

South Florida Musicians Association

american federation of musicians local 655
A Century of Professionalism in Music



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Palm Beach Opera, Inc. and AFM, Local 655 COVID-19 Side Letter Agreement

This letter shall confirm our mutual agreements regarding clarification of various issues involving the Collective Bargaining Agreement entered into between Palm Beach Opera, Inc. ("Opera") and the South Florida Musicians Association, Local 655, American Federation of Musicians ("Local 655") which expires on May 31, 2023.

The Opera has developed a series of guidelines for safety during COVID which will be implemented for all those involved in productions for this 2022 season, including members of the Orchestra. Those guidelines are set forth below, as they exist now. As experience has shown, these guidelines may need to be adapted to circumstances, perhaps on short notice, and are subject to change by the Opera in its discretion. Therefore, it is understood that as we work through this process, flexibility in adapting these guidelines must be maintained. The Opera will confer with Local 655 and the Orchestra Committee and make them aware of any decisions that are made by the Opera, regarding needed changes to the guidelines below.

Nothing in this side letter amends any term or condition in the collective bargaining agreement entered into by the parties. Due to the time sensitivity and heightened concerns for safety which may drive these decisions, no decisions made during this season regarding these issues will be viewed as setting any precedent for future decisions in future seasons.

For the 2022 season, the following safety guidelines shall be implemented:

VACCINATION

- All personnel are required to be fully-vaccinated due to the nature of the work environment. Musicians who cannot receive a COVID-19 vaccination because of a qualifying disability or a sincerely held religious belief must contact the Opera by December 1, 2021 to request an accommodation. The Opera will consider all reasonable accommodations in accordance with applicable law.
- Personnel must provide proof of vaccination to PBO staff no later than their first rehearsal.
- Personnel are encouraged to receive booster shots as recommended by the CDC if eligible.

TESTING

- All personnel will be tested regularly (as stated below) for COVID-19 with a Quidel QuickVue rapid antigen test to identify any cases of breakthrough infection. Tests will be administered onsite by PBO staff.
- Singers and wind/brass musicians will be tested on their first day of work and every 3 days thereafter, or at their next company activity following that timeline.
- All other personnel will be tested on their first day of work and once per week.

MASKING

- All personnel shall be masked at all times except as outlined below. Individually-wrapped Air Queen Nano Fiber masks (measured at up to 98% filtration) will be provided at each company session. During company activities, personnel may not wear a face covering other than the one provided, unless an alternative has been approved by PBO staff.
 - During onstage rehearsals and performances, singers and dancers/supernumeraries will be unmasked while onstage, but must remain masked while backstage. Masks may be removed when alone in individual dressing rooms.
 - During orchestra services, only Wind/Brass musicians and the Conductor will be unmasked during the service, but they must remain masked during breaks.
 - Personnel may remove their mask momentarily when eating or drinking, but such times should be kept to a minimum.
 - Masks are not required to be worn at any outdoor activities.

VENTILATION

- According to the Kravis Center, they have upgraded air handlers with REME HALO Commercial Photohydroionization Systems and UV Sterilization, and increased the flow of fresh air to over 12,000 cubic feet per minute through each individual supply unit. Due to the vast size and layout of the space, it is not possible for the Kravis Center to determine a precise refresh rate measured from the pit, which is not a closed system and receives air from 3 separate handlers.
- The Production Center HVAC system has been upgraded with MERV-13 HEPA filters and measured to fully exchange the air in the Rehearsal Hall every 20 minutes.
- At the Orchestra Committee's request, PBO can strategically place localized air purifiers at rehearsals and performances; however, it should be noted that such placement may create a sound disturbance when in operation.

DISTANCE

- Company activities will necessitate that personnel be in proximity defined by the CDC as "close contact" and unable to maintain 6 feet of physical distancing at rehearsals and performances.
- When possible, Orchestra personnel will be positioned with several feet of distance from one another, limited by the constraints of the space.

- When possible, personnel are encouraged to maintain physical distancing during breaks and within sessions that don't require close contact.

SANITIZATION

- Hand sanitizer will be widely available at all facilities and should be used liberally after any contact with high-touch areas or your face.

SUSPECTED OR CONFIRMED CASES

- By attending company activities, personnel attest that they have not been determined to have a currently active COVID-19 infection, and that they have not experienced any COVID-19 symptoms within the previous 48 hours which cannot be explained by another known condition.
- Any personnel who has been diagnosed with COVID-19 within the previous 10 days must notify the company immediately and may not report to work.
- Any personnel who is experiencing COVID-19 symptoms must notify the company immediately and get tested.
 - If personnel tests negative and the company's medical advisor concludes that the symptoms are not COVID-19 related, return to work may begin as soon as personnel feels well enough to resume activities.
 - If personnel tests positive, they may not return to work until 10 days have passed since the onset of the initial symptom and personnel is cleared by the company's medical advisory team.
- If any personnel tests positive for COVID-19 during the regular weekly tests, they must begin isolation while the result is confirmed with a PCR test. If personnel is confirmed to have COVID-19, they may not return to work for 10 days, or until cleared by the company's medical advisory team.
- If personnel has been exposed in close contact to someone who is diagnosed with or suspected to have COVID-19, given the protection provided by vaccination there is no need for personnel to quarantine, but they should be tested additionally within 5-7 days following the close contact, and continue to closely monitor themselves for the development of any symptoms.

MISCELLANEOUS

- Personnel are subject to any policies in place at rented venues such as the Kravis Center and Norton Museum of Art, and in any cases of divergence between the standards of the company and the venue, the more restrictive policy must be followed.
- Guests are strictly prohibited from any rehearsal, or from backstage access at any performance.
- All personnel are encouraged to actively reduce the risk of COVID-19 exposure in their daily lives by continuing to wear masks indoors when in public and limiting any close contact with those who are unvaccinated.

LEAVE OF ABSENCE

- Any member of the orchestra may choose, in their discretion, to request an unpaid leave of absence for the 2022 season, as follows. The member shall notify the Opera in writing (including by email) of their decision to exercise this right to take the leave of absence by no later than December 12, 2021. A copy of this written communication by the musician should be sent to Local 655. For those who elect to take this COVID-19 leave of absence, this 2022 season shall be viewed as if it did not exist for purposes of the CBA, and they shall not be prejudiced in any manner. Any orchestra member who exercises this right, and is absent and fails to work under an SMA in this 2022 season shall not be considered to have an absence for a season under the absenteeism policy set forth in Article V Section 5 of the CBA. All persons who elect to receive this Leave of Absence in the 2022 season shall be placed on the substitute musician list, and may be offered work, and the acceptance or rejection of such work also shall not prejudice the musician.

Agreed this 18th day of November, 2021.

South Florida Musicians' Association
AFM Local #655

Palm Beach Opera



Signature



Signature

Jeffrey Adams, Sec-Treas
Name and Title

General & Artistic Director
Name and Title

11/23/21
Date

11/23/21
Date