

Reader's Digest
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The Union That Fights Its Workers

Under the heavy-handed rule of James Caesar Petrillo, working musicians are deprived of their rights and part of their pay in order to provide benefits to men who haven't touched an instrument professionally in years.

By Lester Velie

ONE DAY LAST JUNE on the boardwalk at Atlantic City, N. J., I played a game, "What's Your Line?" with some of the delegates to the American Federation of Musicians convention.

"What do you do for a living?" I asked one substantial looking bearer of a blue-and-gold Musicians union badge.

"I'm a lawyer," the delegate replied. He didn't seem to think my question unusual. His name, he said, was Ira Schneier. Attorney Schneier was vice-president of the Tucson, Ariz., Musicians local.

I stopped other delegates. Paul Dinsmore from Bangor, Maine, said he was an accountant, and added, "We have dentists, several doctors and an optometrist in our local."

Delegate Harvey M. Collins of the Warsaw, Ind, local said he ran a music store; the president of his local was in the advertising department of the telephone company; the vice-president worked in the tool department of a General Electric plant.

Several convention reporters joined in my hunt for a professional musician among the Musicians union delegates. Among several dozen delegates polled we couldn't find one who made his living by music. Our poll reflected what the Musicians union itself admitted: fully 75 percent of its 250,000 members make their living in occupations outside music.

There is no other "union" like this one. The members of others work at their trades. But if you once worked your way through college playing the trumpet, or played at occasional weekend dances, you joined the Musicians union and have since remained a voting, card-carrying member, even though your music long ago ceased to be anything but a hobby.

So, some 1190 delegates had come from locals in Coffeyville, Kan., Brantford, Ontario, Anchorage, Alaska, and 640 similar musical centers to make the rules by which the working musicians - concentrated mainly in Los Angeles and New York - make their living.

Chief business of the convention was to put down a revolt of professional musicians battling for a voice in their own affairs. Crux of the revolt was the way the union had mishandled automation.

Other unions have found ways to cope with automation including the Miners and the Automobile Workers. James Caesar Petrillo, Musicians president, fought automation by

denying its existence. He has taxed some of his musicians one per cent of yearly earnings to halt sound movies. After a quarter of a century, the tax, still imposed, has piled up two and a half million dollars and part of it is being devoted to pensions for union officers and their dependents.

Petrillo next conceived a huge boondoggle: the Music Performance Fund. Skilled musicians who had survived in the sound-film, recording and broadcasting fields were to share their earnings with "unemployed musicians" by financing make-work for them, no matter how fully employed or prosperous in other work these "unemployed" might have become. For most of these men the make-work consisted of dusting off the old trombone once or twice a year and playing in a free band concert or at a teen-age dance. It's as if Gary Cooper, by acting in talkies, were blamed for killing the silents and vaudeville, and was now forced to share his earnings with persons who years ago left those fields.

In a rebellion against Petrillo's make-work fund, 11 professionals of the Los Angeles local had roused the rank and file and demanded a voice in the setting of their rates of pay instead of having union officers 3000 miles away in New York do it. They had threatened to appeal to the courts. For their pains, the professionals had been expelled from the union. Now, before the convention composed almost wholly of non-musicians, they appeared for trial.

One by one, eight of the rebels took the microphone to plead their case. Their names read like a Who's Who in music.

Jack Dumont had been named by Benny Goodman as his all-time choice for saxophonist in a "Dream Band."

Cecil Read, leader of the rebellion, played first trumpet with the Oklahoma! movie orchestra. Marshal Cram was trombonist with Harry James' band. Uan Rasey had played first trumpet with the St. Louis Symphony, and was now first trumpet at the Twentieth Century-Fox film studios.

The musicians told a moving story. When sound movies replaced theater-pit orchestras and records shrank musicians' jobs, they had fought to remain in the profession they loved, practicing long hours to achieve the new skills needed to survive under automation - the skill to play faultlessly without rehearsal, to be at home in a symphony orchestra as well as in a dance band. But, for reaching the top, they were being punished.

To obtain money for his make-work fund, Petrillo had made a deal with the recording companies: raise the musicians' pay - but put the extra money into the fund. So, for every dollar a recording musician is paid, another 21 cents of withheld pay goes into this fund. Recording musicians are probably the only union men in America who haven't had a pay raise since 1946-while living costs have risen 40 percent.

But that wasn't all. When movie companies sold millions of dollars' worth of old films to television, they agreed to pay a \$25 fee per picture to musicians who had played the sound track. This meant substantial income to musicians, some of whom had since lost their music jobs. At first the payments were made by the companies to the musicians, their widows and dependents- then Petrillo stepped in and required that the remaining undistributed millions go to his fund.

Soon Petrillo's fund was gobbling up musicians' jobs as well as their money. Petrillo ordered producers of filmed television shows to pay a five percent tax of all costs into his fund - for the right to use musicians. To producers like Edgar Bergen, with his "Do You Trust Your Wife?" show, this meant paying Petrillo's fund \$1400 per broadcast for the

right to use musicians earning \$1100. Unable to carry the burden, Bergen fired the musicians and turned to tape-recorded music, mostly imported from abroad.

Ozzie Nelson ("The Adventures of Ozzie and Harriet") pleaded with Petrillo, "Let me pay a flat fee, say \$400, instead of the crippling five percent levy, and I'll use 20 musicians."

"They'll have to be sacrificed," Petrillo replied, turning him down. And he has continued to turn a deaf ear to producers and fired musicians alike.

Cecil Read, leader of the professional musicians on the rostrum, summed up their appeal: Don't penalize us for surviving. Don't make such demands on our employers that they have to fire us and turn to canned music. And don't expel us for speaking up about our wrongs.

The pleas fell on stony ears. The hobby musicians had breathed the fine salt air of Atlantic City and had found their union good. Where else could you get such a bargain for the \$17-a-year dues that most delegates paid? For this they got free convention junkets yearly, with \$30 per diem to spend. What other union supported your hobby so handsomely?

And the pros, pleading before them, footed the bill. Levies on the working musicians' earnings paid the \$400,000 convention costs. Earnings withheld from the pros paid for the make-work band concerts and dances. Last year \$2,080,000 - withheld from the musicians who earned it - was dribbled into 654 areas in which the union's locals are located. The money was slivered among 179,000 beneficiaries, giving each an average \$11.60 "unemployment benefit."

At the convention, the delegates applauded enthusiastically as their benefactor, James Caesar Petrillo, who boasts he has had no education at all, took the microphone to defend his fund. He looked out at his well-dressed and well-employed audience, and by the magic of oratory transformed them into poor, unemployed musicians - victims of the greedy fellows on the rostrum who made the records and movie sound tracks that put the delegates out of work.

"The bosses troo you out," Petrillo shouted, "thanks to he and his gang!" Petrillo waved a finger at Cecil Read. The delegates whooped their agreement. Then Petrillo described his struggle in behalf of the "non-employed" before him. "When these fellows were pumpin' away and makin' the bucks, we created a trust fund and a new principle - givin' money to the non-employed."

The "non-employed" merchants, dentists, machinists before Petrillo applauded happily. "We want money for the musician who's put out of work - from the musician who puts him out of work.

These musician bankers forget about the fellow back home. The few bucks you get, they want. We're goin' to fight them and beat them and fight them until they holler: 'God bless the American Federation of Musicians!' "

The delegates stomped, shouted and gave Petrillo a standing ovation.

Now Petrillo produced a surprise. The Federation had secretly recorded a caucus held by Cecil Read and his rebels. The recording was now played as proof of "treachery to the union." Reporters at the convention press table marveled at the spectacle of an international union spying on its members, then unashamedly broadcasting the evidence of its duplicity.

With Petrillo at his elbow, the convention chairman called for a vote to ratify the expulsion of the musicians: "All in favor, say aye!"

There was a roar of ayes.

"Carried unanimously," the chairman decreed, without asking for noes. The union's lawyer whispered into his ear. "All those against, stand up," the chairman ordered.

A Petrillo man came to the microphone. The rebels had thrown him out as president of the Los Angeles local, but he was here as a delegate because he had been so designated before the rebellion. In a trembling voice he explained that the Los Angeles local had instructed him to vote against their expulsion. "Whose side you on?" Petrillo roared. "You know how I feel personally," the delegate replied miserably. "All right, it's unanimous," Petrillo said, and turned to the press table. "Get dis," he ordered. "Dis is unanimous." Then he added, "Don't let anybody say dis isn't a democratic union."

The Los Angeles local had also instructed its delegates to present resolutions to curb Petrillo's autocratic constitutional powers. These were roared down overwhelmingly. Then the delegates forged new shackles for the union's members. They voted to permit Petrillo to put locals under "trusteeship"- a form of union martial law that would allow him to depose local officers, seize local treasuries and union halls whenever he felt the "interests of the Federation" demanded it. Petrillo was determined to crush the revolt in Los Angeles.

How DOES a union man fight for his rights under authoritarian rule like this?

Cecil Read is a tall, quiet man of 47 whose friends can't recall when he last raised his voice in anger. He prizes peace of mind so highly that he reads the Bible several hours daily to achieve it. But the Bible has also taught him that, as he put it, "God is infinite good, and it is neither moral nor necessary to endure injustice." So, in 1955, Read decided to declare war on Petrillo. But first he totted up his earthly goods, learned how much he could raise by selling his home, and how long he could hold out if expelled from his union and deprived of work. Then, for a more drastic contingency, he took out 50,000 of life insurance.

For years his Los Angeles local had had only one or two meetings per year. Out of the 16,000 members it had been difficult to scratch up the necessary quorum of 150. The members felt there was no use in coming. Now Read organized a corps of telephone minutemen to spread the word that union revolt was afoot. Soon 2000 working musicians were flocking to monthly meetings. For the first time a Musicians local was raising its voice for redress of grievances.

The working musicians didn't ask much: they wanted the right to approve their wage rates, to keep the money they earned. But chiefly they wanted Petrillo to curb the make-work fund that was destroying their jobs.

Read ran for vice-president, won by a vote of three to one and last February took the musicians' case directly to Petrillo in New York. In his hand was a 60-page plea for modification of the make-work fund, backed by the unanimous vote of the Los Angeles members.

To Read, the professional, the new world of music-making holds greater opportunities than ever for those who can meet the new competitive demands. To Petrillo, who never got beyond playing the trumpet in newsboy bands and who left music years ago to go "into the union business," it is a "dyin' industry."

To Read the make-work fund was a destroyer of his way of life. To Petrillo it was a preserver of his power and glory. The fund's handouts to the hobby musicians who dominate the union tie them to Petrillo and keep him in office. His union salaries total \$46,000 yearly, plus \$3000 for which he doesn't have to account. The union pays Petrillo's traveling expenses besides, sends him to Europe for holidays, provides him with a limousine and chauffeur, puts him up in a luxury apartment in New York's Waldorf-Astoria Hotel.

Furthermore, the fund's handouts to the hobby musicians have swelled the membership to more than 250,000. Petrillo is a vice-president of the parent AFL-CIO-and a big labor wheel who has been invited to the White House.

So when Read attacked the make-work fund, the union boss raged at him for three hours. But he wound up with a plea that laid naked his fears. "Please," he said, "go back and be president of your local if you want to. But, I beg of you, don't take the Federation into court."

Read, back in Los Angeles, put it up to a meeting of 2500 members of his local: "We can continue to let Petrillo and company rub our noses in the dirt," he said, "or we can appeal to the courts and to Congress to protect our rights and break this immoral dictatorship."

The members suspended the president of their local, a Petrillo man, and Read took over as acting president. Next morning the suspended president handed him a telegram from Petrillo forbidding Read to preside over any local board-of-directors meetings. Read called a special membership meeting to try the local's president. Petrillo stepped in again. No meeting, he decreed, until the Federation could investigate. Read defied Petrillo's order. The members ousted the pro-Petrillo man by a vote of 1535 to 51. Union democracy had come to the Los Angeles musicians.

Then Petrillo ordered Read and his rebels to stand trial for "obstructing the work of the local," and charged them with disobeying Federation (Petrillo) orders and threatening to carry their fight outside the Federation.

Read summed up the rank-and-file union man's case: "I'm deprived of my rights as a citizen: the right to meet, to speak, to have a voice in my pay - and to throw out the rascals who act contrary to my interests. But what can I do when this is done under cover of union laws? Our union constitution permits the president to throw out any article he likes - and to substitute for it anything he wishes."

As trial referee, Petrillo named Arthur Goldberg, lawyer for the United Steel Workers and counsel for the CIO before its merger with the AFL. As lawyer for national unions, Referee Goldberg had no trouble answering the question raised by Read. "All problems . . .between the [Los Angeles] local and the Federation [must] be handled within the constitutional framework of the Federation," he ruled.

For failing to do so by threatening to go to court, and for violating Petrillo's orders, Read was expelled for a year - subject to ratification by the annual convention.

When Read, soon after, took the expulsion verdict to the convention - the union's supreme court - he got what he expected: a tongue-lashing by Petrillo, jeers from the hobby-musician delegates and a vote to expel, which meant expulsion from his livelihood, too.

Back in Los Angeles, Read appealed to a state court to prevent the Musicians union from expelling him. The court ordered that he be permitted to work; the expulsion plea would be decided later.

So Read became the symbol of a great victory. Other musicians could now stand up to Petrillo without the paralyzing fear of losing their jobs. But the fight has just begun. Read and the Los Angeles local's members are raising a defense fund to do what Petrillo pleaded with Read not to do: attack the make-work fund in the courts.

For the first time in years, the playing musician can hope. If the fund is toppled, the Federation's system of non-musicians' locals will fall too, and with it the underpinning of Petrillo's power. Read and other musicians will then be able to re-create the Federation into a union of musicians *for* musicians.