



REGINA MUSICIANS ASSOCIATION  
CONSTITUTION AND BYLAWS  
LOCAL 446 - AFM

# **Constitution and Bylaws of the Regina Musicians Association Revised: September 26, 2010**

## **Constitution:**

### **Article I: Name**

The organization shall be known as the **Regina Musicians Association of Regina, Saskatchewan, Local 446, American Federation of Musicians of the United States and Canada**

### **Article II: Object**

The object of Local 446, American Federation of Musicians of the United States and Canada shall be to unite all professional musicians for the purpose of:

- Elevating and bettering the economic status, social position and general welfare of its members
- Negotiating collective bargaining agreements with employers on behalf of its members
- Providing assistance in contract administration and enforcement for the protection of its members
- Resolving grievances, disputes, and controversies among locals, members, and employers
- Encouraging and training local officers in representing their members
- Advocating the interests of members and local unions to the public and governments, and
- Encouraging, promoting, supporting, and developing audiences for the preservation, enjoyment, and appreciation of performances by professional musicians.
- Further, Local 446 shall adhere to the mission statement of the American Federation of Musicians of the United States and Canada, as found in article 2, section 1 of the international bylaws. (addendum B)

### **Article III: Officers**

#### **Section 1: Executive membership**

The officers of the local shall consist of a president, vice-president, secretary/treasurer, three (3) executive board members, and a sergeant-at-arms.

#### **Section 2: Eligibility for executive positions**

To be eligible for nomination to the office of president, vice-president, or secretary/treasurer, a member will have served on the executive board for a minimum of two (2) years, during which time said member shall have attended a majority of all meetings called.

#### **Section 3: Eligibility for executive board membership**

In order to be eligible for nomination to the office of executive board member or

sergeant-at-arms, a member shall have been a member in good standing of the local for a minimum of one (1) year and have attended a majority of all general meetings in the preceding year. This attendance requirement may be waived if the candidate shows reasonable cause for being absent.

#### **Section 4: Length of terms for officers and executive board members**

The term of office for the president, vice-president, executive board members, and sergeant-at-arms shall be two years. The term of office for the secretary/treasurer shall be three (3) years. The president and two executive board members shall be elected in odd-numbered years. The vice-president, one (1) executive board member, and sergeant-at-arms shall be elected in even numbered years.

#### **Section 5: Removal from office**

Should a member of the executive board, the president, the vice-president, or the secretary/treasurer fail to attend three (3) consecutive meetings without just cause, he/she may be removed from office by a majority vote of the remaining members of the board.

### **Article IV: Membership**

#### **Section 1**

All capable instrumentalists, vocalists, and any others who render musical services of any kind for remuneration, who are of good character, and who are not less than sixteen (16) years of age shall be eligible for membership

##### **Section 1.1**

Applicants between the ages of sixteen (16) and eighteen (18) shall be designated as minors and shall only be received into membership by furnishing bonds of security that such minors will abide by the bylaws and fulfill all of the laws of the AFM.

#### **Section 2**

Each application for membership shall only be considered when recommended by one member in good standing.

##### **Section 2.1**

Any applicant of foreign birth must either be a citizen of Canada or the United States, landed immigrant in Canada or eligible to work in Canada.

#### **Section 3**

Application for membership must be made on the application form furnished by the local.

## **Section 4**

All applications for membership shall be voted upon at a general or executive board meeting of the local, and if accepted, the applicant shall be notified to appear for initiation. If an applicant fails to appear for initiation without cause after being accepted, the application fee shall be forfeited and the applicant shall be required to make a new application.

### **Section 4.1**

This new application will be accompanied by half the total initiation fee if the application is received within six (6) months, after which period he/she shall be required to pay the full initiation fee.

### **Section 4.2**

If not accepted, the applicant shall be notified accordingly and the initiation fee returned.

## **Section 5**

New members may be initiated at a general membership meeting, executive board meeting, or by the secretary.

## **Article V: Amendments**

### **Section 1**

The constitution, bylaws, and price list shall not be amended, except at a regular membership meeting of the local and such amendments must be filed with the secretary/treasurer at least thirty (30) days prior to the next membership meeting.

### **Section 2**

Approval shall require two-thirds (2/3) majority of the members. It shall be the duty of the secretary to advise all members, in writing, of proposed changes fifteen (15) days prior to the meeting at which they will be voted on.

## **Article VI: Income**

The funds of the association shall be raised by initiation fees, membership dues, fines, and by such other means as the association shall deem necessary.

## **Article VII: Dissolution**

### **Section 1**

This local shall not be dissolved without obtaining nine-tenths (9/10) approval of the members present at a special meeting called for the purpose of considering such dissolution.

## **Section 2**

All members entitled to voice or vote shall be notified a minimum of fifteen (15) days prior to such meeting.

## **Article VIII: Officers and directors oath of office**

I \_\_\_\_\_ do hereby solemnly pledge my most sacred honour as a man/woman, that I will faithfully discharge the duties of my office as \_\_\_\_\_ of this local during the term for which I have been elected and installed;

that I will support the constitution and bylaws of the American Federation of Musicians, and the constitution, bylaws, rules and regulations of local 446;

and that I will enforce the laws thereof to the best of my ability, without prejudice or partiality.

### **Members oath of office**

I \_\_\_\_\_ in the presence of all of the members here assembled, do solemnly promise and declare that I will support the constitution and bylaws of the American Federation of Musicians, and submit to its mandates, and obey all laws emanating therefrom.

I will support the constitution and bylaws of local 446 of the American Federation of Musicians and that of any local of which I may hereafter become a member. To all this I pledge my sacred word of honour.

## **Article IX: Jurisdiction**

The jurisdiction of this local shall be that part of the Province of Saskatchewan lying south of a line running east and west an equal distance between this local and local 553, Saskatoon.

## **Bylaws**

### **Article I**

Ignorance of the bylaws shall be no excuse for their violation.

### **Section 1**

Three general meetings of the local shall be held, per year, during the months of May, September, and December, or at the discretion of the executive board. The general meeting prior to the December (annual general) meeting shall be the nomination meeting for positions

available in that year's December election. The meeting at which officers of the local and delegates to the conventions of the AFM will be voted upon will be the December (annual general) meeting, or at the discretion of the board.

### **Section 2**

A minimum of three officers of the local, 2 of whom must be either the president, vice-president, or secretary/treasurer, plus the members in attendance shall constitute a quorum.

### **Section 3**

If, at any regular or special membership meeting a quorum is not achieved, the executive board shall have the authority to act upon any items on the agenda of such meeting, with the exception of the setting of dues and work dues.

## **Article II: Duties of the Officers**

### **Section 1 Duties of the president**

It shall be the duty of the president to preside at all meetings and enforce a due observance of the constitution and to call special meetings when petitioned by fifteen (15) members, or on the recommendation of the executive board.

#### **Section 1.1**

The president shall appoint all committees unless otherwise ordered, and cast the deciding vote in the case of a tie, shall be an ex-officio member of all committees, and be exempt from dues while holding office.

#### **Section 1.2**

By virtue of his/her office, the president shall be a delegate to conventions of the American Federation of Musicians and the Canadian conference, when authorized to attend. In order to comply with international regulations, a vote must be held to confirm this status.

### **Section 2: Duties of the vice-president**

It shall be the duty of the vice-president, in the absence of the president, to perform the duties of his/her office. He/she shall be exempt from dues while holding office.

**Section 2.1**

By virtue of his/her office, he/she shall be an alternate and/or additional delegate to the conventions of the AFM and CFM, when authorized to attend. In order to comply with AFM regulations, a vote must be held to confirm this status.

**Section 3: Duties of the secretary/treasurer**

It shall be the duty of the secretary/treasurer to keep a faithful record of the meetings of the local,

**Section 3.1**

Answer all communications

**Section 3.2**

Keep a true account of the local and its members

**Section 3.3**

Present the year-end financial statements to the executive board within ninety (90) days of the fiscal year-end

**Section 3.4**

Prepare certificates of membership, collect initiation fees, fines and dues and report every meeting

**Section 3.5**

Issue notices of all special meetings

**Section 3.6**

Counter sign all vouchers

**Section 3.7**

Perform all duties pertaining to his/her office

**Section 3.8**

At the expiration of his/her term, the secretary/treasurer shall transfer all books, papers, documents, or other property belonging to the local to his/her successor in office

**Section 3.9**

He/she shall keep on record a list of all parties whom the local decides are unfair to this association and he/she shall post same at each meeting, along with the names of the members who are fined or suspended

**Section 3.10**

He/she shall record new resolutions or amendments to the bylaws or price list and shall notify all members of said amendments or resolutions. He/she shall notify delinquent members at their address appearing on the books of the association fifteen (15) days before suspension for non-payment of dues takes effect.

**Section 3.11**

He/she shall be paid monthly the sum as set by the local

**Section 3.12**

He/she shall be exempt from dues while holding office

**Section 3.13**

The secretary/treasurer's position may be filled on a contract basis by a consultant, at the discretion of the executive board

**Section 3.14**

The length of contract, if this is done, shall be no longer than three (3) years

**Section 3.15**

A consultant hired to fill the role of secretary/treasurer shall be bound by the same conditions contained in article VIII of the local constitution, "Obligations for officers and directors," in the same manner as an elected secretary/treasurer

**Section 3.16**

If this position is filled by a consultant, he/she shall be considered a full member of the board, as if elected

### **Section 3.17**

By virtue of his/her office, he/she shall be a delegate to the conventions of the AFM and the Canadian Conference when so authorized to attend. However, in order to comply with international regulations, a vote must be held to confirm this status.

## **Section 4: Duties of the executive board**

The executive board shall consist of the president, vice-president, secretary-treasurer, and three members, to be elected by ballot

### **Section 4.1**

A majority of members shall constitute a quorum

### **Section 4.2**

Meetings shall be called at the request of any one member of the board

## **Section 5: It shall be the duty of the executive board to supervise and control all of the affairs and interests of the local**

### **Section 5.1**

The executive board shall investigate all charges against a member or members for alleged violation of any matters, which, in their opinion, affects the interests of the local

### **Section 5.2**

The executive board shall render decision and enforce all penalties provided. However, in cases where the constitution or bylaws under which the investigation or charge is made specifies the penalty to be expulsion, or when, in the opinion of the executive board, the seriousness of the violation warrants expulsion, they shall, if their finding is "guilty", so report to the next general membership meeting of the local, with any recommendations they may, at their discretion, feel to be appropriate

### **Section 5.3**

The executive board shall have full power to act on any matter pertaining to the local

**Section 5.4**

The executive board shall decide whether any particular engagement is competitive or otherwise

**Section 5.5**

The executive board shall report in writing their actions to the general membership meeting of the local

**Section 5.6**

Members of the executive board shall be exempt from dues while holding office

**Section 5.7**

If, in the prosecution of a charge laid by a member of this local, the executive board is of the opinion that said member acted maliciously or from trivial or vexatious motives, they has have the power to prefer a charge against him/her which shall be dealt with in the usual manner

**Section 5.8**

No decision of the executive board can be modified or revoked except by appeal (see article 7) to the vice-president from Canada or failing that, an appeal to the Canadian Conference

**Section 6: Duties of the Sergeant at Arms**

It shall be the duty of the sergeant at arms to refuse admittance to meetings of any members who are not in good standing, or to non-members who are not provided with special permission to attend

**Section 6.1**

At the call of the presiding office, he/she shall expel any member whose conduct has rendered expulsion necessary

**Section 6.2**

He/she shall be exempt from dues while holding office

**Section 6.3**

He/she or the business agent, if one has been appointed, has the full authority for this local to visit any and all places where musicians are performing to discuss that engagement or any other pertinent matter with the musicians, and shall report to the secretary/treasurer

#### **Section 6.4**

All monies received by the sergeant at arms shall be handed over forthwith to the secretary/treasurer together with a statement of the facts, in connection therewith

### **Section 7**

Should any officer be absent for three consecutive general membership meetings, fail or refuse to serve after having been elected, without just cause, his/her position shall be declared vacant

### **Section 8**

Officers shall be elected by secret ballot at the December general membership meeting of the local

#### **Section 8.1**

All members shall be notified by mail of the election at least fifteen (15) days prior to the date of this general membership meeting

#### **Section 8.2**

The elected officers shall be duly installed immediately prior to the adjournment of this general membership meeting

#### **Section 8.3**

Officers shall be elected for two-year terms, beginning with the election of the president and two executive board members in December 1985, and the vice-president and one executive board member and sergeant at arms in December 1986

#### **Section 8.4**

The secretary/treasurer shall be elected for a three-year term, beginning in December, 1985

#### **Section 8.5**

All ballots shall be retained and sealed for a period of one year, and then shall be destroyed

## **Section 9**

Newly elected officers shall assume their respective offices effective January 1 of the ensuing year

## **Article III**

### **Section 1**

The local initiation fee will be thirty (30) dollars. The federation initiation fee is sixty-five (65) dollars. The sixty-five (65) dollar fee is due with the prospective member's completed application, the balance is due within 30 days. The federation has decreed that these initiation fees will be waived if two or more members of one group join at the same time

### **Section 2**

Every member, except those specifically exempted by the bylaws shall be assessed 154.00 per annum, effective January 1, 2014

#### **Section 2.1**

Dues are payable on or before January 1st of each year and may be paid in equal installments. Should a member join the local and pay for a full year any time during the year, that membership shall expire at the end of the quarter closest to the date the member joined

#### **Section 2.2**

Members more than one (1) month in arrears shall pay a fine of five (5) dollars per month. Failure to pay dues within three (3) months of the date due will result in suspension. Failure to pay dues within six (6) months of the dues date shall result in expulsion

#### **Section 2.3**

Student or youth membership: The local shall grant youth or student membership status to those musicians who qualify for same, according to Article 9, Sections 2,3, and 4 of the international bylaws

## **Section 2.4**

The Regina Musicians Association shall grant life membership status to those members who have reached the age of sixty-five (65) years and have been members in good standing of the local for thirty-five (35) years

### **Section 2.4.1**

Life members shall pay dues at a rate of eighty-five (85) dollars, per annum, beginning on January 1, 2013, and shall retain all rights and privileges of regular members

## **Section 3**

A member who has met the qualifications for life membership, but who is continuing only a limited amount of musical activity may request and be granted, at the discretion of the executive board, the status of "Inactive Life Member."

### **Section 3.1**

Life member shall have all the rights and privileges of regular membership, except the right to hold office or vote

### **Section 3.2**

Inactive life members shall pay annual dues of seventy (70) dollars, per annum

## **Section 4**

Associate membership shall be granted to persons wishing to stay in contact with the affairs of the local, but such members, while they may attend all functions and meeting of the local, shall have neither voice nor vote

### **Section 4.1**

Associate members may participate in any discount programs available to members from local businesses, but shall not have access to programs, such as low cost instrument insurance or other insurance

### **Section 4.2**

Dues for associate members shall be twenty (20) dollars, per annum, effective December 6, 1998

## **Section 5**

The printed card or certificate of membership shall be the only passport to professional business. Members shall carry current card on all engagements and show same on demand

## **Section 6**

Any member playing an engagement when not in possession of a current card, or any leader employing such a member, shall on conviction be fined a minimum of five (5) dollars per service (engagement) performed

## **Section 8**

All members of the local, as a condition of membership, shall be required to pay dues based on earnings, (hereafter, called work dues) for musical services performed in a minimum amount of 3% of scale wages earned

### **Section 8.1**

Scale fees for engagements generated through and contracted by the office of local 446 shall be one hundred (100) dollars, per member. Work dues payable on such engagements will be five (5) percent of scale. Scale fees for engagements generated on behalf of and contracted of behalf of traveling members shall be \$125 per person, per night, and work dues shall be four (4) percent of scale on such engagements

## **Section 9**

All dues shall be due and payable no later than the fifteenth day of the month following the month in which the engagement was performed

### **Section 9.1**

Any member violating the provision of this section shall be subject to a federation fine of not less than ten (10) dollars or more than four hundred and fifty (450) dollars and/or expulsion from the federation

## **Section 10**

Any member who fails to report an engagement prior to the performance or fails to remit work dues within the prescribed time will be subject to a local fine of five (5) dollars for each offense

### **Section 10.1**

Fines listed in section 10 are to be in addition to penalties imposed by the federation

## **Section 11**

Any member who is delinquent in his/her dues for three months shall be suspended

### **Section 11.1**

Members suspended for non-payment of dues may be reinstated on payment of all back dues, fines, assessment, and the required reinstatement fee, provided that in the interim no laws of the AFM have been violated

### **Section 11.2**

Should a member who has been expelled seek reinstatement for the sole purpose of obtaining an engagement available only to members in good standing, said member shall be fined an additional sum of no less than twenty-five (25) dollars, at the discretion of the secretary

Reinstatement fees are:

- a) within 30 days after suspension or expulsion, five (5) dollars
- b) after 30 days, but within 90 days of suspension or expulsion, ten (10) dollars
- c) after 90 days but within one year of suspension or expulsion, twenty-five (25) dollars
- d) after resigning in good standing, twenty (20) dollars

### **Section 11.3**

When a member who has been suspended or expelled for non-payment of dues desires to be reinstated after more than one year, he/she must make application as a new member

### **Section 11.4**

When a member who has been suspended or expelled for non-payment of dues engages in the music profession to the detriment of members of the AFM, he/she may be reinstated on payment of such fines as may be imposed by the executive board in addition to the aforementioned fines listed in this section

## **Section 12**

Any member who is delinquent in his/her dues for more than three (3) months is suspended. After six (6) months said member shall be expelled

## **Article IV: Tariff of Fees**

### **Section 1**

The minimum tariff of fees for engagements in the jurisdiction of the local shall be established by the membership from time to time at regular or special membership meetings

### **Section 2**

The secretary/treasurer shall maintain and make available to all members a current list of all established tariffs of fees

### **Section 3**

The executive board shall have the authority to establish a wage scale for any engagement for which a wage scale has not been previously established by the membership, subject to approval at the next regular membership meeting

### **Section 4**

No member shall perform or agree to perform and engagement for less than the applicable minimum wage scale for such an engagement

*A tariff of fees shall be attached to this document*

## **Article 5: Duties of Members**

### **Section 1**

It shall be the duty of every member to refuse to perform in any band, orchestra, or group on any engagement in which any musician is not a member of the AFM in good standing

### **Section 2**

No member of the local shall make, accept any engagement with, furnish music to, or play with any person or persons who are in default to any member of the AFM for professional services

### **Section 3**

Members may have their services refused on an engagement by a leader for the following reasons:

- a) Late arrival
- b) Unbecoming conduct
- c) Improper condition
- d) Improper dress

#### **Section 3.1**

Offenders shall be reported to the executive board. If, after an investigation, the charges are sustained, the offender may be disciplined by the executive board

### **Section 4**

No member shall accept an engagement for less than scale wages established by the local, unless permission has been received from the executive board, through the secretary/treasurer, prior to the engagement

### **Section 5**

A member may not be discharged from a seasonal engagement without two weeks' notice, prior to the engagement

### **Section 6**

Share plan engagements will be allowed in this jurisdiction unless said engagements meet the criteria set out in article 13, sections 17 and 18 of the federal bylaws

### **Section 7**

The business of this local shall be considered confidential and any member or members found guilty of discussing same in a public place, or within earshot of non-members shall be penalized at the discretion of the executive board

### **Section 8**

Any member who resigns, is erased or expelled, shall forfeit all rights and titles to funds and property of the local

### **Section 9**

Any member wishing to resign must do so in writing, but not until all dues and fines have been paid

**Section 9.1**

Any member who has resigned in good standing and wishes to again apply for membership, must apply as a new member. It is provided, however, that if a member in the interim, conspires in any manner whatsoever against the interests of this association, the application shall be dealt with according to the laws of the federation

**Section 10**

Members may play with non-members only by first obtaining permission from the executive board or the president or secretary/treasurer

**Section 11**

Any member who willfully commits any act which injures or is intended to injure a fellow member shall be deemed to have committed a breach of good faith and shall be subject to such penalty on conviction thereof as the executive board may decide

**Section 12**

It shall be deemed unprofessional conduct for any member of this local to attempt in any way to have a bona fide contract made by a member of this local set aside

**Section 12.1**

Except by permission of said member

**Section 12.2**

To state that he/she has made a contract when he/she has not

**Section 12.3**

Or make any statement with intent to hold such engagement for him/herself or others, and thus, close the door to legitimate competition

**Section 12.4**

Penalty for violation of this section shall be at the discretion of the executive board

**Section 13**

No expense to the local may be incurred by the officers, unless authorized by the local or executive board

#### **Section 14**

Any member accepting work in any local establishment shall have a contract for that engagement filed with the local or forfeit all protection of the local

#### **Section 15**

No member of an orchestra or band shall be summarily dismissed by any leader or manager of such orchestra or band except for neglect of duty, or unbecoming conduct in the discharge of his/her duty

#### **Section 16**

Nothing in this constitution and bylaws shall be construed as to relieve any member of all duties and responsibilities under the constitution and bylaws of the American Federation of Musicians of the United States and Canada or the laws of the Province of Saskatchewan

#### **Section 17**

No member of this local is allowed to apply to, or negotiate with any person other than the leader, for a position as sideman

#### **Section 18**

It shall be the duty of every member to report to the president any violation of the constitution and bylaws

#### **Section 19**

A member who resigns from, or allows his/her membership to lapse in the AFM or any of its locals for the purpose of evading any of the laws of the local, or the AFM, must, if he/she should again apply for membership in the AFM, submit such application to the executive board of the federation (IEB), which shall determine an initiation fee to be no less than twenty-five (25) dollars, to be paid into the treasury of the AFM

##### **Section 19.1**

In addition to such initiation fees as established by the executive board of the AFM, the applicant shall pay the initiation fee of the local wherein he/she applies for membership

##### **Section 19.2**

Accepting a musical engagement or engagements between the date of said resignation or lapse of membership and that of re-application shall be construed as an act which had for its purpose the evasion of the laws of the AFM, or some local thereof

## **Section 20**

No band or orchestra composed of members of the AFM or individual members thereof shall be permitted to render services for any local function in the jurisdiction with non-members in any local of the AFM without permission of the local executive board or duly authorized official or officials thereof

### **Section 20.1**

Any violation of this section shall be tried in the manner prescribed by the local laws in the jurisdiction wherein said violation occurred. The penalty shall be a fine of not less than fifty (50) dollars nor more than two hundred (200) dollars

## **Section 21**

A local engagement is any engagement which takes place within the jurisdiction of local 446, as set out by the AFM

## **Section 22**

A member of the federation cannot perform with or in conjunction with suspended or expelled members or with non-members in the jurisdiction of a local of the federation on competitive engagements unless it be with the consent of the federation, or in cases wherein the laws of the federation provide otherwise

### **Section 22.1**

Engagements are considered competitive if musicians receive pay for their services or if the employer in the absence of free services of musicians would be obliged to pay for such

## **Section 23**

All engagements played by members of the federation outside of the jurisdiction of any local are so played by and with the consent of the federation, and members filling same are bound by all laws of the federation or orders and decisions emanating from the federation in connection therewith

**Section 24**

In cases where special prices have been made by the executive board, the leader or manager engaging members shall notify them of the fact

**Section 25**

Any member accepting an engagement from another member and failing to fulfill that engagement shall be fined the price of the engagement

**Section 25.1**

It shall be deemed an equal offense for a member to take an engagement and send a substitute without the consent of the contracting member, except in case of an emergency

**ARTICLE VI TRAVELLING MEMBERS**

Traveling dance orchestras are governed by the bylaws of the AFM (articles 16,17,18 and 19). For full information, contact the secretary's office

**ARTICLE VII FINES, PENALTIES, ETC...**

**Section 1**

Any fine imposed on a member shall be paid within thirty (30) days. Failure to do so will result in suspension

**Section 2**

For violation of any provision of the constitution, bylaws, or price lists not otherwise provided for herein, members are liable to a fine not exceeding five hundred (500) dollars

**Section 3**

No member, against whom a fine has been assessed for non-payment of dues, shall receive his/her membership card until such fine has been paid to the secretary/treasurer

**Section 4**

Any member against whom a fine has been assessed for violation of the constitution and bylaws, and who has not be paid said fine is not eligible to work, except by permission of the executive board

**Section 5**

Any member playing with a suspended or expelled member is liable to the same penalty as if playing with a non-member

### **Section 6**

Any member who fails to notify the secretary/treasurer of a change of home address or e-mail address within one month may be subject to a fine by the executive board

### **Section 7**

A member engaged cannot be disengaged, unless the engagement does not take place or by mutual agreement

#### **Section 7.1**

Any member accepting an engagement from another member and failing to fill that engagement, shall be fined the amount of the engagement

### **Section 8**

Any member taking more than the number of players actually engaged and paid for shall be fined twenty-five (25) dollars for the first offense and for the second be liable for suspension or other penalty as decided by the executive board

### **Section 9**

Sitting in will be allowed under the following conditions:

- a) The number of players on the stand shall at no time exceed the number of players on the contract for the specific engagement
- b) Sitting in will be allowed only with the permission of the leader
- c) Sitting in will not be permitted during intermission

### **Section 10**

No member shall be allowed to play for less than the stipulated scale of this local. Members failing to comply with this section shall be fined by the executive board

### **Section 11**

If a member of a local is found guilty of violating a local or federation law, he/she has the right to appeal the verdict to the VP from Canada, and from that, to the Canadian Conference, unless it is otherwise provided

#### **Section 11.1**

In all cases where there is an appeal of a verdict rendered on account of the violation of the local law, notice of appeal must be given and deposited within thirty (30) days, and the appeal forwarded to the VP from Canada in accordance with the rules of practice and procedure

### **Section 12**

Any member or members against whom an investigation or a charge is pending shall be subject to the orders of the executive board until the case is finally decided

### **Section 13**

Any member against whom a charge for violating any of the laws of this local or of the AFM is laid is entitled to a fair trial by the executive board and shall be given reasonable notice to appear for the purpose of defense

#### **Section 13.1**

In case of failure to appear, except for good and sufficient reason, at the discretion of the executive board, the trial shall proceed as if he/she were present

### **Section 14**

The executive board shall have the authority to appoint a trial board to hear charges filed against any member(s). The trial board shall be bound by the rules set out above and the rules of natural justice

## **ARTICLE VIII Leaders and Contracts**

### **Section 1**

Before importing musicians, leaders must apply to the executive board to confirm that competent musicians cannot be obtained from this local. Competent local musicians must be given preference

#### **Section 1.1**

Any violation of this section shall be subject to a fine of not less than fifty (50) dollars

### **Section 2**

Bidding on engagements below the local scale shall be deemed a violation

### **Section 3**

No member engaged as a leader or teacher of an amateur orchestra or band is allowed to appear in public with said orchestra or band, either as a performer, soloist or conductor, without permission of this local

**Section 4**

Leaders or contractors must pay the member employed within ten days after collection. If unable to collect, they must report to the executive board. If they fail to do so, they will be held personally responsible for the amount of the engagement

**Section 4.1**

It is also provided that when, in the opinion of the executive board, a contractor or leader fails to secure advance payment of equally sufficient guarantee where payment is doubtful or insecure, said contractor or leader will be held responsible to pay the other members engaged

**Section 5**

Leaders or contracting members who demand or request of members that they should not play with or for other leaders or contracting members, shall be fined no less than twenty-five (25) dollars or be suspended or expelled from this local unless covered by a Form B contract

**Section 6**

Any contract, written or verbal, is valid if it can be substantiated before the executive board

**Section 6.1**

A copy of all written contracts must be filed with the local secretary treasurer prior to the engagement

**Section 6.2**

The provisions of this section are not to be construed as depriving members of their full rights and duties as provided in section 5 of this article

**Section 6.3**

Any member failing to comply with the provisions of this section forfeits the protection of this local

**ARTICLE IX                    DEATH BENEFIT FUND**

**Section 1**

One dollar (\$1.00) per year, per member, as shown in the year-end per

capita report to the AFM shall be placed in a separate bank account designated as "Regina Musicians' Association Death Benefit Fund."

### **Section 2**

A death benefit payment of one hundred (100) dollars to be paid, in the case of a married member, to his/her spouse, and in the case of a single member to his/her parents, and where there is no survivor, said benefit to be paid to the deceased member's estate

### **Section 3**

Death benefit is to be paid upon the death of a member in good standing at the time of death and who was a member in good standing of the local for a period of not less than one (1) year

### **Section 4**

New members who are sixty (60) years of age at the time of application for membership will not be eligible for the death benefit

## **ARTICLE X      ORDER OF BUSINESS**

1. Examination of members present - **Delete**
2. Roll call of the officers - **Delete**
3. Reading of the minutes
4. Proposition of new candidates - **Delete**
5. Initiation of new members
6. Reports of committees
7. Bills and communications
8. Election of officers
9. Recess for payment of dues, fines, etc... - **Delete**
10. Unfinished business
11. New business, questions and notice of motions
12. Names of delinquent members - **Delete**
13. Good of the local
14. Adjournment

## **RULES OF ORDER**

### **Section 1**

The sergeant at arms shall examine the members present and report any member not in good standing or any guest present to the president

**Section 2**

No question shall be entertained unless moved and seconded by two members, nor open for consideration until recognized by the chair

**Section 3**

When a question is before the meeting, no motion shall be received except to adjourn, to lay upon the table, commit the previous question, to postpone indefinitely to amend, which several motions shall have precedence in the order in which they are named; the first four to be decided without debate

**Section 4**

When a question has been postponed indefinitely, it shall not be acted upon again unless by a two-thirds (2/3) vote

**Section 5**

Any two members may call for a division on a question before a decision is rendered

**Section 6**

The yeas and nays may be called for by five members, when all qualified members present shall vote, unless excused by a three-fourths (3/4) vote

**Section 7**

After a question (except one indefinitely postponed) has been decided, two members who voted with the majority may at the same meeting move for reconsideration; but no discussion of the main question shall be allowed unless reconsidered. A motion to consider the question shall not be entertained

**Section 8**

a) All questions not otherwise shall be provided for be determined by majority vote

b) Any member shall have the privilege of a secret ballot where he/she is personally concerned if he/she demands same; and any member may ask for a secret ballot on any question, and five members voting for same shall sustain the request

**Section 9**

When a member intends to speak on a question, he/she shall rise, address

the chair, confine his/her comments to the question and avoid personalities. Should more than one person rise at the same time, the president shall decide who is entitled to the floor

### **Section 10**

No member shall speak more than twice on the same question, or more than once until all others have had the opportunity to speak, or for more than five minutes, unless by special permission of the president

### **Section 11**

The president, while presiding, shall state every question before the meeting, and immediately before putting it to a vote shall ask, "Is the meeting ready for the question?"

Should no member rise to speak, the president shall rise to state the question and after he has risen, no member shall speak upon it unless by consent of the president. The president shall pronounce the votes and decisions of the meetings on all subjects. When the president's decision has been appealed from, the question shall be stated thus: "Will the meeting sustain the chair in its decision which appeal shall be sustained without debate?"

### **Section 12**

A member may be called to order while speaking. At this point, the debate must be suspended and the member take his seat until the question of order is decided

### **Section 13**

The president may speak to points of order in preference to others, and shall decide questions of order. Any member may appeal to the meeting, which appeal must be decided without debate and objectionable words, and if required, be taken down in writing

### **Section 14**

After a motion or resolution has been stated by the chair or read by the secretary-treasurer, it may be withdrawn before a decision of amendment by the consent of the meeting. An amendment of the motion under consideration must be accepted by the meeting or by the mover of said motion before it is embodied in the original motion

### **Section 15**

Every motion shall be presented in writing by the proponent, should the chair or secretary-treasurer so desire

**Section 16**

An amendment to an amendment is in order, but none further

**Section 17**

No question shall be put, nor a vote taken, while a member is speaking

**Section 18**

All special committees are to be appointed by the chair, unless otherwise ordered or provided for

**Section 19**

No other business can be transacted at a special meeting, except that set forth in the call

**Section 20**

All reports of special or standing committees must be made in writing to the meeting, unless otherwise ordered and provided for

**Section 21**

No member shall leave the room without the president's consent

**Section 22**

Rules of order not herein provided for shall be governed by parliamentary usage, or Robert's Rules of Order

**Section 23**

Members should give three days' clear notice to the executive board of any question they desire to be brought to the attention of the meeting, except in cases of emergency which originate subsequent to said period

**Section 24**

Any member not clearly understanding any of the foregoing constitution and bylaws, and wishing an explanation of same, may do so by applying to the secretary-treasurer, who shall lay the matter before the executive board at their next meeting, whose decision shall be accepted

**NOTE:** Any member losing this book can procure a new one from the secretary-treasurer on payment or replacement of cost

All previous constitutions and amendments hereto, and bylaws of the Regina Musicians Association, Local 446 of the American Federation of Musicians, are hereby substituted and are now in force

***Bylaws last amended December 14, 2003***

***Don Young/President***

***Brian Dojack/Secretary-Treasurer***

## **ADDENDUM A**

Minimum scale of fees:

### **Dance and entertainment engagements in town (Regina City Limits)**

\$25 per hour/sideman

\$37.50 per hour/leader

#### **Minimum 4-hour call**

Out of Town, add 50%

New Year's Eve: double scale

### **Band concerts in town (Regina City Limits)**

\$40 per hour/sideman

\$60 per hour/leader

Minimum 2-hour call

Out of town, add 50%

### **Single performer**

Concert performance: \$60 per hour (minimum 4-hour call)

Club or lounge performance: \$22:50 per hour (minimum 4-hour call)

### **Dinner theatre**

Rehearsal rate \$10 per hour (4-hour minimum, 7-hour maximum including 1 hour lunch or dinner break)

Shows: \$55 sideman, \$70 leader (3-hour maximum, unless otherwise negotiated)

#### **Premiums for out of town and New Year's Eve shall also apply**

**Engagements as specified under Article 3, Section 5 of the bylaws are exceptions to the above**

**Musicians shall not perform other tasks unless previously negotiated**

### **Orchestral engagement other than RSO (Traveling shows and productions)**

\$90 sideman

\$135 leader

Minimum 2.5-hour call

Doubling rates shall apply, as per CBC/AFM agreement

Work dues generated through the local shall be 3% and scale wages shall be \$100 per sideman and \$150 per leader

Schedule of fees amended October 10, 2014

## **Policies and procedures of local 446**

1) Should an expelled member rejoin the local for the sole purpose of doing a CBC or other electronic engagement covered by the CBC/AFB agreement, said member shall be assessed a minimum fine of \$25

## **Addendum B**

### **Article 2**

### **Mission**

#### **Section 1**

We are the members of the American Federation of Musicians of the United States and Canada, professional musicians united through our locals so that:

- We can live and work in dignity
- Our work will be fulfilling and compensated fairly
- We will have a meaningful voice in decisions that affect us
- We have the ability to develop our talents and skills
- Our collective voice and power will be realized in a democratic and progressive union
- We can opposed the forces of exploitation through our union solidarity

#### **With that unity and resolve, we must engage in direct action that demonstrates our power and determination to:**

- Organize unorganized musicians, extending to them the gains of unionism, while securing control over our industry sectors and labour markets
- Bargain contracts and otherwise exercise collective power to improve wages and working conditions, expand the role of musicians in workplace decision-making, and build a stronger union
- Build political power to ensure that musicians' voices are heard at every level of government to create economic opportunity and foster social justice
- Provide meaningful paths for member involvement and participation in strong, democratic unions
- Develop highly-trained and motivated leaders at every level of the union who reflect the membership in all its diversity
- Build coalitions and act in solidarity with other organizations that share our concern for social and economic justice