



294 Musical Notes

The Official Newsletter of the Lancaster-York
Federation of Musicians

Affiliated with the American Federation of Musicians
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SUPREME COURT RULING GIVES CLARITY TO LSO CASE



The recent U.S. Supreme Court ruling in *National Labor Relations Board (NLRB) v. Noel Canning* allows action between Local 294 and the Lancaster Symphony Orchestra to proceed. The ruling declared that President Obama's January 2012 recess appointments to NLRB were invalid. The former NLRB configuration had found in favor of Local 294 in its dispute with LSO in August, 2012. That finding was a critical part of the local's effort to provide representation to orchestra members. LSO did not accept the NLRB's decision and was appealing it in federal court

when the Supreme Court case appeared. The appeal was stalled pending Supreme Court resolution.

In the interim, a properly appointed five-member NLRB was established and is in a position to rule again on the LSO case. A filing has been made to return the stalled LSO case to the NLRB for consideration by the now properly constituted board. Assuming that the "new" NLRB reaffirms the original ruling in the Local's favor, the process restarts and LSO will have the opportunity to reconsider an appeal or accept the ruling and begin negotiating in good faith.

There is a long story that led up to the first NLRB ruling, one that involves the definition of "employee" and "independent contractor" and LSO musicians' rights to form a collective bargaining unit. Orchestra members have chosen Local 294 to represent them in negotiating with LSO for pay and working conditions. To date, LSO has refused to negotiate and was in the process of challenging in Federal Court, a challenge that is now mute pending a new NLRB ruling.

It should be noted that AFM's legal assistance in this matter has been outstanding. Were it not for its support, the strain on the Local's finances would have made it impossible for it to be in this position. While the case is not resolved, it is moving forward.

LET THE UNION PROMOTE YOUR BAND

AFM is offering a new referral service for member bands, ensembles, and soloists. Go to the website at www.afmentertainment.org to view this powerful tool. As an example, click on "Big Bands" and then "Pennsylvania" and you'll see a listing of the bands who have registered. Click on the band's name and you'll see their promotional material. [Click here for an example.](#) The site is also linked at www.afm.org.



The purpose of the site is to connect potential purchasers of live music to musicians and groups matching their geographic and style preference. Browsing the site can be addictive and is a good source of ideas for ways you can promote your group. It is also a way of easily establishing a web presence with your own promotional material.

The registration process is not difficult. Begin by going to the "Musician's Area" in the upper left part of web page. You will be asked to create a user name and password and are then guided through creating a page for you or your group.

This is a great way to gain benefit from your union membership.

SUPPORT THE BROWN BAG VARIETIES

Please support our Local 294 Members as they perform on Lancaster's Penn Square in Lancaster on Fridays from 11:45 AM to 12:30 PM in the 2014 edition of the *Brown Bag Musical Variety Series*. A special **thank you** goes to Anne Nye for organizing all of the musicians, working with donors, and preparing forms and permits required by the City of Lancaster. Groups scheduled to play are as follows:

JUNE 27.....**BRAVURA BRASS**

Light Classical, Showtunes and Marches

JULY 4.....**FOR THE LOVE OF JAZZ**

Standard jazz classics

JULY 11.....**MARTY'S ONE MAN BAND plus RICKY HERB**

Big Hits: 1955-1972

JULY 18.....**DIXIELAND EXPRESS BAND**

Traditional New Orleans style early jazz

JULY 25..... **DAVE WILSON QUARTET**

Contemporary jazz

AUGUST 1.....**DUTCHYFUNK**

New Orleans style brass band

AUGUST 8.....**LANCASTER TROMBONE QUARTET**

Big band, jazz, Dixieland, Broadway tunes, patriotic, and marches

AUGUST 15..... **THE CLARIONS**

Light classics to pop

AUGUST 22.....**LANCASTER WIND QUINTET**

Light classical, pop and showtunes

AUGUST 29..... **SAXOLOGY**

Classical, pop, and jazz

SEPTEMBER 5.....**HOT ROD & HIPPIE**

Country, Folk, and New Orleans Jazz

Reminder

For members who elected the semi-annual dues option, payment #2 was due June 30. Regular: \$57.50; Life: \$47:50

The project supported by [The Music Performance Trust Fund of the Recording Industries](#) and local sponsors. Major local underwriting support comes from Fulton Bank. Other sponsors include: Blakinger, Byler & Thomas, P.C.; Central Market Standholders Association, Gibbel, Kraybill & Hess LLP; American Home Life International; Hammel Associates, Architects; Lancaster Moose; Robert Wee.

Anne continues to seek sponsors for this venture. If your business or employer can help or if you have any leads, contact Anne at 312-925-0842.

LET US HELP YOU SELL YOUR USED INSTRUMENTS

If you have a musical instrument you would like to sell, please let us know and we will include the advertisement in our next newsletter. Also, don't forget about the "Band Directory" and "Instrumental Instruction" features of the [Local Website](#).