

CONSTITUTION

ARTICLE I

TITLE, OBJECT, AND JURISDICTION

Section 1: This Local shall be known as the “London Musicians’ Association”, Local 279 of the “American Federation of Musicians (the A F M) of The United States and Canada.” The word “Association” in this constitution means the London Musicians’ Association. The members of this local constitute the “London Musicians’ Association” and are subject to whatever by-laws and policies of the A F of M apply to this Local

Section 2: The objects and purposes of this Local shall be:

- (A) To unite musicians within its jurisdiction who are eligible for membership without regard to race, religion, creed, colour, national origin, age, or sex.
- (B) To organize the unorganized professional musicians in its jurisdiction and to provide services to such organized professional musicians.
- (C) To secure improved wages, hours, working conditions and other economic advantages for the professional musicians in membership through collective bargaining and to establish terms and conditions for equitable and fair dealing among its members.
- (D) To engage in cultural, fraternal, educational, and charitable activities to further the interests of the Association directly and indirectly.
- (E) To advance the contribution of the Association to community and country.
- (F) To protect and preserve the Association and to discharge its legal and contractual obligations.
- (G) To receive, manage, invest, expend, or otherwise use the assets of the Association to further carry out its objects directly or indirectly.

Section 3: The territorial jurisdiction of the London Musicians’ Association shall be; all of Middlesex, Elgin , and Lambton Counties, and that portion of Huron County lying west of Highway No. 4, and south of and including the town of Bayfield.

ARTICLE II

MEMBERSHIP

Section 1: All performers on musical instruments of any kind, vocalists, musical arrangers, copyists, librarians or other individuals who render musical services of any kind for pay are classed as professional musicians and are eligible for membership if they reside in the territorial jurisdiction of this local, subject to the laws of the AFM.

Section 2: Applicants for membership who are former members of this or any other AFM local, or are current members of any other AFM local are subject to appropriate provisions of the By-laws of the AFM relating to affiliation as former transfer or travelling members.

Section 3: Applicants for membership are required to complete the AFM approved application form in the presence of the Secretary-Treasurer or his/her designee and deposit the required fees and dues of membership. After the full admission fee and current dues have been paid and unless otherwise allowed, an applicant shall be given the oath by the President, or Secretary-Treasurer, or at the next General Meeting as directed.

Section 4: An applicant shall be deemed an official member of this local upon approval of his/her application by the Executive Board. Where an application is rejected, the Executive Board shall refund the admission fees and any dues.

ARTICLE III

OFFICERS

Section 1: PRESIDENT

(A) It shall be the duty of the President to preside at all meetings of the membership and the Executive Board and to enforce due observance of the By-laws. He/She shall convene all regular and special meetings of the membership and Executive Board and decide all disputed points of order unless a two-thirds majority of the cast dissent therefrom. He shall call special general meetings of the members of the Association or meetings of the Executive Board as in his opinion are required.

(B) The President shall be one of the three officers who may sign all cheques, bills and agreements or orders for payment of money.

(C) He/She shall appoint all committees and shall be an ex-officio member of all committees except the election committee.

(D) The president shall decide all matters involving the interest of the Association, interpretation and enforcement of the Constitution and By-laws and in his/her discretion, refer such matters to the Executive Board or Trial Board.

(E) The President shall vote only in the case of a tie, except on matters which are before the membership and voted upon by secret ballot.

Section 2: VICE PRESIDENT

(A) It shall be the duty of a Vice President to perform the duties of the President in his absence.

(B) In the event of the death, disability, resignation or removal from office of the President, the Vice President shall become President.

(C) The Vice President shall be one of the three officers who may sign all cheques, bills, and agreements or orders for the payment of money.

Section 3: SECRETARY-TREASURER

(A) It shall be the duty of the Secretary-Treasurer to keep, or cause to be kept, a faithful record of proceedings of all meetings of the membership and of the Executive Board, answer or direct to be answered, all communications, keep or cause to be kept, a true account of the membership and issue, or direct to be issued, notices for all meetings of the membership and Executive Board.

(B) He/she shall be one of the three officers who may sign all cheques, bills, and agreements or orders for payment of money.

(C) He/she shall keep, or cause to be kept, an accurate account of all receipts and expenditures of the local and shall present a detailed statement of all receipts and expenditures to the Executive Board at least quarterly.

(D) The Secretary-Treasurer shall perform such other reasonable duties as may be assigned by the President or Executive Board.

(E) He/she shall surrender all of the books of accounts to an independent public accountant to be chosen by the Executive Board for an annual audit.

(F) At the expiration of his/her term of office, he/she shall deliver to the succeeding Secretary-Treasurer all monies, books, and records belonging to the local.

Section 4: THE EXECUTIVE BOARD

(A) The Executive Board shall be composed of the President, Vice-President, Secretary-Treasurer, and 6 elected members from the general membership. All elected positions of the Executive Board shall be for a three-year term beginning with the year commencing January 1, 2009.

(B) The Executive Board shall meet a minimum of 4 times per annum plus any additional meetings in a given year as determined by the President. All meetings shall be held at the office of the Association or a generally agreed upon location at such day and hour as is possible to attain a quorum. A simple majority of the members of the Board present shall constitute a quorum.

(C) The Board shall exercise general supervision of the interest and affairs of the local and its properties, pass upon all applications for membership, approve all expenditures of the local, recommend the hiring of office personnel, and direct the Secretary-Treasurer as to what bank(s) or financial institution(s) monies of the local are to be deposited.

(D) Except for the office of President, the Board shall have authority to fill any vacant office for the balance of the elected term of such office.

(E) The Board shall serve as a Board of Arbitration and Trial Board as provided elsewhere in the Local By-laws.

(F) The Board shall have authority to appoint agents if deemed necessary to visit places within the jurisdiction where musicians are performing and shall have authority to fix wage and expense limits to be paid such agents who shall then report their activities as required by the Board.

(G) Where restricted and/or unrestricted contributions are solicited for the purpose of musicians' remuneration to be disbursed under the direction of LMA, the Executive Board shall appoint an administrator of such contributions.

Section 5: The wages, fringe benefits, and reimbursement for expenses for all officers shall be as established from time to time by the Board members in meetings and as provided elsewhere in the Local By-laws.

Section 6: Notwithstanding Section 4 (d), all officers of the Local shall be elected by the general membership.

ARTICLE IV

FUNDS

Section 1: There shall be a general fund of the Association which shall be raised by initiation, admission fees, dues, fines, assessments, and such other means as the Association may determine from time to time as provided by the local By-laws.

Section 2: Contract Defence Fund:

The Association shall maintain a fund known as the “**London Musicians’ Association Contract Defence Fund**” for the purpose of providing financial assistance to Local 279 members who have a default situation against purchasers.

- (a) Only engagements contracted for performances within the jurisdiction of Local 279 shall qualify under this section.

- (b) Should the claim for fees be uncollectable by reason of bankruptcy or receivership of the purchaser, or due to circumstances beyond the control of the member or the Association, the amount of the advanced funds will be forgiven
- (c) The minimum balance in the Fund shall be \$2000.00. The net payout from the Fund in any given calendar year shall be limited to a maximum of \$3000.00 (total advanced funds granted minus outstanding advanced funds collected).
Procedure for claims under this provision is listed under 'Claims' in the LMA By-Laws.

Section 3: Performance Fund

There shall maintain a Performance Fund bank account exclusively and expressly for the purpose of the transfer and payment of all Third Party Funds held in trust including Labour Agreement transfer payments, Contract settlements, MPF, Co-Sponsorship, Grants solicited on behalf of Members for remuneration and payments of any kind transferred through LMA from one party to another.

ARTICLE V

OFFICIAL LOCAL PUBLICATION

Section 1: The official publication of the Association is the “**Crescendo**” which shall be published as provided in the local By-laws.

Section 2: Any notice required by the By-laws to be distributed to the members of the Association shall, when published in the Crescendo or in any special notice, be deemed to have been received by all members.

ARTICLE VI

BY-LAWS

- Section 1:** By-laws shall be passed to provide for;
- (a) Admission, expulsion, and reinstatement of Association members
 - (b) Duties, conduct, and obligation of Association members
 - (c) Meetings of the Association and Executive Board regarding notices, time place, manner of conducting, and quorum requirements.
 - (d) Delegates to AFM conventions and conferences.
 - (e) Election of officers of the Association
 - (f) Appointment of Committees
 - (g) Duties and conduct of officers

- (h) Members' claims, charges, penalties, fines, manner of dealing with charges and appeals.
 - (i) Dues and assessments to be levied and paid
 - (j) Investment and use of funds, assets and properties of the Association
 - (k) Minimum Tariff of Fees, adoption, publication, and amendment of same,
- and
- (l) Conditions of employment for members.

ARTICLE VII

CONSTITUTION AND BY-LAW AMENDMENTS

- Section 1:** The Executive Board or any five full time members of the local in good standing may present in writing to the Secretary-Treasurer a resolution to amend the Constitution and By-laws.
- Section 2:** **Proposal from the Executive Board:**
Notification of a resolution to amend the Constitution and/or By-laws from the Executive Board, shall be printed in the issue of the Crescendo which immediately follows the date of the resolution The notice shall contain the date, time, and place of the general meeting for voting the acceptance or rejection of the proposal.
- Section 3:** **Proposal from the Membership:**
Upon receipt of a resolution to amend the Constitution and/or By-laws signed by five full time members in good standing, the Secretary-Treasurer shall present the resolution to the next regular or special meeting of the Executive Board which shall consider the merits of the resolution and make a recommendation on same. The Secretary-Treasurer shall include in the following Crescendo, the contents of the resolution, the recommendation of the Executive Board, and the meeting date, time, and place at which the resolution is to be acted upon.
- Section 4:** A resolution to amend the Constitution and/or By-laws is subject to a two-thirds majority vote of those members voting for approval.
- Section 5:** A resolution approved shall become effective immediately unless provided for otherwise in the resolution.
- Section 6:** A quorum of two percent of the current membership plus the number of current officers and Executive Board is required for amendments voted upon to be considered valid.

- Section 7:** The Association may be dissolved at any time if;
- (a) nine tenths of the existing membership give written consent to a proposed plan of dissolution
 - (b) The proposed plan of dissolution shall set out the proposed division of funds, properties, and assets of the Association upon dissolution.

REVOCATION

The Constitution of the London Musicians' Association heretofore in force is repealed.