

LOCAL 802 ACCOMPLISHMENTS JANUARY 2019 TO PRESENT

PRE-PANDEMIC

Our administration was only in office for a year before the pandemic hit, but during that year, we negotiated a number of flagship contracts, including the following.

Broadway — We negotiated a landmark Broadway contract that included the largest economic gains 802 has seen in decades. We secured a 23 percent increase in health contributions, a 3.5 percent wage increase for each year of the contract, and a new 401(k) retirement plan option. The bargaining unit overwhelmingly ratified this new agreement.

Radio City Music Hall — Musicians playing at Radio City ratified a contract with 2.5 percent wage increases for each of the three years of the contract term. Additionally, split-chairs will receive a 23 percent increase in health contributions over the course of the contract. Finally, all Radio City musicians will have the option to participate in a new 401(k) plan.

Orchestra of St. Luke's — During negotiations, we solidified 3 percent wage increases for each year of the contract. Health benefits contributions will increase by 13.5 percent for performances and 26.5 percent for rehearsals over the contract term.

New York Pops — We were able to negotiate a five-year contract securing 3 percent increases in wages and cartage for each year of the contract. Health benefits will increase 5.6 percent for performances and 15.8 percent for rehearsals over the term of the contract. The weekly cap will be raised 12.2 percent over the entire term of the contract.

Other Agreements — In addition to these larger agreements, we negotiated successor agreements for the American Classical Orchestra, Bronx Arts Ensemble, Children's Orchestra Society, Hora Decima Brass Ensemble, the Kaufman Music Center faculty, New York Gilbert and Sullivan Players, New York Scandia Symphony, NYC Gay Men's Chorus, Queens Symphony Orchestra, Riverside Symphony and 92nd Street Y-Jazz in July, as well as an initial agreement for the Kaufman Music Center accompanists. We also negotiated a settlement that paid musicians overtime from a 2016 engagement at the United Nations.

DURING THE PANDEMIC

CONTRACT NEGOTIATIONS

Once the pandemic hit, Local 802 was busier than ever as we were forced to negotiate almost all of our contracts simultaneously, some negotiations are still in ongoing. These include the Metropolitan Opera, New York Philharmonic, American Ballet Theatre, Mostly Mozart, New York City Ballet, and many others.

Needless to say, it's been challenging to conduct negotiations during a worldwide pandemic that shut down our entire industry. However, we're pleased to report some successes.

- We successfully negotiated a new five-year agreement with the nonprofit Off Broadway employers that includes substantial wage and benefit increases.
- Jazz at Lincoln Center agreed to maintain their musicians' wages and benefits for the next three years. Jazz at Lincoln Center was one of the bright spots during the pandemic; they continued to pay their musicians and were able to perform streaming concerts.
- Local 802 achieved a one-year extension of our collective bargaining agreement with New York City Opera that contains increases in pay for performance rates.
- We achieved settlement agreements for payment for Mostly Mozart, American Ballet Theater

HEALTH PLAN

Shortly after taking office, we learned that the 802 Health Plan had lost \$2.7 million in the previous fiscal year. The actuaries were predicting that the plan would run out of money by December 2021. We immediately responded by proposing changes to the benefit structure and we encouraged members to use in-network benefits as opposed to out-of-network providers. At the same time, we negotiated a major 23 percent increase in healthcare contributions from Broadway over the next three years. Absent this increase, the Health Plan would have had to drastically cut benefits and restrict access to members. We've also significantly increased employer contributions at Radio City Music Hall (23 percent), NY Pops (5.56 percent for performances and 15.82 percent for rehearsals), St. Luke's (13.53 percent for performances and 26.50 percent for rehearsals) and Nonprofit Off Broadway (42 percent and up). Across the board, we sent a loud and clear message to management that healthcare is a human right.

Unfortunately, then the pandemic hit. With no work, our health plan received no contributions, and the situation took a serious turn.

So, we took immediate action in order to stabilize and protect the future of the fund. We found ways to reduce costs, partly by reducing benefits. We tried to keep as many 802 members covered as possible and we tried to pass the least amount of cost to members. We worked tirelessly with our employers in order to get them to make contributions on musicians' behalf. This work is still in progress, and once musicians are working regularly again, we'll be able to offer more strategic planning for our health fund.

On the positive side, a COBRA health subsidy is available on both the federal and state level (more on that below), which our members can apply for. Also, during the pandemic we partnered with the Actors Fund to promote their *EVERY ARTIST INSURED* campaign, which offers free health counseling, including on how to sign up for an ACA (Obamacare) plan.

PENSION CRISIS AND PENSION VICTORY

In 2016, the AFM pension trustees announced that they would most likely have to cut our hard-earned benefits. They told musicians that we could no longer rely on our pensions for retirement. Musicians immediately sprang into action and started

organizing and working together to fight these cuts. In 2019, the pension trustees delivered on their threat and applied for pension cuts through the Treasury Department.

By then, Local 802 was prepared to fight back. We worked with our political allies at all levels of government through rallies, meetings and petitions -- and we organized AFM locals around the country. The culmination of our efforts was a truly unprecedented victory: a critical part of the American Rescue Plan, which will uphold our pension plan and not allow our trustees to cut our pensions. This was a national fight that put Local 802 in a clear leadership position.

Additionally, we set a precedent by negotiating a new 401(k) option in our major new contracts, including Broadway and Radio City. This option will remain a priority as we negotiate successor agreements at other major workplaces.

FINANCES

Keeping our operating budget in balance was a top priority for our administration from the first day we took office. Before this administration, 802 had operated at a deficit for the last four years and had no formalized regular budgetary process. When we were elected, we created a balanced budget and took steps to stick to it. We viewed 2019 as an important year to get back on track and we made that happen with a surplus of over \$600,000. One of the biggest expenses in prior years was the use of outside law firms.

For example, in 2018, Local 802 spent over \$640,000 on outside firms. We reconsidered all of our legal options and now our legal costs are a fraction of what they were in previous years.

Then the pandemic hit, and everything changed. The union lost 95% of our revenue as our entire industry rapidly shut down. This created an immediate emergency that was addressed by making incredibly hard choices. We cut staff and slashed expenses.

Everyone in the building, from the officers on down, accepted pay cuts that are still in effect. We have scrutinized every single expense of the union and brought our budget down to the bare minimum while maintain excellent service for our members.

IMPROVEMENTS TO THE BUILDING AND INTERNAL RESTRUCTURING

While we're mindful of our budgetary constraints, we've also made some small but noticeable improvements to the building. We've given some attention to the Club Room by ordering new chairs and tables, and members of the Executive Board volunteered their time to give the Club Room a much-needed fresh coat of paint. At the request of the 802 Green Committee, we installed new filtered water dispensers throughout the building. We also upgraded our building's security and will continue to phase in security procedures. Finally, the building has been upgraded to meet the most up-to-date Covid standards in order to ensure the safety of our staff and our members once we reopen.

STREAMLINING THE UNION

In order to better support our staff's ability to meet our members' needs, we began a process of internal restructuring even before the pandemic. For decades, 802 had different departments that served completely different functions and rarely communicated with one another. It caused a lot of siloing and an inability to operate efficiently. This system constrained our staff's ability to help our members. During the pandemic, we took huge steps to safeguard member resources. We implemented a new communication technology within the building called Jira that lets us work more efficiently with fewer resources. It means that any staff member can respond to any member inquiry without delay. We are also overhauling our membership portal, with many more innovations to come, including an app-based messaging system that will be able to reach all of our members.

COMMUNICATIONS WITH OUR MEMBERS, POLITICAL WORK, AND RELATIONSHIPS WITH OUR ALLIES

Our communications have been entirely overhauled and digitized. We're using social media strategically while also sending out regular updates via e-mail, including Allegro - which is now an entirely digital magazine. We created a YouTube channel and more innovative content is in development.

We also completely overhauled our press operation and we now have up-to-date contacts in all the major media outlets, including the New York Times, Associated Press and others, so we can get our word out quickly and efficiently. An example of this success was an op-ed I wrote "We Must Prevent a Great Cultural Depression," which was first published in the New York Daily News and then quickly went viral. That piece became the union's platform, helping us advocate for investment in the arts—and we can point to actual union work that came out of it, including programs like #MusicHeals and #MusicForTheSoul (more on those below). Local 802 was also featured on CBS, 60 Minutes and many articles in the New York Times and elsewhere. Our relationship with the media has never been stronger, and when reporters need to hear the voice of professional musicians in NYC, they contact Local 802 first.

One of our most important achievements was in the rebuilding and strengthening of our communications with our elected leaders. We now have immediate "hotlines" with our top allies and can count on a quick response when we need one. This has resulted in real gains for our members, such as the pension rescue, enhanced unemployment benefits, the COBRA subsidy relief bill (both federal and state), and actual union gigs such as #MusicHeals and #MusicForTheSoul.

There are too many elected leaders to thank in this report, but we must give a personal shout out to Senator Chuck Schumer, who became the first U.S. senator to address Local 802 musicians at one of our membership meetings. Senator Schumer has come through for us in so many ways and he is one of our strongest allies.

We must also thank the Mayor's Office for Media and Entertainment as well as New York Health and Hospitals. Both of them partnered with us to create union work for our musicians when they needed it most. Our musicians performed live at vaccination sites (in a program called #MusicHeals) to encourage New Yorkers to get vaccinated, which is

still the key to re-opening our city. Our musicians also continue to perform special streaming concerts from their own homes as well as live gigs at hospitals (in a program called #MusicForTheSoul). All of this is under a union contract.

We developed excellent working relationships with other entertainment unions including IATSE Local One, Actors' Equity, SAG-AFTRA, IATSE Local 764, SDC, Freelancers Union and AGMA. When IATSE Local One was working for a fair deal with the Metropolitan Opera, Local 802 was there in support, including the big "We Are the Met Rally," in which hundreds of musicians came out.

Local 802 is also building alliances with new and established advocacy organizations like Maestra, Musicians for Unity and Social Equity (MUSE), Musicians Advocacy Group for Inclusion and Change (MAGIC), Music Workers Alliance, the Union of Musicians and Allied Workers and others.

MEMBER RESOURCES

We improved resources available to members on the 802 website by launching our Resource Center, which guides members to access entrepreneurship opportunities and social services through curated links and information. During the pandemic, we launched specific Covid resources like:

- Every Artist Insured campaign
- Health & safety recommendations for recordings and live performance
- General health and safety resources
- Local 802 orchestra health benefits
- Shortfall funds
- Sick leave and benefits for workers
- COBRA subsidy
- Resources for tenants

...and much more

FIGHTING HARASSMENT AND BULLYING

We collaborated with the Local 802 Anti-Harassment Committee to roll out the union's first-ever anti-harassment procedure for 802 members to report instances of bullying, discrimination, and harassment. We also drafted new bylaw language to replace outdated language that did not go far enough to address member-to-member harassment. The amendment was presented and discussed at a membership meeting and passed with unanimous approval. The anti-harassment bylaw amendment was the result of a year-long, member-driven process to draft and present the updated language to the full membership.

INCREASED MEMBER ENGAGEMENT IN OUR UNION

High turnout at membership meetings

We met quorum (meaning at least 95 musicians were present) at all membership meetings both before and during the pandemic, well exceeding average attendance at membership meetings in recent years, which had dwindled. Reaching quorum allows us to conduct official union business; with over 100 musicians present at each meeting, this

also meant we were able to have important — while at times difficult — conversations about the future of our union.

New organizing

Argyle Theatre — In 2019, musicians received voluntary recognition at the Argyle Theatre in Babylon, Long Island after months-long discussions with management. Negotiations for a first contract began this fall and will continue into the new year.

Distinguished Concerts International New York (DCINY) — Musicians had one-on-one conversations throughout early 2019 about unionizing their work at DCINY, reaching a strong majority when they filed a petition with the National Labor Relations Board to hold a union election. This was an elusive organizing target for 802 for the past decade, and we could not be prouder of the courageous DCINY musicians who deserve all the credit for this effort. After launching a social media campaign with participation and support from musicians across the 802 community, DCINY musicians won union representation by an 89 percent yes vote. They're currently in negotiations with management for a first contract.

Building for the Next Generation — We've begun work on a Next Generation Initiative to help rebuild our union's relationship with younger 802 members and reach out to the next generation of New York musicians. We've also spoken to seniors at Juilliard, Manhattan School of Music, Mannes, Montclair State, Rutgers, Yale and Stetson University about the importance of joining the union and working under a union agreement.

DIVERSITY, EQUITY AND INCLUSION

Working for more diversity, equity and inclusion in our union is one of our administration's biggest goals. Diversity is not only a matter of justice, but the future of our union depends on it. Here are some of our initiatives:

- We worked with allies to produce a highly successful Zoom panel on diversity, equity and inclusion with AFM Local 47 (Los Angeles).
- We worked with Local 802 Executive Board member Monica Davis on a series of panels called PASS THE MIC
- We partnered with Maestra to produce our union's first comprehensive membership survey, in which half of survey respondents reported that it's "extremely important" or "very important" to consider racial diversity when hiring.
- We're working on several new mentoring initiatives based on diversity, equity and inclusion, which will be announced in the fall.

EMERGENCY RELIEF FUND AND #SAVENYCMUSICIANS

During the pandemic, musicians realized the importance of the union's Emergency Relief Fund. We overhauled the fund's website and launched fundraising campaigns bringing in over \$500,000 for the fund.

The first campaign that emerged was called Songs of Support, which featured Local 802 officers and members performing together in Zoom-style montage videos. The music was covered under a union contract and the videos were posted on the union's YouTube channel.

The second campaign, which is still ongoing, was called #SaveNYCMusicians, which features testimonials from elected officials, videos from members, a cookbook initiative, and much more. The campaign has raised over \$200,000 for the fund.

GETTING BACK TO WORK

As NYC continues to re-open, one important question for musicians (and audiences) is how each venue or producer will create health and safety protocols. Local 802 has worked with industrial hygienists and other experts in the field to create health and safety protocols to protect musicians as we return to work.

COMING THIS FALL

As part of the re-opening of NYC, the union will be rolling out several initiatives this fall under the banner of "802 STRONG." The general idea we have been working on is that the union will rebuild itself stronger than before as we learn the lessons from the pandemic and leave no musician behind:

- A financial aid program for musicians who might not be returning back to full employment this fall under the title 802 STRONG: NO MUSICIAN LEFT BEHIND
- A mentorship pilot program with diversity, equity and inclusion priorities under the title 802 STRONG: THE NEXT GENERATION
- An organizing training program under the title 802 STRONG: RAISING OUR VOICE
- A new membership portal and technology upgrade under the title 802 STRONG: UPGRADING THE UNION