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Local musicians union asks for Cabrillo Festival boycott

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The Santa Cruz County local of the musicians union is calling for a boycott of the Cabrillo Music Festival.

The impetus for the boycott comes not from the Festival musicians — a far-flung group that gathers here each July for what amounts to a two-week working vacation — but from Local 346 of the American Federation of Musicians, which wants to see more local musicians used in the orchestra and chamber music festival.

Currently, many of the Festival's musicians are drawn from orchestras and opera companies in the San Francisco Bay Area and Los Angeles. A few come from as far afield as Minnesota and New York.

Last summer, three of the Festival's musicians came from Santa Cruz County. According to M.J. "Red" Malone, secretary-treasurer of Local 346, that isn't enough. He would like to see the Festival hire 10 percent of its musicians locally. That would be seven or eight musicians.

Malone is also seeking to restructure the Festival's pay schedule. Currently, musicians receive a "per diem" payment of \$44 a day. Malone proposes a \$20 "per diem" plus \$20 per service (for each rehearsal and performance). He said this

would come to an average of \$60 or more per day.

According to Malone, the present arrangement violates the terms of the Festival's \$14,500 grant from the National Endowment for the Humanities. Malone says the language of that grant requires the Festival to pay musicians and other employees at the prevailing minimum scale for the area.

Malone met with the Cabrillo Festival's musicians last summer, but didn't draw much support. He said "around fifty" of the seventy musicians (most of whom are members of other AFM locals in their home areas) voted by a show of hands to leave the situation as is.

According to the Festival, that means Malone has no basis for negotiation.

"We're quite willing to bargain with Local 346 if they're certified by a vote of the musicians. But that has not happened," said Dennis P. Duffy, the Festival's legal representative. Duffy is a labor-law specialist for Pillsbury, Madison and Sutro, a firm with offices in San Francisco and San Jose.

Duffy also defended the Festival's pay scale. "If you compare what we pay for services rendered to union contracts, you're not going to find a lot of difference."

"It's not as if the Festival is somehow lining its pockets at the expense of musicians or the

public," said Duffy. "It's not a money-making organization."

Mary K. Hubbard, president of the Festival's board of directors, defended the Festival's hiring policies, saying "We do hire locally when (musicians) qualify for specific assignments. Our musicians are drawn from symphonies and opera companies where they play a large repertoire, and pull these things together with a minimum amount of rehearsal time."

"Unfortunately, in Santa Cruz County there are very few people who have that kind of experience."

Malone, meanwhile, says he's forwarding a request to the union's national headquarters to place the Cabrillo Music Festival on the unfair-to-labor list, which (if granted) would result in a boycott. Union musicians playing for an organization on the unfair list would face disciplinary action in their own locals.

Duffy, however, questions whether those arguments will hold water. "There's a real legal question as to whether or not it is legal under federal labor law for a national (union) to discipline persons who come to the Festival and work based on dispute between the Festival and Local 346. The Cabrillo Music Festival has not violated any provision of a collective bargaining agreement, or federal labor laws."