ON STRIKE!

The DCINY orchestra musicians stand together for job security, fair wages, health & retirement benefits, and workers' rights.
WHAT'S THE DISPUTE ABOUT?
Musicians are on strike for a fair contract! The orchestra of an NYC music producer called Distinguished Concerts International New York (DCINY) is on strike for the very essential rights that every worker deserves: job security, health & retirement benefits, and fair wages.

WHEN DID THIS DISPUTE BEGIN?
In 2019, the DCINY orchestra overwhelmingly voted to unionize with the NYC musicians' union (AFM Local 802) in order to negotiate better working conditions and benefits.

HOW IS THE COMPANY RESPONDING TO THE NEGOTIATIONS?
After refusing to schedule negotiations for many months, the company was charged with several Unfair Labor Practices by the National Labor Relations Board. In January 2023, the musicians and their union agreed to submit to federal mediation, hoping that a neutral, third-party professional federal mediator could find a way forward. The mediation broke down when DCINY refused the requests of the mediator to bargain on a fair hiring proposal.

HOW IS THE COMPANY TREATING THE MUSICIANS?
After DCINY's musicians unionized, the company immediately replaced the full professional orchestra with just a handful of musicians. Management is trying to keep their business afloat during the strike by using non-union labor: underpaid scabs, student musicians and volunteers. Basically, management is retaliating against the orchestra, leaving musicians no other option but to strike.

WHAT ARE MUSICIANS DOING NOW?
The musicians are on strike and are appealing to the public to help them win a fair contract. They're also warning DCINY's clients about how the company is treating its orchestra. Musicians demand a fair contract now! Learn more at www.local802afm.org/dciny
Fair contract now!

I support DCINY Orchestra Musicians
The New York City musicians' union Local 802 is on strike against Distinguished Concerts International New York, a for-profit company that produces concerts at Carnegie Hall and Lincoln Center.

Musicians are fighting for a fair contract. "We'd rather be playing music for the public than walking a picket line," said DCINY percussionist Andy Blanco and violinist Tallie Brunfelt in a joint statement. "As long as DCINY continues to reject the fundamental aspects of a union contract, we have no choice but to strike."

Blanco and Brunfelt both serve on the musicians' negotiating committee. Their fellow union members in the DCINY orchestra voted overwhelmingly to authorize the strike in a secret-ballot vote in February 2023 after the employer refused to budge at the bargaining table, even face-to-face with a federal mediator. CLICK HERE FOR MORE QUOTES FROM MUSICIANS, INCLUDING PHOTOS.

The orchestra's journey towards a union contract began in 2019, when they won the first step of union recognition. But the company retaliated by immediately replacing the full orchestra with just a handful of musicians, including an unpaid amateur high school ensemble. Musicians are fighting back with high-profile musical protests and picket lines at DCINY performances outside of Lincoln Center and Carnegie Hall.

(continued on next page)
Lincoln Center and Carnegie Hall are not the musicians’ target and not the employer, says Local 802. However, the union maintains that these venues have the power to settle the dispute by creating “labor standards” in its lease agreements. These labor standards could prevent employers like DCINY from renting if they can’t settle fair contracts with their musicians. The union says that local elected leaders have put this idea on their radar.

To make its point, Local 802 has released a graphic and video showing what it calls the “DCINY Scam,” showing how the company promises a professional experience to choirs but instead supplies low-paid scabs or unpaid student musicians.

To date, DCINY management still refuses to sign an agreement that offers meaningful job security and hiring provisions, professional wages, pension and health contributions, recording payments, and more.

DCINY built up its reputation for over a decade using its professional orchestra, says the union. Now management is retaliating against the orchestra, leaving musicians no other option but to strike. Musicians have tried to negotiate a fair contract for the past four years, and even submitted to federal mediation. The company has not budged, despite losing federal Unfair Labor Practice charges. The union has placed the company on its International Unfair List.

Elected leaders have expressed their support. "DCINY can’t get away with creating beautiful music and not paying the musicians the wages, job security and benefits they deserve," said State Senator Jessica Ramos, who heads the state labor committee. "Musicians should be afforded a life of dignity for bringing us so much joy and beauty to all of our lives, especially right now, at a time when we're so desperately trying to recover from the past few years. We want good jobs for every single worker, including our musicians. DCINY: do the right thing!" Senator Ramos gave her remarks at a February 2023 rally in front of Carnegie Hall.

At the musicians’ 2022 rally outside Lincoln Center, Manhattan Borough President Mark Levine said, "I'm here to stand with you in your fight for a decent contract," said Levine. "You deserve the security of a pension and retirement. You deserve health care like every American. You deserve a salary that allows you to pay for housing and other needs for your family. This is not too much to ask. I am here to stand with you as long as it takes to get a fair contract!"

"An injury to one is an injury to all," said Local 802 President Tino Gagliardi. “If our standards fall at Lincoln Center or Carnegie Hall, they can fall anywhere. If DCINY can afford to rent out Carnegie Hall or Lincoln Center, they shouldn't need to rely on exploitative practices like paying well below industry standards for performances at such iconic venues. As New York City continues its recovery from the pandemic, a true cultural revival is possible with professional opportunities and standards for our world-class artists, who are the backbone of the NYC tourism economy."

"Musicians are striking for fair treatment and professional standards,” said Local 802 Recording Vice President Harvey Mars, who is leading the negotiations on behalf of musicians and the union. “The orchestra has attempted to negotiate a fair collective bargaining agreement for over three years. Now they're saying enough is enough.”

Musicians are asking the public to attend their protests and sign their letter of support. For more information on the campaign, see www.local802afm.org/dciny
THE DCINY SCAM:
HERE'S HOW THIS PREDATORY COMPANY SKIMS MONEY OFF ITS AUDIENCES & CUSTOMERS...

1. DCINY LURES CHOIRS FROM HIGH SCHOOLS, CHURCHES AND OTHER COMMUNITIES WITH THE PROMISE OF A PROFESSIONAL CONCERT AT CARNEGIE HALL OR LINCOLN CENTER.

2. THE FINE PRINT? IT'S PAY TO PLAY. CUSTOMERS PAY THOUSANDS OF DOLLARS TO DCINY.

3. DCINY USES THE CUSTOMER'S MONEY TO RENT OUT CARNEGIE HALL OR LINCOLN CENTER.

4. BUT INSTEAD OF SUPPLYING ITS CUSTOMERS WITH A PROFESSIONAL ORCHESTRA, DCINY PADS ITS OWN POCKETS BY PROVIDING LOW-PAID SCABS OR UNPAID STUDENT MUSICIANS.

5. MEANWHILE, DCINY USES ITS CLIENT'S MONEY TO PAY FOR A UNION-BUSTING LAWYER. IT REFUSES TO NEGOTIATE A FAIR CONTRACT WITH ITS PROFESSIONAL ORCHESTRA, ALLOWING THE COMPANY TO SKIM MORE MONEY OFF OF ITS CUSTOMERS AND AUDIENCES.

LEARN MORE AT: WWW.LOCAL802AFM.ORG/DCINY

WATCH A VIDEO OF THE DCINY SCAM!
THE DCINY SCAM

(CLICK TO WATCH THIS SHORT BUT SCARY VIDEO).
HERE ARE THE PROFESSIONAL UNION BENEFITS THAT ARE DENIED TO THE DCINY ORCHESTRA

1. UNION BENEFITS THAT ALL MUSICIANS DESERVE
2. PROFESSIONAL WAGES
3. HEALTH & PENSION BENEFITS
4. A FAIR AND IMPARTIAL GRIEVANCE PROCEDURE TO HANDLE DISPUTES
5. PROTECTION AGAINST UNAUTHORIZED STREAMING OR RECORDING

LEARN MORE AT: WWW.LOCAL802AFM.ORG/DCINY
HOW TO HELP

• Send out social media messages in support and tag the musicians and their union (plus the company). Sample messages:

DCINY musicians deserve a fair contract now! @dcinyorchestra @dciny @musicians_of_ny @local802afm

We support the DCINY musicians' strike for a fair contract! @dcinyorchestra @dciny @musicians_of_ny @local802afm

Musicians are the cultural engine of NYC and deserve a fair contract now! @dcinyorchestra @dciny @musicians_of_ny @local802afm

• SIGN THE MUSICIANS' LETTER OF SUPPORT

• VISIT WWW.LOCAL802AFM.ORG/DCINY to learn more

• Press and elected officials: click here for contact info

• Sign up for our e-mail list

Follow the musicians and their union at:

• www.instagram.com/musicians_of_ny
• www.facebook.com/local802afm
• www.twitter.com/local_802_afm
• www.instagram.com/dcinyorchestra
• www.facebook.com/dcinyorchestra
• www.twitter.com/dcinyorchestra
• www.local802afm.org/dciny-orchestra
“I AM HERE TO STAND WITH YOU IN YOUR FIGHT FOR A DECENT CONTRACT. YOU DESERVE THE SECURITY OF A PENSION AND RETIREMENT. YOU DESERVE HEALTH CARE LIKE EVERY AMERICAN. YOU DESERVE A SALARY THAT ALLOWS YOU TO PAY FOR HOUSING AND OTHER NEEDS FOR YOUR FAMILY. THIS IS NOT TOO MUCH TO ASK. I AM HERE TO STAND WITH YOU AS LONG AS IT TAKES TO GET A FAIR CONTRACT!”

(REMARKS DELIVERED AT NOVEMBER 2022 RALLY)
"DCINY CAN’T GET AWAY WITH CREATING BEAUTIFUL MUSIC AND NOT PAYING THE MUSICIANS THE WAGES, JOB SECURITY AND BENEFITS THEY DESERVE. MUSICIANS SHOULD BE AFFORDED A LIFE OF DIGNITY FOR BRINGING US SO MUCH JOY AND BEAUTY TO ALL OF OUR LIVES, ESPECIALLY RIGHT NOW, AT A TIME WHEN WE’RE SO DESPERATELY TRYING TO RECOVER FROM THE PAST FEW YEARS. WE WANT GOOD JOBS FOR EVERY SINGLE WORKER, INCLUDING OUR MUSICIANS. DCINY: DO THE RIGHT THING!"

(REMARKS DELIVERED AT FEBRUARY 2023 RALLY...SEE VIDEO)
MEDIA COVERAGE FROM THE LABOR PRESS
(CLICK ON EACH STORY)

THE CHIEF LEADER: "Orchestra musicians stage strike"

LABOR PRESS: "Musician's union performs in protest of production company's resistance to bargaining"

NYC CENTRAL LABOR COUNCIL: "AFM Local 802 on strike against DCINY" and "DCINY MUSICIANS ON STRIKE: NO CONTRACT, NO PEACE!"

BROADWAY WORLD: "Local 802 On Strike Against DCINY, Announces Picket Line And Rally At Carnegie Hall On Monday"

Video from State Senator Jessica Ramos.

OBSERVER: "Trapped in Carnegie Hall for “On-Call” Food Breaks, Union Files Against DCINY"

DEADLINE: "American Federation Of Musicians Local 802 Orders Members Not To Work For Distinguished Concerts International New York"
DCINY ORCHESTRA MUSICIANS NEGOTIATING COMMITTEE CO-CHAIR ANDY BLANCO SPEAKS OUT FOR A FAIR CONTRACT ON NATIONAL "MAJORITY REPORT" SHOW

WATCH THE CLIP HERE AT THE 46:23 TIME STAMP
PROTESTS IN THE STREETS

DCINY ORCHESTRA MARCHES FOR A FAIR CONTRACT:

THE DCINY ORCHESTRA AND THEIR ALLIES RALLY FOR A FAIR CONTRACT, ACROSS FROM LINCOLN CENTER (ABOVE) AND AT CARNEGIE HALL (BELOW)
PROTESTS IN THE STREETS

DCINY ORCHESTRA MARCHES FOR A FAIR CONTRACT:

THE DCINY ORCHESTRA AND THEIR ALLIES ON STRIKE AGAINST DCINY FOR A FAIR CONTRACT, OUTSIDE OF LINCOLN CENTER IN MARCH 2023
“WE’D RATHER BE PLAYING MUSIC FOR THE PUBLIC THAN WALKING A PICKET LINE. AS LONG AS DCINY CONTINUES TO REJECT THE FUNDAMENTAL ASPECTS OF A UNION CONTRACT, WE HAVE NO CHOICE BUT TO STRIKE. EVEN THOUGH WE’RE CURRENTLY PAID ABOUT 50 PERCENT LESS THAN OTHER UNION ORCHESTRAS WHO PLAY IN CARNEGIE HALL, OUR MAIN CONCERN ISN’T EVEN ABOUT HIGHER WAGES. DCINY HAS REPEATEDLY REJECTED OUR PROPOSALS INTENDED TO CODIFY OUR ROSTER OF MUSICIANS AND PROTECT US FROM RETALIATORY HIRING PRACTICES. FROM THE START OF NEGOTIATIONS, WE HAVE SHOWN A WILLINGNESS TO NEGOTIATE AN AGREEMENT THAT NOT ONLY ADDRESSES OUR CONCERNS BUT ALSO ADAPTS TO DCINY’S SPECIFIC BUSINESS MODEL. IN RECOGNITION OF THE HUGE FINANCIAL IMPACT COVID HAS HAD ON THE PERFORMING ARTS, WE MODIFIED OUR WAGE PROPOSALS MULTIPLE TIMES TO ALLOW DCINY MORE TIME TO REACH PARITY WITH OTHER UNION ORCHESTRAS. OUR WILLINGNESS TO MAKE CONCESSIONS ON ASPECTS OF OUR CONTRACT IS PREDICATED ON THE FACT THAT WE WILL CONTINUE TO BE HIRED IN THE SAME MANNER AS BEFORE WE UNIONIZED. UNFORTUNATELY, DCINY CONTINUES TO REJECT THE CONCEPT OF A ROSTER BASED ON PAST HIRING PRACTICES. PROFESSIONAL MUSICIANS PERFORMING AT THE HIGHEST LEVEL, IN THE MOST PRESTIGIOUS CONCERT HALLS IN THE WORLD, DESERVE THE RESPECT OF HAVING A CONTRACT THAT PROVIDES FAIR WAGES, JOB SECURITY, AND HEALTH AND PENSION BENEFITS. IT’S OUR RESPONSIBILITY TO PROTECT THE STANDARDS THAT ALLOW PROFESSIONAL MUSICIANS TO NOT ONLY SURVIVE IN NYC, BUT THRIVE AND PROVIDE A RESPECTABLE LIVING FOR THEMSELVES AND THEIR FAMILIES.”

andy blanco and tallie brunfelt are members of the musicians' negotiating committee
"WE WOULD ALL LOVE TO BE PERFORMING CONCERTS WITH DCINY THAN SPENDING TIME AND ENERGY SETTING UP A STRIKE VOTE. THIS WAS OUR LAST RESORT AFTER YEARS OF EXHAUSTING EVERY OTHER MEANS WE COULD IMAGINE TO GET A FAIR CONTRACT. TO LET A AN ENSEMBLE, ESPECIALLY A FOR PROFIT ENSEMBLE, CONTINUE DOING BUSINESS IN THIS MANNER WOULD HAVE LOWER WORKING STANDARDS FOR ALL IN OUR FIELD. HOW CAN WE NEGOTIATE IF WE HAVE NO IDEA WHO OR HOW THEY ARE GOING TO HIRE FOR THEIR CONCERTS"
"I'M VERY FRUSTRATED WITH HOW DCINY WANTS TO MISREPRESENT THEIR NEGOTIATING POSITION. THEIR PROPOSAL STRIVES TO DILUTE AND DISEMPOWER OUR BARGAINING UNIT. WE WILL NOT LET THEM. THEY ALSO HAVE ATTEMPTED TO DIVIDE US FROM WITHIN WITH LIES, BUT THEY DON’T KNOW HOW STRONGLY WE TRUST ONE ANOTHER. THIS BARGAINING UNIT IS NOTfooLED BY THEIR SPIN."
"GOING ON STRIKE IS SCARY. UNFORTUNATELY, I DON'T SEE ANOTHER OPTION. WHILE I'M SYMPATHETIC TO DCINY'S RESISTANCE TO CHANGE, THE WAY THEY OPERATE SIMPLY DOESN'T ALIGN WITH HOW THE ORCHESTRAL BUSINESS WORKS LONG TERM. IN CONCERTS, DCINY USED TO REFER TO US AS AN "AWARD WINNING ORCHESTRA". DESPITE OUR WILLINGNESS TO HEAVILY COMPROMISE IN NEGOTIATIONS, THEY NOW FRAME US AS A GROUP OF STUDENTS AND PRE-PROFESSIONALS TO WHOM THEY ARE GIVING OPPORTUNITIES. THIS LABEL SUPPORTS THEIR DESIRE TO HAVE A REVOLVING DOOR HIRING PRACTICE. TO ME, OUR DESIRE FOR SOME DEGREE OF JOB STABILITY SEEMS LIKE A PRETTY BASIC ASK. BUT HERE WE ARE."
"It is not unreasonable for musicians to know how often they can expect to be hired to perform in a given year according to an ordered hiring list, without a sizeable portion of the orchestra being replaced by new players (in retaliation for our organizing efforts) on every concert. It is disappointing that DCINY’s management does not value the contributions that the orchestral musicians have given to help their organization thrive for well over a decade. The people who make up this orchestra are among the best freelance musicians in the city, and we need to be compensated fairly and appropriately for our work, whether it is live or streamed for future performances."

GREG WILLIAMS
VIOLA
"DCINY TREATS US LIKE MUSICAL VENDING MACHINES INSTEAD OF HIGHLY TRAINED HUMANS DESERVING OF LEGIT PAY, RESPECT, BREAKS, TRANSPARENT HIRING PRACTICES, OR BENEFITS. THEY ARE A MULTI-MILLION DOLLAR COMPANY RENTING THE MOST PRESTIGIOUS CONCERT VENUE IN AMERICA, BUT, STUPEFYINGLY, WOULD RATHER PAY A UNION-BUSTING LAWYER INSTEAD OF THEIR MUSICIANS, WITHOUT WHOM THEIR PRODUCT HAS LITTLE VALUE."
"DCINY has already engaged in retaliatory hiring practices since the DCO musicians voted to unionize. Their final contract offer allows them to continue to do so, as well as continue to undermine area standards for the professional work we all do by paying substandard wages and refusing to participate in the AFM-EPF pension fund. Our committee has worked tirelessly – and transparently! – to come to an agreement that is fair to our musicians, our union and DCINY.

Our patience over three years demonstrates our willingness to be reasonable, while the overwhelming majority of our bargaining unit voting 'yes' to strike demonstrates we've had enough."
VOICES OF MUSICIANS

“DCINY’S HIRING PROPOSALS ARE AN INSULT TO THE MUSICIANS WHO HAVE PLAYED FOR THEM FOR YEARS.”

DAVID STEVENS
PERCUSSION
"WHILE I’M DISAPPOINTED THAT TALKS WITH MANAGEMENT HAVEN’T PROGRESSED, I’M OPTIMISTIC THAT THIS STRIKE WILL LEAD MANAGEMENT TO DO THE RIGHT THING AND APPROVE A FAIR CONTRACT. I LOOK FORWARD TO MAKING MUSIC AGAIN WITH MY WONDERFUL COLLEAGUES."
"WITHOUT UNION PROTECTION OVER THE WIDE RANGING ORGANIZATIONS THAT EMPLOY MUSICIANS, WE BECOME SUBJECT TO UNEVEN WORK STANDARDS. OVER THE COURSE OF MANY NEGOTIATIONS, LOCAL 802 HAS CREATED FLEXIBLE CONTRACTS THAT FIT THE NEEDS OF MANAGEMENT WHILE ENSURING FAIR TREATMENT OF MUSICIANS. WHEN ORGANIZATIONS DECIDE TO CREATE THEIR OWN POLICIES OUTSIDE OF THESE ESTABLISHED NORMS MUSICIANS HAVE AN OBLIGATION TO SPEAK UP. DCINY HAS BEEN GIVEN CONTINUED OPPORTUNITIES OVER MANY YEARS TO ADDRESS THESE DISCREPANCIES AND UNFORTUNATELY THIS IS THE ONLY OPTION WE HAVE LEFT."
“AN INJURY TO ONE IS AN INJURY TO ALL. IF OUR STANDARDS FALL AT LINCOLN CENTER OR CARNEGIE HALL, THEY CAN FALL ANYWHERE. IF DCINY CAN AFFORD TO RENT OUT CARNEGIE HALL OR LINCOLN CENTER, THEY SHOULDN’T NEED TO RELY ON EXPLOITATIVE PRACTICES LIKE PAYING WELL BELOW INDUSTRY STANDARDS FOR PERFORMANCES AT SUCH ICONIC VENUES. AS NEW YORK CITY CONTINUES ITS RECOVERY FROM THE PANDEMIC, A TRUE CULTURAL REVIVAL IS POSSIBLE WITH PROFESSIONAL OPPORTUNITIES AND STANDARDS FOR OUR WORLD-CLASS ARTISTS, WHO ARE THE BACKBONE OF THE NYC TOURISM ECONOMY.”

— TINO GAGLIARDI
PRESIDENT, NYC MUSICIANS’ UNION (AFM LOCAL 802)

“MUSICIANS ARE STRIKING FOR FAIR TREATMENT AND PROFESSIONAL STANDARDS. THE ORCHESTRA HAS ATTEMPTED TO NEGOTIATE A FAIR COLLECTIVE BARGAINING AGREEMENT FOR OVER THREE YEARS. NOW THEY’RE SAYING ENOUGH IS ENOUGH.”

— HARVEY MARS
RECORDING VICE PRESIDENT, NYC MUSICIANS’ UNION (AFM LOCAL 802)