

June 28, 2014

To the Chicago Community of Musicians:

I am writing regarding the International Beethoven Festival, which has failed to pay wages to the musicians who participated in the Festival in August 2013.

It is the CFM's understanding that despite numerous promises by the Festival's founder and president, George Lepauw, most of the musicians have received only partial payment and, ten months later, are still waiting to be paid in full. Recently, however, Mr. Lepauw announced that the Festival will be presenting new performances in August 2014, with a new roster of musicians.

This was not a union job. Unfortunately, that means the CFM is unable to take any legal action on behalf of the unpaid musicians. However, given Mr. Lepauw's announcement that he is presenting a 2014 Festival – despite having failed to honor his commitment to the musicians who performed in 2013 – the CFM is urging all musicians to decline any offers of employment with the Festival, and will also be calling on the public to boycott the 2014 Festival until all musicians owed wages by Mr. Lepauw are paid.

Mr. Lepauw's treatment of his musicians has been particularly atrocious. Time and time again over the last ten months, he promised the musicians that they would be paid, only to break those promises and offer more empty assurances. (For unknown reasons, a few favored musicians were promptly paid in full, while the majority were not.) In one email in February 2014, in fact, Mr. Lepauw specifically assured the musicians that he would not proceed with a 2014 Festival until all the 2013 musicians were paid. Obviously, that statement was false.

Even worse, Mr. Lepauw has tried to paint himself as the victim. In an email to the unpaid musicians last November, he lamented – without a trace of irony – that he had “had to give up gigs” to deal with this issue. Recently, in comments on the blog *Slipped Disc*, he attacked the musicians who had the audacity to “complain on social media” about not having been paid for ten months. Repeatedly, Mr. Lepauw has argued that his failure to pay his musicians is justified by the great work he is doing in continuing the Festival and implementing his vision.

This situation illustrates painfully well the risks that musicians face, day in and day out, when accepting non-union work. A musician must take it on blind faith that payment will be made, on time and for the promised amount. (Or, as one of the unpaid Festival musicians recently noted in a blog post, it is considered “bad form” to even ask how much the gig pays.) If the musician doesn't receive payment, his or her recourse is

limited: the only legal option is small claims court, where the filing fees alone can be prohibitive and it can be difficult to collect the wages owed even with a favorable judgment.

It is also easy to fall prey to self-aggrandizing presenters like Mr. Lepauw, who believe that fulfilling their grand artistic vision is more important than paying the musicians who implement that vision. Make no mistake: what Mr. Lepauw is doing constitutes exploitation. He is placing a higher priority on continuing his pet project than on honoring his word to his musicians. His actions demonstrate an utter lack of respect for musicians everywhere. He is using them, plain and simple. And he intends to use another group of musicians for the 2014 Festival.

Having spent 30 years as a freelance musician, I, along with the members of the CFM, fully understand how difficult it is to earn a living as a musician. Every job is important, and musicians have to find a way to pay the bills each month. But travesties like the Beethoven Festival can be avoided when musicians act together and insist that contractors work with the CFM under the protection of a union contract. (Mr. Lepauw never even contacted the CFM to inquire about presenting the Festival as a union job; if he had, he would have found that the process is collaborative and the wage scales are reasonable, particularly for the Uptown location of last year's performances.)

If a contractor or presenter stiffes musicians on a union job, the musicians are not on their own; the union fights that battle on their behalf in court, at no cost to them. There is no mystery about how much a job pays – and because musicians are much stronger collectively than individually, the job will usually pay more and the working conditions will be better. In unity there is strength, and with strength comes respect.

Presenters like Mr. Lepauw often argue that they are trying to create a “new” and “different” model of music-making. But there is nothing “new” about promising musicians they will be paid and then breaking that promise, or warning musicians to keep their mouths shut and stop complaining, or lecturing them that they should do it for the love of the music. That is, in fact, a very old model, and one that unionized musicians have fought hard to dismantle.

The CFM therefore urges every musician who is offered work with the 2014 Beethoven Festival to turn it down. If you have already been engaged, you should withdraw. If you know someone who has accepted the work, convince them to withdraw. This will send a powerful message to Mr. Lepauw. Stand with us in urging the public to boycott the Festival. The message needs to be sent that musicians are highly skilled professionals whose work has value, who are worthy of dignity and respect, and who will not be exploited. That message is strongest if we all stand together.

In solidarity,



Gary Matts