

# Berlin opera musicians strike against casual labour contract

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The orchestras of the Berlin Opera Foundation (Comic Opera, State Opera and German Opera), as well as the Concert Hall Orchestra and the German Theatre Association, have been involved in bitter wage disputes for several months. Some performances have been cancelled due to strike action undertaken by the musicians. Occasionally operas started late, and sometimes they were accompanied only by piano after the intermission. Strikes were suspended over the Christmas period and the musicians union has refrained from organising any new action this year.

The musicians are seeking better pay to match the rate awarded to comparable leading orchestras in the country where fellow musicians earn 12 percent more. In Berlin, musicians want to ensure that the new national wage agreement for German orchestras—in force since January 2010—will also apply to the Berlin Opera Foundation's orchestras. This would entail the traditional coupling of their salaries to the collective wage trends in the public sector.

The Berlin orchestras and Berlin's public servants were excluded from participation in national pay awards following the withdrawal from the Public Employers' Association by orchestra management in 2003. The withdrawal was effected by the Berlin city-state administration of the time, under the leadership of the former and current mayor, Klaus Wowereit (SPD—Social Democratic Party), the then-senator for commerce, Gregor Gysi (PDS—Party of Democratic Socialism, now part of the Left Party), Finance Senator Thilo Sarrazin (SPD) and the senator for science, research and culture, Thomas Flierl (PDS).

Obligated to accept a wage level exclusive to Berlin all the city's public service employees were forced to accept a 10 percent reduction in income. The salaries of the Berlin opera orchestras and the Concert Hall Orchestra have remained frozen at the 2002 level.

More than ten years ago, a discussion about "opera reform" was led by the senator for culture Christoph Stölzl (CDU—Christian Democratic Union), in Berlin. Proposals included closing one of the three opera houses or merging two houses together. In this regard, *Der Spiegel* magazine wrote in 2000 that 353 jobs were threatened, including 77 jobs for musicians (almost an entire orchestra). Newly negotiated wage rates were also slated. In 2004, the Berlin Opera Foundation was established. This was a public foundation aiming "to safeguard companies," and included the Berlin State Ballet as well as the three opera houses.

Last year, trumpeter Matthias Kamps commented to the press about the situation at the Comic Opera: "We at the Comic Opera have made a huge saving of €1 million annually since the Berlin Opera Foundation was established. Five positions were eliminated, salaries of newly hired musicians were reduced, our salaries were paid late month after month, and additional savings had to be made from the orchestra's current budget every year".

The establishment of the opera foundation, aimed at enforcing the CDU cultural senator's failed merger plan with the aid of an SPD-Left Party administration was accompanied by plans for a central theatre workshop to replace the current theatres' own workshops.

Until now, musicians have been paid when they assisted in other orchestras. The employers side now envisages that such assistance will be possible in future only if it is rendered free of charge. The musicians rightly fear this will lead to downsizing and job losses. According to Kamps, it is naturally easier "to borrow a musician from another orchestra for free than to employ a much-needed new musician". In the words of a concerned Internet music forum, this would be tantamount to working in "an opera with three different venues" and creating a "musicians pool from which artists could be scooped when needed, like day-wage workers, for the various concert halls and opera theatres".

A cost-saving musicians job pool would also have consequences for their artistic performance. Each orchestra is a delicate organism, whose special quality is the result of a years-long and—one can say without exaggeration—decades-long maturation process. The standard of artistry resulting from this process cannot be maintained if musicians and directors are constantly changed. Increasing pressure is also placed on a musician's performance when he or she is instructed by management to provide additional interim performances. Prominent musicians in an orchestra have so far assisted other orchestras only to a marginal extent, because their varied repertoire requires additional, costly rehearsal time.

Berlin Mayor Wowereit, also culture senator and trustee board chairman for the Berlin Opera Foundation, showed absolutely no understanding of the musicians' protests. The press mostly reacted either with bewilderment or outrage at the supposedly "privileged" opera musicians when it deigned to report on the labour dispute. It demagogically tried to play off the orchestra musicians against lower-paid musicians in the independent sector, many of whom nevertheless support the opera musicians.

The management of the German Opera reacted particularly

sharply, threatening to have musicians from Romania flown in as strike-breakers.

A protest strike by the German Orchestra Union (DOV), a small orchestra musicians' union, was rather half-hearted and mainly symbolic in character. The union had agreed to the change in the temporary work provisions at the time of the 2009 national wage agreement. That was known perfectly well by the German Opera management. Nevertheless, a public mudslinging match ensued imputing to the DOV a militancy it does not deserve.

The measures agreed by politicians for implementation are accepted by the DOV—along with all other unions. Gerald Mertens of the DOV told WSWs reporters that it was a political decision to have three opera houses in Berlin, and the political establishment must also decide on the quality of the orchestras it wants. In plain language, this means that the union—under protest, of course—will invariably back the decision reached by the political elite. The DOV therefore shares part of the responsibility for the decline in cultural services.

Since 1992, some 35 orchestras have been closed throughout Germany, 27 of them in eastern Germany. During this time, jobs for musicians sank from 12,159 to fewer than 10,000, corresponding to reductions of 35 percent in the East and 7 percent in the West.

At the end of 2008, the DOV lamented the nationwide situation: “For three years, young musicians have been employed in many orchestras under grossly unsatisfactory contracts. Musicians in some orchestras have even gone without pay for years in order to get a position in an orchestra in their city or region, or to secure jobs”.

The year 2008 saw the biggest orchestra strikes since the 1950s. Two years later, an appeal from Leipzig's works and personnel councils to theatres and concert halls in Saxony, Thuringia and Saxony-Anhalt warned politicians that “all potential for making cuts has been exhausted! Further reductions are no longer possible without a serious diminution of artistic standards”.

This sounds more like a warning of the workers' mounting anger than a declaration of imminent industrial action. Austerity measures in cultural services are not opposed in principle by trade unions and works councils. A document signed by several union officials and works councils and directed to Berlin's mayor in November 2009 reminded him of the orchestra union's readiness to cooperate in previous years: “At the time, this had to be understood by employees in light of the difficult financial situation and was intended as a contribution to budgetary consolidation. Nevertheless, our artists have successfully endeavoured to promote Berlin as a major cultural centre...”.

The DOV's pronouncements show it is more concerned with supporting regional business interests than with the artists' livelihood. The defence of so-called “cultural centres” stirs up rivalry and—as on the industrial scene—promotes cheap labour, downsizing and splitting of the workforce. At the moment, the DOV regards the Berlin opera musicians' lower wages as a competitive handicap, because young top musicians are looking around for better paid jobs in other orchestras. This also applies to the orchestras in the Opera Foundation, even though they were favoured by a special contract negotiated years ago for the State

Opera orchestra under the renowned conductor Daniel Barenboim.

Apparently, there are other “location handicaps” for Berlin that are now to be rectified with the new contract agreement. In a joint press statement in December 2009, the DOV and the German Theatre Association declared that several innovations have been incorporated into the new wage contract, “reflecting the changed circumstances under which an orchestra functions nowadays. In particular, arrangements for working hours have been made more flexible ... and opportunities for cooperation between orchestras increased”.

When it comes to the plight of the Berlin musicians, the DOV and the German Theatre Association are largely in agreement. Wages will be increased by about 4.5 percent retroactively from January 2010, amounting to an additional €65 per month. The musician's wages are to be in accord with rates for Berlin public servants by 2014, and the national rate should be reached in 2017 (conditions for concert orchestras vary in details).

However, other wage components of the agreement will be substantially reduced. The contract negotiated between the DOV and Theatre Association includes termination of holiday pay, reduction of the one-month Christmas bonus pay (traditionally for German public servants), and the freezing of certain local allowances. Instead, two miserly one-off compensation payments of €300 will be granted.

It is doubtful whether the Berlin opera musicians will gain anything under these provisions. Anxious musicians have been asking on the Internet whether the employer's financial concessions will be sufficient at least to compensate for the declared cuts. In agreeing to the delayed implementation of the national collective agreement in 2017, the DOV is following the Verdi public sector union's contract of October 2010, which was formulated with respect to the “special situation in Berlin”, where—allegedly—savings had to be made.

During the strikes, the musicians expressed their dissatisfaction with the inadequate information the union provided. One could find virtually no concrete information, either on the DOV web site or anywhere else about what was being negotiated. The fact that the DOV declared itself in agreement with linking the labour contract to consensual unpaid assistance work was apparently first made known to the musicians through the press. “That's disgraceful. For a bit more dough, they saw off the branch we're sitting on”, said a trumpeter.

A vote on the contract is due soon and musicians should oppose the planned settlement. There is a real danger that the contract agreement with its new regulations concerning assistance work will open the door to a further deterioration of working conditions and more cuts. According to Gerald Mertens in a statement to the WSWs, the DOV is playing down the importance of the casual assistance clause, claiming it is only a tiny part of the whole tariff structure and has never been implemented nationwide.



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