

March 2, 2011

<http://detnews.com/article/20110302/ENT01/103020371>

## DSO musicians offer to return without contract

### Proposal hinges on binding arbitration deal

*MICHAEL H. HODGES**Detroit News Fine Arts Writer*

In a surprise development Tuesday, striking musicians voted overwhelmingly to return to the Orchestra Hall stage if Detroit Symphony officials agree to submit all outstanding issues to binding arbitration.

During a press conference in front of the Max M. Fisher Center, Karl Pituch, principal horn player and a musicians' negotiator, said the musicians' union has proposed three arbitrators — one chosen by the union, one by the DSO and the third by the arbitrators.

Management has not yet agreed to the musicians' plan.

The starting point of arbitration, Pituch said, would be the last offer each side had on the table. And, he noted, the arbitrators could impose whatever settlement they see fit.

In a statement, Gordon Stump, president of the musicians locally, said, "It is way past the time for this strike to be settled. We are here today to offer a procedure which we believe is fair to all sides, and would put the musicians back on stage immediately and unconditionally."

DSO spokeswoman Elizabeth Weigandt said management was "very encouraged the musicians took this important step."

"Although the terms of this return remain unclear, just after this unanticipated announcement, we immediately communicated with union attorney Leonard Leibowitz in an effort to understand the specific intentions of their news announcement of an 'unconditional' return to work," she said.

"To move the process forward, we have offered some suggestions of our own on how we might proceed together and are looking forward to their response."

## Players walked out Oct. 4

Disputes over management's offer of a contract with more than 30 percent pay cuts and wide-ranging work-rule changes sparked the Oct. 4 walkout. Last month, DSO officials put a more generous three-year offer on the table — \$34 million in pay and benefits for the orchestra, with an additional \$2 million in opt-in community outreach and educational activities.

Musicians rejected the proposal. Management withdrew the offer and suspended the balance of the 2010-11 season.

Still, that contract was arguably more than the beleaguered orchestra could afford. "Even our last proposal would have caused the DSO to face multimillion deficits for the foreseeable future," Stanley Frankel, chairman of the DSO Board of Directors, said in a statement Feb. 19.

Since then, all three members of the DSO percussion department have announced they were leaving Detroit, two for other orchestras.

Though musicians' spokesman Haden McKay denied a direct line between the two events, he conceded the

losses were worrying.

"The fact that it happened with three people all at once gave it more urgency," McKay said. "But the goal is to stanch the bleeding, keep the orchestra intact and tell people there's a great future here. We clearly don't want to lose any more than we have to."

## Effects widespread

The DSO also faced more recent disappointment. Last week, jazz singer Bobby McFerrin announced that because of the ongoing strike he would not perform Thursday at Orchestra Hall.

Management found out Monday the strike would also keep replacement group Take 6 from performing.

Gregory Saltzman, a labor expert at Albion College and the University of Michigan, said other industries have embraced arbitration. The American steel industry in the 1970s, he said, turned to arbitration because the prospect of a strike drove customers to foreign suppliers.

That potential loss of market share, he added, isn't so different from the erosion in audience and donors an orchestra experiences over a long strike.

"The DSO strike has gone on so long that it's been harmful to both sides," Saltzman said. "So this could be reasonable way of saying, 'Let's end the dispute even if we don't get exactly what we want. The dispute itself is costing us too much.'"

[mhodes@detnews.com](mailto:mhodes@detnews.com)

(313) 222-6021

---

© Copyright 2011 The Detroit News. All rights reserved.