0247

For news and auditions, services available, union business, fellowships, competitions, career assistance and health matters. The Hotline is available seven days a week, 24 hours a day, and is updated regularly.

In addition, AGMA shares a Hotline with SAG and AFTRA in San Francisco, at (415) 433-6266.

Planned Giving Ideas and Bequests to Benefit the AGMA Relief Fund

Our counsel, Mortimer Becker, Esq. is pleased to offer his services, free of charge, in advising and preparing a will that can be used to make bequests to the AGMA Relief Fund.

Recently, the AGMA Relief Fund has been named in the wills of some of our members. Bequests of this nature are a humanitarian way in which to provide critical support to

the Relief Fund's efforts in these difficult economic times.

Information and assistance is also available to prepare a planned giving document. For instance, with a Charitable Remainder Trust you can benefit the AGMA Relief Fund, retain a lifetime income, and provide for the future of your loved ones.

For more information, please call Mr. Becker at (212) 541-7070.

What's In A Name?

It is a common practice for performers to use a variety of professional names, for their own good reasons. But unless AGMA members notify the AGMA Membership Department about the various names by which they are known,

considerable confusion results. Please take a moment to write or phone the National Office to register with the Membership Department each name by which you are known. It's in your best interest.

Employee vs. Independent Contractor

It has been seriously suggested that those of our members who are Directors may properly be recognized by the IRS as Independent Contractors.

The suggestion is valid in any

instance in which the relationship of the Director with the "employer" meets the tests set up by the IRS. As always, check with a qualified tax consultant for the latest rulings on this subject before filing.