

# ✓ Boycott of Cabrillo Music Festival sought

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SANTA CRUZ — A local musicians' union leader is calling for a boycott of the popular 25-year-old Cabrillo Music Festival because, he says, the festival refuses to negotiate with the union on behalf of its 76 musicians.

M.J. Malone, secretary-treasurer of American Federation of Musicians, Local 346, said Wednesday that he has asked the national union to place the music festival on its unfair-to-labor list, since a lawyer representing Cabrillo declined to enter into negotiations with 346 at a meeting on Feb. 24.

But Dennis P. Duffy, representing the music festival, said he advised the festival not to negotiate with Local 346 because it does not represent the musicians, according to provisions in the National Labor Relations Act governing collective bargaining agreements.

Duffy said that although a majority of Cabrillo musicians probably are members of the A.F.M., they are members of locals in areas outside Santa Cruz County

and as such, are not necessarily represented by Local 346. In addition, said Duffy, Local 346 has met with Cabrillo musicians in the past for the purpose of representing them, but has failed to gain the musicians' authorization to represent them.

Malone conceded he had talked to the musicians last year, and that the musicians who come here — only three of 76 are local, he said — are "not upset" with the festival. But, he said, the musicians are breaking union bylaws by not conforming to union contract regulations. In addition, said Malone, outside musicians are taking the jobs of local musicians. Local 346 has approximately 210 members, according to Malone, and has a contract with the local symphony.

Malone said that the music festival is not complying with terms of the \$14.5-million grant it got last year from the federally funded National Endowment for the Arts. Terms of the grant, according to Malone, state that the festival must pay either minimum-scale wages comparable to what musicians in the area get, or have a collective bargaining agreement with a recognized

union, including A.F.M.

Malone said that Local 346 is asking for a contract calling for payment of \$20 "per service," plus \$20 for daily expenses. "Per service" means that musicians would be paid that sum for each rehearsal or concert.

Currently, the music festival pays musicians \$44 a day, all of it listed as "per diem" expense money, according to Malone.

"I'm not out to break it," said Malone about the wage demands on the festival.

But Duffy, a member of the San Francisco and San Jose law firm of Pillsbury, Madison and Sutro that is volunteering its services free of charge to the non-profit festival, said the festival is paying musicians at a prevailing rate of pay, in accordance with its federal grant.

"If you compare compensation, you won't find a big difference, ultimately," said Duffy about the current pay for musicians vs. what the union is asking.

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"We're not anti-union or hostile to the idea of sitting down and negotiating a contract," he said. If a majority of the musicians vote that they want Local 346 to represent them or if the local holds an election and is certified to represent the musicians, the festival will negotiate with it, he said.

Malone, meanwhile, has called on the Santa Cruz Central Labor Coun-

cil to institute a boycott on the purchase of tickets for the 1988 Cabrillo Music Festival, which begins in July.

"We would hope everybody would be behind the festival," said Duffy.

Malone conceded that by calling for a boycott, he is taking on a highly popular, almost venerated, local event.

"They'll probably ride me out of town on a rail," he said.