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Constitution and By-laws of the Livermore Falls Musicians' Protective Union

American Federation of Musicians, Local 326 (Livermore Falls)

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Constitution and By-Laws
OF THE
Livermore Falls
Musicians' Protective
Union

LOCAL NO. 326, A. F. of M.

Livermore Falls, Maine

Adopted November 19, 1910



and from 1880 to 1881

the same year

the same year

the same year

the same year

the same year

the same year

the same year

the same year

Constitution and By-Laws

ARTICLE I.

NAME.

This association shall be known as The Musicians' Protective Union, Local No. 326, A. F. of M.

ARTICLE II.

The object of this Union is to unite the instrumental portions of the musical profession for the better protection of its interests in general, and the establishment of a minimum scale of prices to be charged by members for their professional services, and the enforcement of good faith and fair dealing between its members.

ARTICLE III.

JURISDICTION.

SECTION I.—The jurisdiction of this Local shall not extend more than ten miles, unless otherwise granted by the National Board of the American Federation of Musicians.

ARTICLE IV.

OFFICERS.

The officers of this Union shall be President, Vice President, Secretary and Treasurer, Execu-

tive Committee, (composed of five members), Examination Committee, (composed of four members), and a Sergeant-at-Arms. The officers with the exception of the Sergeant-at-Arms will constitute the Board of Trustees.

ARTICLE V.

MEMBERSHIP.

SECTION 1.—Any person of good character who is accepted by the Examination Committee shall be eligible for membership in this Union.

SECTION 2.—Any musician wishing to join this Union, must be proposed in writing by a member in good standing.

SECTION 3.—The initiation fee to this Union shall be five dollars. This fee must accompany application.

SECTION 4.—Candidates for membership must be examined by the Examining Committee, as hereinafter provided, and if reported favorably, shall be elected by ballot. A majority of votes cast shall be necessary for an election. The Secretary shall notify the candidate of such an election.

SECTION 5.—The Secretary shall notify such candidates of time and place of examination, and upon failure of such candidates to appear upon second notification, the application fee shall be returned.

SECTION 6.—A member in good standing, from a Local represented in the A. F. of M., wishing

to become a member of this Local, (No. 326) can do so, upon presenting a due card as evidence of his good standing.

SECTION 7.—Membership shall date from the day of obligation. The initiation shall constitute the dues for the quarter during which the applicant becomes a member. Candidates having passed the examination shall have the privileges of the Union temporarily, until elected or rejected.

SECTION 8.—The due card of the different quarters with the correct receipt of dues stamped or written thereon and signed by the Secretary, shall be the only passport to professional business.

SECTION 9.—If there is any sustained charge against any member for violation of the Constitution or Price List, such member shall forfeit right of membership.

SECTION 10.—Resignations shall date from time of its presentation, providing the member so resigning, is in good standing and without charges pending wherein such member may be called either as a witness, or defendant.

ARTICLE VI.

MEETINGS.

SECTION 1.—The regular meetings of this Union shall be held on the first Saturday night of each month, unless voted otherwise.

SECTION 2.—Seven members shall constitute a quorum for the transaction of business.

SECTION 3.—Special meetings may be called upon the request of two or more members in good standing.

ARTICLE VII.

ELECTION OF OFFICERS.

SECTION 1.—Nominations for officers shall be made at the meeting in December, and election of the officers shall take place at the meeting in January following.

SECTION 2.—Elections may be made by acclamation or printed or written ballots at the option of the Local.

SECTION 3.—All officers shall be elected for a term of one year.

SECTION 4.—A majority of votes cast shall be necessary for an election.

SECTION 5.—The installation of officers shall take place at the meeting in February.

ARTICLE VIII.

DUTIES OF OFFICERS AND COMMITTEES.

PRESIDENT.

SECTION 1.—It shall be the duty of the President, to preside at all meetings of the Union, and to enforce due observance of the Constitution and By-Laws; to call special meetings; to cast the deciding vote in case of a tie, and to appoint an Auditing Committee of three. He shall install the newly elected officers.

VICE-PRESIDENT.

SECTION 2.—It shall be the duty of the Vice President to preside at all meetings in the absence of the President, or when called upon to do so by that officer.

SECRETARY AND TREASURER.

SECTION 3.—It shall be the duty of the Secretary and Treasurer to keep an accurate record of all meetings of the Union, and of the Executive Committee, and shall read in open meeting all communications and bills. When written complaints or charges against members are presented to him, he shall read them in open meeting, and they shall be referred to the Executive Committee. He shall also receive all moneys and shall keep a strict account of money due the Union. He shall keep a correct account of the dues and assessments of members, and notify all members when in arrears, and read the list of members expelled, suspended or resigned. He shall submit a semi-annual report of the funds of the Union and the standing of the members. He shall also pay all bills upon warrants signed by the President from the funds of the Union. He shall have charge of all moneys, bonds, securities and investments. He shall submit a semi-annual statement of the business of the Union for the preceding six months.

EXECUTIVE COMMITTEE.

SECTION 4.—The Executive Committee shall perform such duties as may be demanded by the Union, and shall act as a court for the trial of members charged with any violation of the Constitution, By-Laws or Price List. They shall hear all complaints, and in all decisions of the guilt of members, they shall have the power either to reprimand, or to impose fines, according to the nature of the offence specified in the charge. They shall keep a vigilant watch upon the execution of the Constitution and By-Laws and upon the maintaining of the Price List. On any matter which may be referred to this Committee, and upon which there may be a reasonable doubt on the part of the Chairman as to its being provided for in the Constitution and By-Laws or Price List, the Chairman will call a meeting of this committee and its decision shall stand pending action at the next regular meeting of the Union. A charge must be made within two (2) months after the offence is committed, and the trial shall be called at least one week after the charge is preferred. Any member making a charge, or against whom a charge has been made, shall not sit as a member of this committee during the trial of such charge. Four members of this committee shall constitute a quorum.

EXAMINATION COMMITTEE.

SECTION 5.—The Examination Committee shall

examine all candidates, and shall report favorably only upon those whose qualifications entitle them to membership in this Union. They shall report their deliberations and decisions at each regular meeting. They shall decide as to the professional qualifications of any member when the question is raised as to the competency of such member, in the event of an effort being made to import musicians on the grounds of alleged incompetency of any member or members.

SERGEANT-AT-ARMS.

SECTION 6.—The Sergeant-at-Arms shall serve subpoenas, take charge of the door, and demand that each and every member show their membership card properly stamped, upon entering the meeting. He shall allow no one to enter or leave the room without the consent of the President or the presiding officer of the meeting, and see that members preserve the proper decorum. Members without card can be admitted by securing the assurance of the Secretary that they are in good standing.

SECTION 7.—When a member of a committee or an officer is absent from a meeting, his place shall be filled pro tem by a member appointed by the President. Such appointment shall hold good only until the next meeting, and then be subject to the action of the Union.

SECTION 8.—Officers of this Union failing to perform their duties as provided for, and re-

quired by the Constitution and By-Laws, or acting in any manner detrimental to the Union, may be impeached by a member or members preferring charges against them in open meeting, and if found guilty, their office will be declared vacant. The trial of such an officer shall be held at the next regular meeting.

ARTICLE IX.

DUES AND ASSESSMENTS.

SECTION 1.—Each member shall pay to the Secretary, quarterly, the amount of 45 cents, payable in advance. Members failing to pay their dues within one month shall pay a fine of 10 cents; and if not paid within two months, shall pay a fine of 50 cents.

SECTION 2.—All fines imposed for violation of the Constitution, By-Laws, or Price List must be paid within 30 days. Members neglecting or refusing to do so, shall forfeit their rights to membership.

SECTION 3.—A majority vote by ballot or acclamation shall be necessary for reinstatement. A motion for reinstatement must be made by a member in good standing. Reinstatement fee shall be \$3.00.

SECTION 4.—Should current expenses, through any unforeseen cause, exceed the annual income of the Union, the deficiency shall be made up by a pro rata assessment.

ARTICLE X.

DUTIES OF MEMBERS.

SECTION 1.—No member or organization shall be allowed to perform for money, within our jurisdiction, with any person not a member of this Union except Organists, Director of Musicals, Societies, Soloists and Musical Director or Traveling Theater Orchestras, except upon written permission of the Executive Board, for a period longer than two weeks.

SECTION 2.—Any member accepting an engagement from any other member and failing to fulfil such an engagement shall be fined the amount of the engagement.

SECTION 3.—Members who play for lower prices than those specified in the Price List, shall be fined \$3.00 for each offence.

SECTION 4.—Members who engage non-union musicians, except when competent members of this Union cannot be engaged, shall be fined not less than \$3.00 and not more than \$10.

SECTION 5.—Members taking engagements and offering or paying those who did the service a less price than that specified in the Price List, shall be fined \$10 for each offence.

SECTION 6.—Any individual member or members representing any organization, who, to secure an engagement, tries to dishonor or maliciously acts or speaks against other members or organizations who are members of this Union

as competitors for the same engagement, shall be fined \$10.

SECTION 7.—Any member accepting an engagement from another member, after being fully instructed as to time and place of such engagement, who is late and not ready to play at the time specified, shall be fined \$1.00 unless he can give an excuse satisfactory and acceptable to the member in charge of such engagement.

SECTION 8.—Members engaged for a season or for more than one week, who do not receive their salaries within two weeks after due, according to contract, shall inform the Secretary, who shall inform all the members of this Union, calling their attention to the following section.

SECTION 9.—No member of this Union is allowed to accept an engagement where other members have refused to perform under conditions named in the preceding section. Members failing to observe this section will be fined \$3.00.

SECTION 10.—Members who have accepted engagements and are not able to fulfil the same, must notify the member who engaged them at least forty-eight hours previous to said engagement and if requested must furnish a satisfactory substitute.

SECTION 11.—If a member engages another and is forced, through circumstances, to disengage such member, he shall give said member the true cause for the disengagement, and in case he

gives a false excuse for the same, he shall be fined \$5.

SECTION 12.—Any member appearing or becoming intoxicated on an engagement or by ungentlemanly conduct injures the prospect of those employing such a member, shall be fined \$10.

SECTION 13.—Notice of a change of residence must be given the Secretaries immediately. A notice sent to a member's address, appearing on the books of the Union, shall be considered a legal notice.

SECTION 14.—Any member taking more or less men than the Contract or Price Lists call for, shall be fined \$5.

SECTION 15.—Members shall not volunteer their services where it will deprive other members of this Union of an engagement where money might be earned, except by the permission of the other members who might perform.

SECTION 16.—Any member failing to appear before the Executive Board when called, or when called as a witness, refuses to answer questions relating to the case under consideration, or acts disrespectful in any way shall be fined or expelled from the Union as the Executive Committee may decide.

SECTION 17.—An appeal from a fine or penalty must be submitted in writing to the Secretary within 10 days after notice is served. Any penalty imposed must accompany the appeal.

SECTION 18.—A member of this Union visiting the jurisdiction of any other Local, in a professional way, must abide by and conform to the Price List, rules and regulations of the Local, in the jurisdiction which he may enter for professional purposes, provided their prices are not lower than our own. If prices in other jurisdiction are lower than our own, ours must be adhered to.

FROM THE NATIONAL CONSTITUTION
PERTAINING TO UNIVERSAL
MEMBERSHIP.

Sections 19 to 45 Inclusive.

ARTICLE XI.

CHARGES.

SECTION 1.—It is the duty of every member of this Union to report directly in writing to the Secretary any case of violation of the Constitution, By-Laws, or Price Lists coming to his knowledge. Any member failing to report the same to the Secretary shall be considered guilty of conspiracy against the interests of the Union and shall be punished by a fine of \$3.00.

ARTICLE XII.

DISSOLUTION.

This Union shall not be dissolved without the written consent of nine-tenths of the members in good standing, and if dissolved, it shall be distinctly stated upon the intended appropriation or division of the funds or assets of this Union.

ARTICLE XIII.

Members composing Orchestra Organizations whose performers are members of some Club, Church, Society or School Clubs or Classes, may upon vote of such performers accept an engagement regardless of the Price List, providing there is no competition with other members of this Union. The permission of the Executive Board must be had to conform with this Article. Any member violating this Article will be fined \$2.00.

ARTICLE XIV.

The Price List attached hereto is the official Price List of this Union.

ARTICLE XV.

AMENDMENTS.

SECTION 1.—No part of the Constitution, By-Laws or Price List of this Union shall be altered or amended except by a two-thirds vote of all the members present at a regular meeting of the Union, and such alteration or amendment must have been presented to the Secretary in writing

and read at the regular meeting next preceding the one at which the action is taken thereon.

SECTION 2.—Beside the notice in the regular meeting, the Secretary shall give a written or printed notice to each member in good standing not less than five days previous to the meeting at which the alterations or amendments are to be voted on.

SECTION 3.—Members of this Union out of the jurisdiction of this Union will be allowed to vote by mail on the Amendments to the Constitution.

