



## By the LOMA Musician's Request, AFM Places Kentucky Opera on the Unfair List.

LOUISVILLE, KENTUCKY – (October 24, 2011) Early morning on Saturday October 22, General Director David Roth received notice from the American Federation of Musicians (“AFM”) that Kentucky Opera (“KO”) has been placed on the union’s Unfair List at the behest of the Louisville Orchestra Musicians Committee.

Roth says, “This is not unexpected, nor will it change our plans for THE MARRIAGE OF FIGARO. We have built a brand new production to launch our four-year Mozart Cycle, and the artists arrive this weekend to begin rehearsals for the opera on Monday. I can assure everyone that no action by the AFM will prevent us from performing Mozart’s classic work in November. We will make every effort to create a spectacular experience for our patrons. Even if the union’s action forces KO to use only pianos and a harpsichord as the only available musical accompaniment, KO’s artists will not be prevented from presenting a memorable performance for our audiences in the intimacy of the Brown Theatre.”

Recently, KO offered AFM Local 11-637 to contract musicians for THE MARRIAGE OF FIGARO under the union’s own published fee per-service rate for opera and ballet. This rate effectively pays a base of \$46 per hour for each three-hour service needed for the opera. That rate is effectively higher than the per hour rate the union musicians received under the weekly salary agreement they had with the Louisville Orchestra (“LO”). The weekly salary agreement for CARMEN cost KO over \$33,000 more than what a per-service agreement would have cost, because opera services are spread out over several weeks. A fee per-service rate schedule is standard practice in the opera industry.

The offer made by KO was rejected by the union and its musicians. Instead they wanted KO to agree once again to terms and compensation commensurate with the expired Collective Bargaining Agreement (“CBA”) the musicians had with the Louisville Orchestra. To be absolutely clear, KO was not a party to the expired CBA, neither negotiated it nor signed it, and therefore has no obligation to the CBA. It must also be stated in response to the AFM’s announced reasons for its actions that KO is a separate legal entity, has no legal affiliation with LO, and has a separate board of directors, separate budget and separate sources of funding. The fact that KO shares office space and telephones with LO does not bind KO to follow a collective bargaining agreement that was previously in effect between LO and its employees.

Last week, KO withdrew its pending offer to AFM Local 11-637, because it would have been non-productive to pursue negotiations with a local union committed to follow the dictates of its national president in New York City, who appears to be unaware of what is realistic and fair for an opera company in Louisville.

“It appears,” Roth said, “that these players do not want to work. We offered them \$46 an hour per their union’s standard rates, which would be completely fair in any other situation. The union’s rejection of our reasonable offer does not change Kentucky Opera’s plans to offer the Ultimate Opera Experience while maintaining our commitment to artistic excellence and fiscal responsibility.”



The Kentucky Arts Council, the state arts agency, supports Kentucky Opera with state tax dollars and federal funding from the National Endowment for the Arts.

Currently in its 59th season of production, Kentucky Opera was founded in 1952 and designated the State Opera of Kentucky in 1982. The mission of Kentucky Opera is to entertain and educate a broad, diverse audience by producing opera of the highest quality.

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