

**BYLAWS
OF
THE CONNECTICUT VALLEY FEDERATION OF MUSICIANS
LOCAL 400, AFM (last amended 2/22/19)**

ARTICLE I: TITLE, OBJECTIVES AND JURISDICTION

Section 1. This Local Union shall be known as The Connecticut Valley Federation of Musicians, Local 400, AFM.

Section 2. The objectives of this Local Union shall be:

- (a) To unite the Professional Musicians within its jurisdiction who are eligible for membership, without regard to race, religion, creed, color, national origins 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.

Section 3. The Territorial Jurisdiction of this Local Union shall be:
The following in Connecticut:

All of Hartford County: Hartland, Granby, East Granby, Windsor Locks, East Windsor, South Windsor, Windsor, Bloomfield, Simsbury, Canton, Collinsville, Burlington, Avon, West Hartford, Hartford, East Hartford, Manchester, Glastonbury, Wethersfield, Newington, New Britain, Farmington, Plainville, Bristol, Southington, Lake Compounce, Berlin, Rocky Hill, Marlborough. *All of Litchfield County:* Salisbury, Lakeville, North Canaan, Canaan, Falls Village, Norfolk, Colebrook, Winchester, Winsted, Barkhamstead, New Hartford, Torrington, Harwinton, Morris, Litchfield, Goshen, Cornwall, Sharon, Kent, Warren, Washington, Roxbury, Bridgewater, New Milford, *Bethlehem, Woodbury, Watertown, Thomaston and Plymouth.* In Fairfield County: Sherman, New Fairfield, Danbury, Brookfield, Bethel, Newtown, Shelton. In Tolland County: Ellington, Tolland, Rockville, Vernon and Bolton. *All of New Haven County:* Cheshire, Meriden, Township of Meriden, Wallingford, North Branford, Northford, Guilford, Madison, Branford, North Haven, Hamden, Bethany, *Wolcott, Waterbury, Prospect, Naugatuck, Middlebury, Southbury, Oxford, Beacon Falls, Seymour,* Woodbridge, Ansonia, Derby, Orange, New Haven, West Haven, East Haven and the Woodmont area of Milford. All of Middlesex County: Township of Cromwell, all the territory in the Township of Portland, East Hampton, (including Chatham), East Haddam, Haddam, City of Middletown, Township of Middletown, Middlefield, Durham, Killingworth, Chester, Deep River (formerly Saybrook), Essex, Old Saybrook, Westbrook, Clinton. In New London County: Lyme (not including Old Lyme and East Lyme, which are in the jurisdiction of Local 285-403. Also, in Putnam County, NY: Kent, Patterson, Southeast, Brewster, Carmel and Mahopac and any additions, deletions or changes which may be hereafter mandated by the American Federation of Musicians.]

ARTICLE II: MEMBERSHIP

Section 1. All performers on musical instruments of any kind and vocalists or other individuals who render musical services of any kind for pay, are classed as professional musicians, and are eligible for membership subject to the laws and jurisdiction of the AFM.

Section 2. Applicants for membership who are former members of this or any other AFM Local or are currently members of any other AFM Local are subject to appropriate provisions of the By-Laws of the AFM.

Section 3. Applicants for membership are required to complete the AFM approved application form and deposit the required fees and dues for membership.

Section 4. An applicant shall become a member of its Local upon approval of his/her application by a majority vote of the Executive Board.

Section 5. Upon approval of the Executive Board, an applicant who is not currently a member of another Local shall give the required Oath of Obligation to an appropriate official of this Local, and shall attend an orientation meeting as per the AFM approved application form.

ARTICLE III: OFFICERS

The officers of the union shall consist of the Executive Board comprising a President/Business Agent; Vice President; Secretary-Treasurer; plus eight (8) members at large. Each officer will hold office for a term of two (2) years.

Section 1. President / Business Agent

(a) It shall be the duty of the President to preside at all meetings of the Membership and of 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 of the Executive Board and decide all disputed points of order unless a two-thirds majority of the votes cast dissent therefrom.

(b) He/She shall cosign all checks, 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) He/She shall appoint a Finance Committee consisting of two or more Executive Board Members, the Treasurer of the Local (and one member from the General Membership, if such member is available and willing to serve) to oversee the finances of the Local. A report of their findings shall be submitted to the Executive Board annually or as necessary.

(e) He/She shall vote only in case of a tie, except on matters which are before the Membership and voted upon by Secret Ballot.

(f) By virtue of election to office by Secret Ballot, he/she shall be the second delegate to Conventions and Conferences of the AFM.

(g) He/She shall devote a minimum of fifteen hours per week to his/her duties at his/her discretion.

(h) He/She shall report all pertinent union activities to the Executive Board at its next scheduled meeting.

(i) He/She shall use as an effective job description all items listed under "Responsibilities of Local Officers", 'President' from Chapter 3 of the AFM Local Officers Resource Guide.

Section 2. Vice President

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

(b) In the event of the death, disability, resignation or removal from office of the President, the Vice President shall become President for the remaining unexpired term.

(c) By virtue of election to office by Secret Ballot, he/she shall be the third delegate to Conventions and Conferences of the AFM.

Section 3. Secretary-Treasurer (Combined Positions)

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

(b) He/She shall co-sign all checks, bills and agreements or orders for payment of money.

(c) He/She shall keep 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) He/She shall surrender all of the books of accounts to a Certified Public Accountant to be chosen by the Executive Board for an annual audit.

(e) At the expiration of his/her term of office, he/she shall deliver to his/her successor all monies, books, keys, and records belonging to the Local.

(f) By virtue of election to office by Secret Ballot, he/she shall be the first delegate to Conventions and Conferences of the AFM.

(g) He/She shall devote a minimum of twenty-five hours per week to his/her duties.

(h) He/She shall use as an effective job description all items listed under "Responsibilities of Local Officers", 'Secretary-Treasurer' from Chapter 3 of the AFM Local Officers Resource Guide.

Section 4. Executive Board

(a) The Executive Board shall be composed of the President, Vice President, Secretary-Treasurer, and five (5) members at large.

(b) The Executive Board shall meet no fewer than four times annually, and on special call of the President. It shall have the authority to set its meeting date, time and place, except for those on special call of the President. A quorum shall consist of a majority of the Board members being present.

(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 including reimbursement for expenses and direct the Secretary-Treasurer where to deposit monies of the local.

(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 these By-Laws.

(f) the Board shall have authority to appoint stewards as it deems necessary to visit places in the jurisdiction where musicians are performing, and shall have authority to fix the wages and expenses to be paid such stewards who shall report their activities as required by the Board.

(g) The wages, fringe benefits, and Honoraria for all officers shall be as established from time to time by the Executive Board, subject to approval by the membership.

Section 5. Officer Attendance

(a) All officers are expected to attend all meetings of the Local. (Board, Regular and Special meetings).

(b) The Executive Board, after due consideration, may remove from office any officer for neglect of duty including, but not limited, to failure to attend three consecutive meetings without reasonable cause. An officer so removed may appeal the Board's action to the membership in the manner set forth in Article 12, Sections 6 and 7.

ARTICLE IV: NOMINATIONS AND ELECTIONS

Section 1. Nominations

(a) At least fifteen days prior to the nominations meeting, the Secretary-Treasurer shall mail written notice of such meeting to all members. The notice shall contain the date, time and place of the meeting and the positions subject to nomination.

(b) Nominations for officers and board members and alternate delegates to Conventions and Conferences of the AFM shall be held biennially at a special membership meeting for that purpose alone, which shall be held during the first week of October, with the place and time to be determined by the Executive Board.

(c) Any member in good standing present at the nominations meeting shall be entitled to nominate any eligible candidate of his/her choice. The nominee shall be present at the meeting or his/her nominator must present a written signed statement of acceptance of nomination from such nominee.

(d) To be eligible for nomination, a member must have been a full member of the Local in continuous good standing for at least one year preceding the nominations meeting.

(e) When the number of candidate(s) for a position does not exceed the number to be elected, the candidate(s) shall be declared elected by acclamation.

(f) In contested elections, immediately after receipt of all nominations, the President shall appoint an Election committee of three members, none of whom are candidates. The Committee shall choose its own chairperson. The Committee shall handle all details of the Election. The Committee members shall be offered an honorarium for their services an amount to be determined by the Executive Board.

Section 2. Elections

(a) For each contested election, there shall be "voting by mail" following the current guidelines established by the Office of Labor-Management Standards of the U.S. Department of Labor. The election committee will gather to count ballots on the second Sunday of December.

(b) No earlier than thirty days after the nominations meeting the Election Committee shall mail to each member in good standing an official ballot with instructions for voting.

(c) Candidates shall be listed on the ballot in random order to be determined by a blind drawing at the end of the nominating meeting.

(d) No write-in candidates are allowed. Voting for more candidates for a position than the number specified on the ballot will void that portion of the ballot.

(e) A plurality of votes cast shall elect a candidate to office. Alternate delegates to Conventions and Conferences of the AFM shall be those candidates in sequence by vote totals.

(f) Newly elected officers shall assume office on January 1 following the election.

ARTICLE V: MEMBERSHIP MEETINGS

Section 1. Regular meetings of the membership shall be held in January, May, and October. The time and place of membership meetings shall be determined by the Executive Board.

Section 2. The President or the Executive Board may call a special meeting for a specific purpose which shall be specified in a notice of such meeting to all members, which shall be mailed by the Secretary-Treasurer at least fifteen days prior to the meeting. No other business than that specified in the notice shall be transacted at a special meeting.

Section 3. A quorum shall consist of members present.

Section 4. The conduct and procedures of all meetings shall be as set forth in Robert's Rules of Order.

ARTICLE VI: DUES, FEES AND ASSESSMENTS

Section 1. The membership shall establish Initiation fees, reinstatement fees, dues, and late fees on dues, for musicians to become and remain members in good standing. This shall be done in compliance with applicable provisions of the Labor-Management Reporting and Disclosure Act of 1959 as amended.

Section 2. Any member whose regular membership dues remain unpaid by the due date shall have a grace period of thirty (30) days, after which they stand automatically suspended from membership and shall be required to pay a late fee to resume membership in good standing.

Section 3. Any member whose regular membership dues remain unpaid sixty (60) days from the due date shall stand automatically expelled and shall be required to pay a reinstatement fee in order to reinstate his/her membership.

Section 4. Any member whose regular membership dues remain unpaid one year from the due date shall thereafter be required to re-affiliate under the same terms and conditions as a new member.

Section 5. Any member working in the following categories shall pay work dues based on a percentage of scale wages:

- a.) Collective Bargaining Agreements [and other negotiated including but not limited to Long Wharf Theater, Shubert Theater, Hartford Stage Company and the like: 2.75%
- (b.) Referral Service Work: 10%

Dues based on earnings shall be known as Work Dues and shall be payable to the Secretary-Treasurer no later than the fifteenth of the month following the month during which the services were performed. Any member is subject to charges and disciplinary action for failure to comply with this By-law.

ARTICLE VII: WAGE LIST

Section 1. The minimum wage scales for engagements in the jurisdiction of the Local shall be as established from time to time by the membership at regularly scheduled meetings.

Section 2. The Secretary-Treasurer shall maintain and make available to all members a current list of all established wage scales.

Section 3. The Executive Board shall have the authority to establish a temporary wage scale for any type engagement for which a wage scale has not been previously established by the membership. Such a new wage scale may become permanent if the approved by the members at a regular membership meeting.

Section 4. No member shall perform or agree to perform an engagement for less than the applicable minimum wage scale established for such engagement without the written permission of the Executive Board.

ARTICLE VIII: DUTIES OF MEMBERS

Section 1. It shall be a violation of these By-Laws for any member:

- (a) to act in any way detrimental to the interest, standards or objectives of the Local;
- (b) to act in bad faith, deal unfairly or in an unprofessional manner with the Local, any of its members or the employing public;
- (c) to provide services as a leader or contractor or to perform as a single on any engagement not covered by a

collective bargaining agreement between the Local or the AFM and an employer, without filing a fully completed, AFM approved form contract with the Secretary-Treasurer prior to commencing the engagement;

- (d) to knowingly perform any engagement not covered by a collective bargaining agreement between the Local or the AFM and an employer, or an AFM approved form contract;
- (e) to perform or agree to perform an engagement for less than the minimum compensation established for such engagement by the Local or the AFM;
- (f) to render services for organizations, establishments, or individuals, on the International Unfair List;
- (g) to work as an employee for an employer against whom the Local or the AFM is engaging in a lawful, primary strike or cross through or work behind a lawful, primary picket line established by the Local or the AFM;
- (h) to fail to fulfill any commitment, written or verbal, to another member regarding an engagement, or to fail to comply with the industry standard of at least two weeks written notice between leader/contractor and side-person to terminate a steady engagement;
- (i) to perform any engagement gratis without the permission of the Executive Board.

Section 2. Preference in hiring for all engagements in this jurisdiction must be given to Members of this Local. When no competent Member is available to fulfill an engagement, the Contractor for the engagement must submit the facts of the case to the Executive Board and follow its instructions.

ARTICLE IX: CLAIMS: RULES OF PRACTICE AND PROCEDURE

Section 1. Money claims regarding a musical engagement: A member of this Local may file a claim with the Secretary-Treasurer against any other member. Such claim shall be arbitrated by the Executive Board. A member of this Local may also file a claim with the Secretary-Treasurer against any non-member employer or purchaser if such non-member employer or purchaser has agreed to submit such a claim to arbitration by the Executive Board. This Article shall not pertain to members covered by a Collective Bargaining Agreement if such an agreement would prevent him/her from so doing.

Section 2. A claim must be filed in writing with the Secretary-Treasurer within one year of the occurrence from which the claim arose.

Section 3. The Executive Board shall sit as a Board of Arbitration. Written notice will be given to the affected parties. Each party will be given at least 20 days to prepare its case. The Executive Board will then conduct a full and fair hearing and render its decision.

Section 4. All communications concerning claims shall be sent by the Secretary-Treasurer to the relevant parties by Certified Mail, return receipt requested.

Section 5. Any member failing to comply with the decision of the Board on a claim shall be subject to expulsion by the Board.

Section 6. If a non-member employer or purchaser fails to comply with the decision of the Board on a claim, the Local may request the President of the AFM to place such a party on the International Unfair List.

Section 7. The decision of the Board regarding claims shall be final and binding upon the parties unless appealed to the International Executive Board as provided in the AFM By-Laws and/or the Rules of Practice and Procedure of said International Executive Board.

ARTICLE X: CHARGES AND TRIALS

Section 1. The Executive Board shall have authority to hear and decide all charges against members and to impose

appropriate fines or other disciplinary action.

Section 2. No member shall be put on trial for any alleged offense unless charges have been filed in writing to the Secretary-Treasurer.

Section 3. Charges must be filed within one year of the date of the occurrence from which such charges arose.

Section 4. Notice of charges shall be given in writing to the charged member by the Secretary-Treasurer. The notice shall contain the following:

- a.) the nature of the offense
- b.) the provision(s) of the Bylaws at issue
- c.) the date, time and place of the alleged occurrence
- d.) sufficient facts to provide the charged member information to prepare his/her defense
- e.) date and time of hearing

Section 5. A member shall be given at least fifteen days from the mailing of the notice of charges to prepare his/her defense for the hearing on such charges.

Section 6. Any member shall be accorded a full and fair hearing before the Executive Board before any disciplinary action is taken.

Section 7. All communications concerning charges and disciplinary action therefrom shall be sent by the Secretary-Treasurer to the charged party by a method requiring confirmation of delivery to the sender.

Section 8. Any member found guilty of charges shall be advised, in writing, by the Secretary-Treasurer of his right to appeal the decision of the Executive Board to the International Executive Board.

Section 9. Should any member be found guilty a fine may be levied. Fines or portions of fines may be held in abeyance pending future conduct.

ARTICLE XI: AMENDMENTS TO THE BYLAWS

Section 1. The Executive Board or any three full members of the Local in good standing may present in writing to the Secretary-Treasurer a resolution to amend the By-Laws.

Section 2. Within ten days of receipt of a resolution to amend the By-Laws from the Executive Board, the Secretary-Treasurer shall mail written notice to all members of the regular or special membership meeting at which the resolution is to be acted upon. The notice shall contain the resolution and the date, time and place of the meeting. The date of the meeting shall be at least thirty days from the date of mailing of the notice.

Section 3. Upon receipt of a resolution to amend the By-Laws signed by three full members of the Local 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 then mail written notice to all members of the regular or special membership meeting at which the resolution is to be acted upon. The notice shall contain the resolution, the recommendation of the Executive Board, and the date, time and place of the meeting. The notice shall be mailed at least thirty days prior to the membership meeting, which shall be no sooner than forty days from the Executive Board meeting at which the resolution was presented and no later than ninety days from such Board meeting.

Section 4. Approval of a resolution to amend the By-Laws is subject to the affirmative vote of two-thirds (2/3) of those Members present and voting at a meeting called for such purpose.

Section 5. A resolution approved shall become effective immediately unless provided otherwise in the resolution.

ARTICLE XII: REMOVAL OF OFFICERS

Section 1. An officer of the Local may be charged by a two-thirds majority of the Executive Board, or by a petition

signed by ten percent of the membership in good standing of the Local. If by petition, the petition shall be presented to the Secretary-Treasurer unless the Secretary-Treasurer is the charged party, in which case the petition shall be presented to the President.

Section 2. Charges against an officer must allege serious misconduct in office, or repeated failure to perform substantive duties of his/her office as prescribed in the By-Laws of the Local. The charges must be specific as to the alleged act(s) of serious misconduct and/or duties he/she is alleged to have failed to perform.

Section 3. The charged officer shall be presented with the specific charges in writing by the Secretary-Treasurer or President, as the case may be, within ten days of the Executive Board's action, or filing of the petition.

Section 4. The President, or the Vice President if the President is the charged party, shall call a special membership meeting to elect a five-member trial board, which shall select its chairman, to conduct a hearing upon the charges. None of the Trial Board members shall be officers of the Local but all must be members in good standing. Notice of this special membership meeting shall be mailed to all members in good standing at least fifteen days prior to the meeting, and shall contain the date, time and place of the meeting, plus the purpose of the meeting as stated above and the specific allegation(s) against the officer.

Section 5. The Trial Board shall call and conduct a full and fair hearing of the charges at the earliest feasible date no sooner than fifteen days after its election. Immediately following the hearing the Trial Board shall render its decision by majority vote as to the guilt or innocence of the accused and advise the Secretary-Treasurer or President as the case may be of such decision.

Section 6. If the Trial Board has found the accused officer guilty, the President, or the Vice President, if the President is the charged party, shall promptly call a special membership meeting to review the decision of the Trial Board and vote by secret ballot to sustain or deny such decision. Notice of this special membership meeting shall be mailed to all members in good standing at least fifteen days prior to the meeting and shall contain the date, time and place of the meeting, plus the purpose of the meeting as stated above.

Section 7. If two-thirds of the members voting at the meeting vote to sustain the guilty finding of the Trial Board, the officer shall stand removed from office, and the vacancy shall be filled as provided elsewhere in these By-Laws.

ARTICLE XIII: AUTHORITIES

Section 1. These By-Laws are subject and subordinate to the By-Laws and amendments thereto of the American Federation of Musicians, and wherever conflict or discrepancy appears between the By-Laws of this Local and the By-Laws and amendments thereto of the AFM, the latter shall prevail.

Section 2. These By-Laws shall not be enforced in any manner in conflict with public law.

Section 3. If any Article, Section, Sub-Section, or portion thereof, of the By-Laws should be held to be illegal, invalid, or null and void by a court of competent jurisdiction, each and every other provision of these By-Laws shall remain in full force and effect.

Section 4. The Parliamentary Authority for this Local shall be Robert's Rules of Order.