

Valley Symphony Orchestra Musician Member Policies and Procedures

- I. Responsibilities of the South Texas Symphony Association (STSA) Management
 - A. The STSA will provide a written Musician Service Agreement (MSA) and a Season Schedule with time and place of service for each Valley Symphony Orchestra (VSO) musician. The STSA VSO Policies and Procedures will be provided with the MSA to all musicians prior to the first rehearsal of each season. The MSA will include the per-service rate of pay for each musician.
 - B. The VSO Librarian will have the music available at least two weeks prior to the first rehearsal for a concert. Exceptions may be necessary due to rentals, program changes, or other special circumstances.
 - C. The VSO Librarian shall ensure that rehearsal letters/numbers in the score correspond with all individual parts.
 - D. Communications between VSO management and musicians will be by e-mail and through the updates on the private, password protected portion of the STSA website.

- II. Responsibilities of Musicians
 - A. Musicians will have their parts prepared before each rehearsal.
 - B. Musicians will be in the rehearsal area or on stage at least ten minutes before the scheduled beginning of a service.
 - C. Each musician is responsible for furnishing his/her own instrument (except certain percussion and other special instruments) and maintaining it in satisfactory playing condition.
 - D. Each musician is responsible for the music issued to him/her and will need, in the event of absence, to deliver the music to the designated substitute, or service location.
 - E. Each musician will keep the STSA office informed of his/her current street address, telephone number and email address. It is essential that musicians have a current working email address or regular access to the internet OR that they inform the STSA office that communications need to be by phone.
 - F. Section leaders have the responsibility to communicate with the Personnel Manager concerning problems within their section.
 - G. Problems or concerns of musicians must be submitted in writing to a member of the Orchestra Committee (OC). The OC will discuss the problem or concern and

communicate with the Music Director, Personnel Manager or STSA Executive Director, as necessary.

H. Dress Code:

1. Unless otherwise required by the Management, musicians will dress according to the following specifications:

MEN: Black tuxedo, black bow tie, white shirt, black socks, black dress shoes.

WOMEN: Solid black skirt/dress/dress pants (ankle-length to floor length when seated), solid black blouse/top with full or $\frac{3}{4}$ length sleeves (no plunging necklines, sequins, glitter, beads, or contrasting colors), plain black hose/socks, black dress shoes. Small black purses may be carried on stage and placed under the musician's chair.

Minimal jewelry; no perfumes/colognes or heavily scented products.

No alarm/beeper watches, cell phones or pagers allowed on stage during rehearsals or concerts.

No food or drinks (other than water) allowed on stage during rehearsals or concerts.

No newspaper, books or any portable device allowing internet access allowed on stage during rehearsals or concerts.

III. Musician Status

- A. Musicians who have played with the VSO at least 2 full immediate previous consecutive seasons are considered non-probationary per-service musicians and will be offered a MSA, based on the instrumentation needs of the VSO, for the season.
- B. All musicians in their first two seasons with the VSO shall be considered probationary.
- C. The Music Director and/or STSA management may refuse to offer a MSA to any probationary musician, or a musician who did not perform all concerts the previous season, at its sole and absolute discretion. Musician shall be notified in writing of such non-renewal.
- D. Substitute musicians: a substitute musician is one who has successfully auditioned under the designated audition procedure. A substitute list will be established at the beginning of each season and maintained by the Personnel Manager, in consultation with the section leader.
- E. Recruiting new orchestra musicians: the VSO will actively recruit new players to fill vacancies in all instrumental sections. However, once instrumental sections are fully occupied, there will be no active recruiting for replacement of players in those sections. An orchestra player who continues to meet the requirements of the VSO may continue to participate in the VSO until such time as s/he chooses to end that

participation. Lack of attendance for 1/3 of the scheduled concerts in a single season, if without the benefit of agreement from the STSA Management, shall result in loss of the privilege to resume participation unless there is a vacancy.

- F. Removal of an orchestra musician: an orchestra musician may be denied the privilege of further participation in the VSO if his/her activities in the group are hindering the organization from meeting its musical goals. Tardiness or lack of regular attendance at rehearsals may be grounds for denial of further participation, at the discretion of the Musical Director. If an orchestra musician is being considered for removal by the Music Director, the specific concerns will be stated in writing and submitted to the Orchestra Committee for discussion.

IV. Service Agreements, Personnel Rosters and Schedules

- A. Non-probationary, per-service musicians shall be offered musician service agreements (MSA) first. Per-service musicians are considered independent contractors with the VSO. The contractual agreement is as specified in each Season MSA.
- B. Musicians shall participate in all services as specified in their MSA. A service is defined as attendance and playing by the musician at any scheduled rehearsal or performance of the VSO. Attendance is required by the VSO either implicitly or by acceptance of the MSA. Musicians shall participate in all services as specified in the MSA unless an excused absence is requested by a musician and approved by the Personnel Manager.
- C. A musician who cannot attend all rehearsals for a concert may be replaced for that concert, at the discretion of the Music Director.
- D. If a contracted musician is unavailable for a service or set of services, musicians from the VSO list of substitutes shall be given first call to fill the vacancy. Should a suitable substitute not be available, the vacancy will be filled by the Personnel Manager, in consultation the Music Director.
- E. Scheduling of rehearsals and concerts will be done to minimize or avoid conflicts with other orchestra and professional ensembles that provide additional employment opportunities for VSO musicians. STSA management will undertake the resolution of possible conflicts as soon as they are known and will discuss any such conflict with the Orchestra Committee and the Music Director.

V. Rehearsal and Performance Protocol

- A. Services will be contracted in advance specifying a length of 2.5 hours, including a 15-minute intermission.

- B. A rehearsal intermission will be provided at the appropriate midpoint of the scheduled length of rehearsal so that a normal performance segment may be completed before intermission.
- C. The Personnel Manager will be the timekeeper for rehearsals, overtime segments, and concerts.
- D. The Personnel Manager will seat latecomers; seating will be done at the sole discretion of the Personnel Manager so as to minimally disrupt rehearsals.
- E. Unnecessary questions will be avoided during rehearsals. Section players will normally refer first to their section leader to help resolve musical problems concerning the performance. Nonmusical questions will only be asked prior to or after rehearsal, or during break.
- F. The Music Director, in consultation with the appropriate section leaders, will assign seating.
- G. If a musician is going to be unable to attend a rehearsal previously agreed upon in the MSA, s/he must notify the Personnel Manager as soon as possible prior to the rehearsal. Two or more absences from rehearsals may result in the musician being removed from participation in a concert, at the discretion of the Music Director
- H. Musicians who are not available to play at least 2 of the educational concerts normally will not be allowed to play the associated Pops concert. Decisions will be made on a case by case basis by the Music Director.

VI. Payment

- A. The STSA shall remit compensation, per the MSA, to each musician within fourteen days after the final service of each concert cycle.
- B. No payment will be remitted to a musician unless a current W-9 is filed with the STSA. W-9s must be updated as required by the IRS, and at least annually.
- C. The STSA reserves the right to withhold payment or deduct from payment any outstanding amount due the STSA for items including, but not limited to: tickets, music, and/or penalty deductions.
- D. Replacement costs for music not returned by a musician will be a minimum of the replacement cost of the music including all shipping and handling, plus a \$15.00 administrative fee per set. Music that is not needed for additional performances shall be left on the music stand at the end of a performance.
- E. Tardiness, excused or unexcused, of up to 30 minutes will result in a deduction of 25% of a musician's per-service rate; tardiness over 30 minutes will result in a per-service rate deduction of 50%. Each musician will be allowed one "free" tardy per season, for which there will be no payment reduction. The Personnel Manager will be responsible for taking attendance at rehearsals and noting late arrivals.

- F. Unless the musician is a substitute, payments will not be made if a musician has attended rehearsals and does not perform in the concert. Should extenuating circumstances prevent a prepared musician from performing, a letter to the STSA Executive Director requesting payment must be submitted by the musician for consideration.
- G. Failure to comply with the concert dress code will be penalized at the rate of \$10.00 per infraction. Each musician will be allowed one “warning” per season concerning a dress code infraction, for which there will be no payment reduction. The Personnel Manager will be responsible for enforcing the concert dress code. Continued dress code infractions will be considered grounds for dismissal from the VSO.
- H. All musicians are considered independent contractors, so no taxes, Social Security or FICA deductions will be withheld from payment checks. As required by law, the STSA shall record and report each musician’s earnings to federal agencies.
- I. Each orchestral musician will receive two general admission tickets for each concert dress rehearsal. These will be distributed during the second week of the rehearsal cycle for each concert.

VII. Auditions

- A. Auditions for the substitute list for the VSO will be held annually prior to the first concert cycle of the season. Audition repertoire will be selected by the Music Director, in consultation with the appropriate Section Leaders and Personnel Manager. Audition repertoire and procedures, as well as dates and times, will be posted on the VSO website no later than 30 days prior to audition date.
- B. Auditions for seating within all VSO sections will be held at the discretion of the Music Director. A committee of musicians chosen by the Music Director will participate in the audition. The Personnel Manager will attend all auditions.

VIII. Recording Clause, Performance Rights

- A. The STSA shall have the right to record all VSO performances for the purpose of radio or television broadcasts of a regional, non-commercial nature, as well as audio and video recordings for archival and/or promotional purposes, including use on the organization’s website. All such recordings shall remain sole property of the VSO.
- B. The STSA records all performances.

IX. Orchestra Committee

- A. An elected committee of their members called the Orchestra Committee will represent the VSO musicians to the STSA.

- B. The committee shall consist of five to ten VSO members, performing during the current year, with representation from all VSO sections, as possible. The OC members will serve as liaisons between all VSO musicians, STSA management, and the VSO Music Director. All non-probationary musicians are eligible to serve on the OC.
- C. OC Elections:
 - 1. A VSO musician, at any time prior to scheduled elections, may make nominations. Individuals may nominate (or volunteer) themselves.
 - 2. Elections shall be by paper ballot, to be counted by two musicians who have not been nominated for the OC.
 - 3. Election to the OC will require a simple majority of the votes cast.
 - 4. All terms shall be for three years.
 - 5. A person whose term has just expired is eligible for re-election.
 - 6. Elections will be held at the second full rehearsal of each season.
- D. The OC shall be responsible for meeting, on a schedule to be determined by the OC, and for communicating promptly and accurately all comments, suggestions, and/or grievances of the musicians to the Personnel Manager, STSA Executive Director, or Music Director.
- E. The OC shall designate at least one member to attend the meetings of the STSA Board of Directors as a non-voting member of the Board. The OC representative shall communicate with VSO musicians concerning any issue of interest to the VSO.
- F. Minutes of meetings and communications from the OC shall be posted in the "Musicians" section of the VSO web site.