



Memorandum of Understanding

Side Letter to the 2022-2027 NJ Symphony/Local 16-248 Master Agreement

The parties agree to the following for the 2022-2023 and 2023-2024 contract years only:

ARTICLE 1. DEFINITION & RECOGNITION

1.1 Definition

The NJ Symphony Colton Fellowship Program is an excellence-based training program offered to Black and/or Latino musicians.

1.2 Recognition

In all publicity materials, a Fellow shall be referred to as “New Jersey Symphony Colton Fellow”.

ARTICLE 2. EMPLOYMENT & ELEGIBILITY

2.1 Eligibility

Fellowships will be open to early career musicians with a Bachelor of Music degree preferred and those who have not held another full-season contract position with any ICSOM orchestra (excluding Colton Fellows who are offered a second year).

A. There may be up to two (2) Fellows at any given time. There shall be no more than one (1) Fellow selected per section as defined by Article 9.4.B.

B. Fellows must be members of Local 16-248 in good standing for the duration of the Fellowship.

2.2 Employment

Each Fellow will be offered a one-year contract with the same salary, benefits and terms as contracted musicians, except as outlined in this article.

A. Fellows shall be on probation for the first eight (8) weeks, and may be dismissed for any reason upon two (2) weeks’ notice during the probationary period. Any week containing at least four (4) services shall count as one (1) week toward the eight (8) weeks’ probation.

B. At the beginning of the Fellowship, Fellows will be exempt from Article 9.9 “Revolving String Seating” and Article 9.10 “Seating” and will be placed on the stand with the last contracted musician within each section. If there are an even number of contracted musicians, the Fellow will sit with the second to last contracted musician and the last contracted musician shall sit behind them. The Personnel Manager, in consultation with String Principals, shall assign Fellows to each piece of a program with a reduced string count (i.e. a concerto) whenever artistically appropriate.

By the date of the final subscription concert before December 31st of a given season, members of the section of each Fellow shall vote on granting the Fellow to participate in Revolving String

Seating as outlined in Article 9.9 beginning with the first subscription program after January 1st, for the duration of their Fellowship. The Music Director may choose to grant participation in Revolving String Seating to Fellows who receive a 3/5 majority vote of their section. Sections are as defined in Article 9.4B. At that time, the Music Director, in consultation with the section Principal, may also choose to grant the Fellow the opportunity to move-up to the first stand in accordance with Article 9.10.

- C. Fellows will not be assigned work for any Reduced Orchestra Services (including Nutcracker and Messiah) as outlined in Article 9.11. If all of the contracted musicians in their section turn down the offer to work all or part of a reduced orchestra series, the work will then be offered to the Fellow, before offering the work to substitutes.
- D. Fellows may be offered a second one-year Fellowship contract based on two areas, artistic and extramusical, as follows:
 - 1. By January 24th of their first season, members of the section of the Fellow shall vote on granting a second year. Sections are as defined in Article 9.4B.
 - 2. If a Fellow receives a 3/5 majority vote of their section, the Fellowship Task Force shall make a recommendation by January 31st based on a review of the Fellow’s contribution to the Symphony’s mission and their goals for a second year.
 - 3. After a positive outcome in steps 1 and 2 the Music Director may choose to appoint the Fellow to a second year.
- E. Fellows are ineligible to be considered for an appointment to an Acting Contracted Position, as outlined in Article 9.6 during their Fellowship.

2.3 Auditions for Fellowship Positions

Auditions for Fellowship positions will be held using the procedure outlined in Article 9, except as outlined below.

- A. The Symphony shall provide, at no cost to applicants, the opportunity to receive 1 hour of virtual pre-audition coaching with Contracted Musicians.
 - 1. Pre-audition coaching will be administered and paid through the CP program.
 - 2. Musicians serving on the Audition Committee are not eligible to provide pre-audition coaching.
- B. Audition Committee. The Fellowship Audition Committee shall consist of a minimum of five (5) and a maximum of nine (9) tenured Musicians. The five Principals of each string section shall have right of first refusal; the three Musicians on the Fellowship Task Force shall have right of second refusal; with the remaining Committee members plus two (2) alternates filled by String Musicians, elected by the entire Orchestra, in accordance with the table below.

Total number of Principal and Fellowship Task Force Musicians Participating on Audition Committee	Number of section string Musicians to elect
Eight (8), Six (6) or Four (4)	One (1) plus two (2) alternates
Seven (7), Five (5) or Three (3)	Two (2) plus two (2) alternates
Two (2)	Three (3) plus two (2) alternates
One (1)	Four (4) plus two (2) alternates
Zero (0)	Five (5) plus two (2) alternates

- C. Prior to the final round of auditions, the Personnel Manager shall convene interviews for each candidate who has successfully received a majority vote in the semi-final round. The interviews will be conducted by a committee of staff members, using the same list of questions for each candidate with a rubric to evaluate their interview (questions & rubric to be approved in advance by the Fellowship Task Force). The purpose of the interview is to confirm their extramusical qualifications to be a Fellow. Candidates who meet the extramusical standards relating to the Symphony's mission, vision & values will continue to the Final round of audition.

2.4 Relocation Stipend

Fellows are eligible to receive a one-time relocation stipend of up to \$2,000.00. Applications for relocation stipend will be reviewed by the Fellowship Task Force.

ARTICLE 3. PROFESSIONAL DEVELOPMENT AND GUIDANCE

3.1 Fellowship Advisor

A Fellowship Advisor will be appointed each season to provide Fellows with structured, on-the-job feedback and direction towards professional development, including communicating feedback from other musicians or staff members.

- A. The Fellowship Advisor position will first be offered (in order of seniority) to musician members of the Fellowship Task Force who are not members of a section that has a Fellow. If no such Task Force member exists or all decline to serve as Advisor, the opportunity will be opened to the rest of the tenured musicians who are not members of a section that has a Fellow. Final selection of the Advisor will be made by the Task Force.
- B. The Fellowship Advisor will hold meetings with Fellows scheduled normally every four to six weeks during the Winter Season, at the discretion of the Advisor and Fellows. The Advisor will report the hours of these meetings to the Orchestra Personnel Manager and be paid for their time at the Music Education Instruction Rate as outlined in Article 4.15B.
- C. The Fellowship Advisor will submit a report to the Task Force as needed, or as requested by the Task Force.

3.2 Professional Development

Fellows will be offered \$8,000.00 for professional development each season. These funds will be dispersed as reimbursement or as direct payment to contracted musicians as outlined below. Funds not used during a season will not be rolled over to future seasons or paid out to the Fellow. A report of the usage of Professional Development funds for the past season will be given to the Task Force before October 1 of the following season. Professional development may include:

- A. Lessons with NJ Symphony contracted musicians. Instructing musicians will be paid at the Education Ensemble Leader Rate as defined in Article 4.15.A.
- B. One mock audition per Fellow per season as outlined below. Payment to musicians on the mock audition panel will be deducted from Professional Development funds, other costs will be covered by the Symphony.
 - 1. Mock Auditions may include a panel of up to three (3) musicians for up to two (2) hours per audition. Musician members of the Fellowship TF will select the panel. Musicians serving on the mock audition panel shall be compensated at the Music Education Instruction Rate as outlined in Article 4.15B.

- C. Travel and preparation for full-time orchestral auditions.
 - 1. Salary for missed NJ Symphony services in order to attend such an audition can be paid, as a deduction from the Professional Development fund, for one instance per season at the discretion of the Fellow.
- D. Leadership development.
- E. Chamber music programming/design.
- F. Equipment and clothing needed to sustain a full-time orchestral position (not including the purchase or repair of instruments).
- G. Other professional development that the Fellow requests and is approved by the Fellowship Task Force.

ARTICLE 4. EFFECT ON MUSICIAN COUNT & CP

4.1 Effect on Musician Count

Fellows are understood to be above the number of contracted musicians required in Article 9.1.

- A. For Classical subscription programs (S-1 through S-14), within a section that includes a Fellow playing that program, there shall be one (1) additional player beyond the onstage count for that program on the final roster. In the event that one (1) contracted Musician from a relevant section is excused from a service(s) (either under Article 13.11 C (Personal Days) or Article 13.9 (Sick Leave)) a fill-in substitute would not be required to be contracted to fill the temporarily-vacated position. In the event that more than one (1) musician from the section is excused from the same service (either under Article 13.11 C (Personal Days) or Article 13.9 (Sick Leave)), it shall be left to the discretion of the Personnel Manager, after consultation with the section Principal and conductor of the service, whether to engage a substitute Musician(s) to fill the temporarily-vacated position(s). In the event that a contracted Musician is released from or takes sick days for an entire set, then that vacated position would be required to be filled by a substitute musician in accordance with current standard practice.
- B. Onstage count numbers for all classical subscription concert series (S-1 through S-14) shall be shared with Orchestra Committee 60 days before S-1.

4.2 Effect on Community Partners

All tenure track Symphony musicians in the same sections (as defined by 9.4B) as Fellows who participate in the Community Partners program as outlined in Article 6.6 shall qualify to receive an additional payment to be paid at the end of that season with other end of season reconciliation payments. The amount to be shared per section is the prevailing CP per service rate multiplied by the maximum number of CP services guaranteed each season, to be divided equally by the number of qualifying musicians within that section. This payment shall not be counted towards contractual service guarantees.

ARTICLE 5. FELLOWSHIP TASK FORCE

5.1 Purpose

The Fellowship Task Force shall have the authority to make policies and determinations regarding all Fellowship matters, in consultation with the Music Director when appropriate. Any Musician shall first address any concerns regarding the Fellowship program with the Fellowship Task Force.

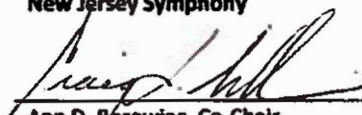
The Fellowship Task Force shall monitor the program during the term of this contract and shall establish guidelines for its future operation, including making recommendations to the Symphony and Orchestra Committee for how or if the program should continue at the end of this agreement. Recommendations to the Orchestra Committee should be submitted no later than January 24th of the final year of this side letter.

5.2 Composition

The Fellowship Task Force shall be limited to three (3) Musicians, plus two (2) alternates, selected by the Orchestra, and three (3) staff members selected by the Symphony. The Fellowship Task Force shall elect one (1) Musician and one (1) staff as co-chairs.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed this [date], at Newark, New Jersey.

New Jersey Symphony

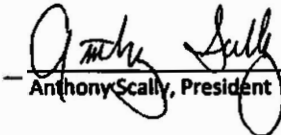


Ann D. Berowicz, Co-Chair
Craig Silliman, Co-chair
11/15/2023
Date




Robert Garrett, Co-Chair
11/15/23
Date

Northern New Jersey Musicians' Guild, Local 16-248,
American Federation of Musicians



Anthony Scally, President
11/4/23
Date

New Jersey Symphony
Orchestra Committee



Martin Andersen, Co-Chair
David Southorn, Co-Chair
Alexandra Neglia
Ming Yang
Ha Young Jung
11/1/23
Date