

League of American Orchestras

The League of American Orchestras and its members are committed to maintaining the highest ethical standards in our operations and activities. Our commitment includes compliance with federal and state antitrust laws, which are designed to protect this country's free competitive economy, without stifling reasonable conversations among peers.

Responsibility for Antitrust Compliance

Antitrust guidance on hiring and compensation practices from the Department of Justice and Federal Trade Commission spell out the importance of antitrust compliance. Antitrust violations may result in heavy fines for organizations, and in fines and even criminal prosecution for individuals. While the League provides this guidance on antitrust matters, individual members are ultimately responsible for assuring their compliance with the antitrust laws.

Antitrust Guidelines

In all League operations and activities, you must avoid any discussions or conduct that might violate antitrust laws, raise an appearance of impropriety, or might later be viewed as evidence that competitors had coordinated or "signaled" one another about their respective market intentions. The following guidelines, along with the guidance of your own legal counsel, will help you do that:

Do ensure that meeting agendas include the antitrust notice supplied by the League and begin each meeting by directing participants to review the notice. Avoid discussion items that may lead to the discussion of Competitively Sensitive Information.

Do not permit discussions about:

- Specific prices for tickets/events or any other products or services offered by orchestras (this includes discussions about what constitutes a "fair" price across markets);
- costs, discounts, terms of sale, profit margins or anything else that might affect those prices;
- allocating markets, customers, territories, products or assets among members;
- specific amounts of salary, wages, or benefits paid to any orchestra employee;
- arrangements for members to refrain from marketing in certain markets or for certain audiences;
- whether or not to deal with any other organization, including unions; or
- any Competitively Sensitive Information concerning your own orchestra or another orchestra.

Do not create any documents or other records that might be misinterpreted to suggest that the League condones or is involved in anticompetitive behavior.

We're Here to Help

Whenever you have any question about whether particular League-hosted conversations might raise antitrust concerns, contact Heather Noonan, (202) 776-0215; E-mail: hnoonan@americanorchestras.org, or your legal counsel.