

BYLAWS
(Revised 2/21/2009)

**NORTH AMERICAN TRAVELING MUSICIANS UNION
AMERICAN FEDERATION OF MUSICIANS
LOCAL 1000**

I. NAME OF ORGANIZATION

This organization shall be known as North American Traveling Musicians Union, Local No. 1000 (hereinafter referred to as "Union".)

II. OBJECT

Section 1. The object of the Union shall be to unite all professional musicians who are eligible for membership without discrimination, regardless of race, creed, sex, national origin, or sexual preference for the purposes of:

- 1) Elevating and bettering the economic status, social position, and general welfare of its members;
- 2) Negotiating collective bargaining agreements with employers on behalf of its members;
- 3) Providing assistance in contract administration and enforcement for the protection of its members;
- 4) Promoting good faith and fair dealing between its members;
- 5) Providing its members a direct voice in matters of importance to them through the democratic process;
- 6) Strengthening the viability of the American Federation of Musicians and its local unions and of the labor movement as a whole.

III. MEMBERSHIP

Section 1. To be eligible for membership in the Union, a musician must as a primary part of his or her musical work, travel beyond the borders of the AFM geographic local having jurisdiction over the area in which he or she resides, performing one- or two-night engagements as a solo musical unit or as part of a self-contained musical unit in venues of small to moderate size.

Section 2. Applicants for membership must complete the official application form prescribed or approved by the AFM and deposit the required fees and dues for membership. The Executive Board of the Union shall be empowered to establish a payment plan for payment of initiation fees and the initial quarter's dues for applicants desiring such. Each applicant shall be issued a copy of the Bylaws of the AFM and of this union, a schedule of minimum scales, a roster of membership and a temporary membership card valid for the period of time for which dues have been paid.

Section 3. Applicants for membership who are former members of this or, any other local of the AFM or who are currently members of any other AFM local are subject to appropriate provisions of the Bylaws of the AFM relating to affiliation as former, transfer, traveling or local members.

Section 4. An applicant shall become a member of this Union upon approval of his or her application by the Secretary-Treasurer, subject to approval by the Executive Board at their next regular meeting.

Section 5. As a condition of membership, each applicant shall be required to give the oath of obligation and participate in an orientation program approved by the AFM.

Section 6. The membership of this Union shall be classified and defined as follows:

(a). Active Members - Those full members in good standing who perform musical engagements of the nature represented by this Union. Active Members shall have full benefits and right of participation in this Union.

(b). Youth Members – Those members who have applied for membership at the age of 20 years or younger. Youth Members will have all of the rights and obligations that regular Members have, and they will be subject to all Federation and Local rules, regulations and Bylaws. A Youth Member shall pay periodic dues at the same rate as Regular Members as set by the Local, and Work Dues where applicable, but shall not pay LIF or FIF. Youth Members may remain in this classification until their 21st birthday.

IV. OFFICERS

Section 1. The officers of this Union shall consist of a President, a Secretary-Treasurer, Vice-President from Canada and an Executive Committee of six officers, three of whom shall be residents of and represent the following regions: Western U.S., Midwestern U.S., and Eastern U.S. Three Executive Committee Members shall serve at-large. Collectively, these officers shall constitute the Executive Board.

Notwithstanding the above, beginning January 1, 2010 the officers of this Union shall consist of a President, a Secretary-Treasurer, Vice-President from Canada, and an Executive Committee of five officers, three of whom shall be residents of and represent the following regions: Western U.S., Midwestern U.S. and Eastern U. S. Two Executive

Committee Members shall serve at-large. Collectively, these officers shall constitute the Executive Board.

Notwithstanding the above, beginning January 1, 2011 the officers of this Union shall consist of a President, a Vice-President, a Secretary-Treasurer, Vice-President from Canada, and an Executive Committee of three officers, who shall be residents of, and represent the following regions: Western U.S., Midwestern U.S. and Eastern U. S. No Executive Committee Members shall serve at-large. Collectively, these officers shall constitute the Executive Board.

For the purposes of these Bylaws, the regions shall be defined as follows: 1) Canada, 2) Eastern US: Maine, New Hampshire, Vermont, Massachusetts, Rhode island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland. District of Columbia, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Puerto Rico; 3) Western US: Washington, Oregon, California, Arizona, New Mexico, Hawaii, Alaska, Idaho, Nevada, Utah, Colorado, Wyoming, Montana; 4) Midwestern US: North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Illinois, Michigan, Ohio, Indiana, Kentucky, Tennessee, Mississippi, Alabama.

Section 2. Any active member in good standing of the Union shall be eligible to be an Officer of the Union.

PRESIDENT

Section 3(a). It shall be the duty of the President to preside at all meetings of the membership and Executive Board meetings and to enforce due observance of the Bylaws. The President shall convene all regular and special meetings of the membership and the Executive Board and decide all disputed points of order unless a two-thirds majority of the votes cast dissent therefrom.

Section 3(b). The President shall appoint all standing and ad-hoc committees and shall be an ex-officio member of all committees .

Section 3(c). By virtue of his or her election to office by secret ballot vote of the membership, the President shall represent the union as the first delegate to the Convention of the AFM.

Section 3(d). Additional duties and compensation therefor shall be determined by the membership upon a recommendation by the Executive Board.

Section 3(e). In Executive Board deliberations, the President shall vote only in the event of a tie.

VICE PRESIDENT

Section 4(a). It shall be the duty of the Vice President to perform the duties of the President in the event of the President's absence or temporary inability to perform same.

Section 4(b). In the event of absence, death, disability, resignation or removal from office of the President, the Vice President shall perform the duties of the President until a new President is elected as provided elsewhere in these Bylaws.

CANADIAN VICE-PRESIDENT

Section 5 (a). The Canadian Vice-President shall monitor musical activities in Canada and report to the Secretary-Treasurer those that are relevant to the interest of the Union consistent with the Union's objectives as stated in Article II of the Bylaws. Additionally, the Canadian Vice-President shall undertake to recruit non-member musicians identified as a result of such monitoring. Any incurred expenses in the performance of the above duties shall, upon approval by the Executive Board, be reimbursed.

Section 5 (b.) The Canadian Vice-President shall act as the de facto Chair of the Canadian Committee which shall meet at times as deemed necessary by the Canadian Vice-President. The Canadian Committee shall be charged with insuring that matters of importance to Canadians are addressed by the union.

SECRETARY-TREASURER

Section 6(a). It shall be the duty of the Secretary-Treasurer to attend and keep a faithful record of the proceedings of meetings of the membership and of the Executive Board, issue notices for all such meetings, act as correspondent for the Union and the Executive Board, and maintain a true and accurate account of the membership of the Union.

Section 6(b). It shall be the duty of the Secretary-Treasurer to notify applicants for membership of their acceptance or rejection within fourteen days of receipt of the official application. He or she shall have published in the official journal of the union the names of new and reinstated members.

Section 6(c). The Secretary-Treasurer shall have published annually a directory of the Union containing the names, addresses, telephone numbers, and musical group affiliations of every full member in good standing of the Union and shall have a copy of the directory mailed to each such member.

Section 6(d). The Secretary-Treasurer shall record in the minutes and have published in the official journal all amendments to the Bylaws and schedule of minimum scales. Further, when such amendments warrant same, he or she shall have published and distributed to the membership a complete new version of same reflecting all amendments thereto.

Section 6(e). The Secretary-Treasurer shall prepare and sign all and shall be authorized to sign all bills and agreements or orders for payment of money.

Section 6(f). The Secretary-Treasurer or his or her designee shall keep an accurate account of all receipts and expenditures of the Union and shall, in a manner and at intervals determined by the Executive Board, present a detailed statement of all receipts and expenditures to the Board. He or she shall deposit all funds of the Union in their appropriate accounts and shall invest any surplus or idle funds in a manner approved by the Executive Board.

Section 6(g). At the expiration of his or her term of office, the Secretary-Treasurer shall deliver to his or her successor all moneys, books and records belonging to the Union.

Section 6(h). By virtue of his or her election to office by a secret ballot vote of the membership, the Secretary-Treasurer shall represent the Union as the second delegate to the American Federation of Musicians Convention.

Section 6(i). The Secretary-Treasurer shall serve as editor of *New Deal*, the official journal of the Union, and shall mail copies of each new issue of *New Deal* to the last known addresses of all full, provisional and transfer members of the Union.

Section 6(j). The Secretary-Treasurer shall, upon approval by the Executive Board, employ clerical or other types of assistance as deemed necessary to aid him or her in efficiently carrying out the functions and duties of his or her office.

Section 6(k). All employees working more than 20 hours a month shall receive pension contributions to the American Federation of Musicians and Employers' Pension Fund equal to 8% of gross wages in accordance with the rules of the AFM-EPF beginning October 1, 1999.

Section 6(l). The Secretary-Treasurer's working hours and compensation shall be determined by the membership upon a recommendation by the Executive Board.

Section 6(m). The Secretary-Treasurer shall perform such other duties as may be determined by the Executive Board from time to time.

EXECUTIVE BOARD

Section 7(a). The Executive Board shall meet quarterly in coordination with quarterly general meetings, which dates and times shall become effective upon publication in the official journal of the Union. Four members of the Board shall constitute a quorum. All meetings of the Board shall be open to members in good standing of the Union, provided, however, that executive sessions may be held at any time by a vote of the Board. The conduct of all Board meetings shall be as set forth in Robert's Rules of Order.

Section 7(b). The Executive Board shall exercise general supervision of the interests, affairs, publications and assets of the Union, pass upon all applications for membership, approve all expenditures of the union and direct the Secretary-Treasurer as to in what bank(s) or other financial institution(s) moneys of the local are to be deposited, including investment of surplus or idle funds.

Section 7(c). Each member of the Executive Committee shall monitor musical activities in his or her respective region and report to the Secretary-Treasurer those that are relevant to the interest of the Union consistent with the Union's objectives as stated in Article II of the Bylaws. Additionally, each Executive committee member shall undertake to recruit non-member musicians identified as a result of such monitoring. Committee members incurring expenses in the performance of the above duties shall, upon approval by the Executive Board, be reimbursed.

Section 7(d). The Board shall serve as a Board of Arbitration, Trial Board and Membership Review Board as provided elsewhere in these Bylaws.

Section 7(e). In accordance with Article 5, Section 30 of the AFM Bylaws, which states that "each Local shall pay a wage or honorarium to its chief executive officer and chief administrative officer," the President, as the chief executive officer, will be paid an honorarium of \$1.00 (one dollar) per year and the Secretary-Treasurer, as the chief administrative officer, shall be paid in accordance with Section 6(l) of this Article. The Travel expenses to and from Board meetings for each Executive Board Member shall be reimbursed or provided by the union.

Section 7(f). When the interests of the Union demand immediate action and the Executive Board cannot be quickly consulted with or assembled, any two of the President, Vice President, Vice-President from Canada and Secretary-Treasurer shall be authorized to exercise the authority of the Executive Board in the case at hand, and shall report such action to the next regular meeting of the Board.

Section 7(g). In the event that an Officer or Executive Board Member resigns, dies or otherwise is unable to continue her or his term in office, the President will fill the vacancy by appointment, subject to the majority approval of the Executive Board. In the event that the President resigns, dies or otherwise is unable to continue her or his term in office, the Executive Board will fill the vacancy by appointment until the term expires.

V. FEES, DUTIES, AND ASSESSMENTS

Section 1. In conformity with the Labor-Management Reporting and Disclosure Act of 1959, as amended, the membership from time to time shall establish initiation fees, reinstatement fees, membership dues, assessments and dues based on earnings, payment of which shall be required to become and remain a member in good standing.

Section 2. Applicants shall pay a local initiation fee of \$35.00 (U.S. funds) and a Federation initiation fee as prescribed by the American Federation of Musicians. Not

withstanding the above, when all non-AFM members of a self-contained band or musical unit (consisting of two or more musicians) make application to the Union, both local initiation fees and Federation initiation fees shall be waived.

Section 3. Effective April 1, 2009 all members shall pay membership dues of \$150. Dues may be paid quarterly at the rate of \$40 per quarter. Twenty dollars of each member's dues will be credited to the member's work dues bill each year. For those paying quarterly, \$5 of each member's dues will be credited to the member's work dues bill each quarter, but only for the quarter in which the dues are paid. Any changes or establishment of membership dues, local initiation fees, reinstatement fees, assessments and dues based on earnings (work dues) may be presented at any membership meeting by a committee appointed by the President and voted upon by members present at such meeting, provided the proposed changes appear in New Deal at least a month previous to such meeting.

Section 4. The Executive Board will be authorized to set fees according to Section 3 of this article in the equivalent Canadian exchange rate for Canadian members.

Section 5(a). Any member who fails to pay membership dues during a quarter shall stand automatically suspended from membership beginning with first day of the following quarter and shall be required to pay a fee of \$10 (U.S. funds) together with current dues and all arrearages owed at the time of suspension in order to reinstate his or her membership.

Section 5(b). Any member who permits his or her membership dues to remain unpaid through two quarters shall stand expelled from membership and shall be required to pay a re-instatement fee equal to 25% of all initiation fees, with current dues and all dues owed at the time of expulsion in order to reinstate his or her membership.

Section 5(c). A member may resign from the Union in good standing by delivering written notice of same to the Secretary-Treasurer together with a payment for any and all indebtedness to the Union. When applicable, the Union shall give such member a pro-rata refund of membership dues on a quarterly basis. Thereafter, such individual may apply for reinstatement at any time by completing an application form and paying the minimum of one quarter dues. Members who have resigned in good standing will not be required to pay either Local or Federation initiation fees.

Section 6(a). All members are required to pay dues based on earnings, known as "work dues," at scale wages for all musical service performed subject to the jurisdiction of this Union.

Work dues shall be computed at the rate of four percent of the applicable scale wage on engagements where the Union is not party to an agreement covering that engagement. Work dues shall be computed at the rate of two percent of the applicable scale wage on engagements where the Union is party to an agreement covering that engagement.

Section 6(b). The payment of work dues on all traveling engagements shall be subject to Article 8, Section 8 of the AFM by-laws.

Section 7. Local 1000 Members in good standing who pay more than \$500 per calendar year in work dues shall be eligible for a rebate of an amount equal to the Local's annual dues minus the amount paid to the Federation in annual per-capita dues. This rebate shall be awarded in the form of a reduction in annual dues to eligible members for each year that they qualify.

VI. MEETINGS

Section 1. Regular meetings of the membership, known as "General Meetings," shall be held at least three times per year on dates and at times and locations as determined by the Executive Board. The Board shall rotate the sites of meetings during the course of a year in order to provide to as many union members in as many regions of the continent as practical an opportunity to attend such meetings.

Section 2. A quorum of 2% of the general membership must be in attendance at a General Meeting for the meeting to be called to order or continued.

Section 3. If at any General Meeting a quorum is not achieved, the Executive Board shall immediately convene in special session and have authority to act upon any items on the agenda of such meeting, unless otherwise provided for in these Bylaws, consistent with applicable provisions of the Labor-Management Reporting and Disclosure Act of 1959, as amended.

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

Section 5. Only Active, Inactive, Provisional and Transfer members may attend General Meetings. Exceptions may be made by the express approval of the meeting. Each full member in good standing must sign an attendance sheet and may be required at any time to present his or her membership card indicating his or her good standing with the Union. Inactive, Provisional and Transfer members shall have voice but no vote, and may be required to sit in a separate area.

VII. WAGE SCALE MINIMUMS AND WORKING CONDITIONS

Section 1. Minimum wage scales and working conditions for engagements represented by this Union shall be established or adjusted by the International Executive Board of the AFM, in accordance with the Bylaws of the AFM.

Section 2. The Union shall vote upon proposals to modify minimum wage scales and working conditions at the first general meeting of the year, the results of which vote shall be forwarded to the International Executive Board as advisory.

Section 3. The Secretary-Treasurer shall maintain and make available to all members a current minimum wage scale list.

VIII. DUTIES OF MEMBERS

Section 1. In consideration of the fact that the Union exists to unite professional musicians for the purposes of elevating and bettering their economic status and general welfare and promoting good faith and fair dealing between its members, bylaws, rules and regulations, duly adopted by the membership, have been enacted to ensure the fair and equitable treatment of and between the Union and its members. A member who violates any bylaw, rule or regulation of this union or of the American Federation of Musicians, therefore, transgresses against the membership as a whole, and will be subject to internal disciplinary action for such violation and transgression. Any member who, after receiving due process, is found guilty of violating any bylaw, rule or regulation may be fined, suspended, expelled or subjected to other disciplinary action at the discretion of the Executive Board.

Section 2. No member shall act in any way detrimental to the interests, standards or objects of the Union.

Section 3. No member shall act in bad faith or deal unfairly with the Union or any of its members.

Section 4. No member shall provide services for any engagement subject to the jurisdiction of this Union not covered by a collective bargaining agreement between the Union or the American Federation of Musicians and an employer without filing a fully completed AFM-approved contract from the Secretary-Treasurer prior to commencing the engagement.

Section 5. No member shall perform or agree to perform a musical service for less than the minimum compensation established for such service by the Union or the American Federation of Musicians.

Section 6. No member shall perform any engagement gratis without the permission of the AFM geographic local in whose jurisdiction the engagement is to take place.

Section 7. All notices, resolutions, working conditions and prices published mailed to each member at his or her address of record shall constitute legal notice thereof.

IX. CLAIMS

Section 1. Unless a collective bargaining agreement is in effect that would prevent him or her from doing so, a member of this union may file a claim with the Secretary-Treasurer versus (1) any other member of this Union for any amount of money he or she alleges is due to him or her relating to a musical engagement, or (2) any non-member employer or

purchaser for any amount of money that he or she alleges is due to him or her relating to a musical engagement in the jurisdiction of this Union, if such non-member employer or purchaser has agreed to submit such a claim to arbitration by the Executive Board. All other claims shall be filed with the Secretary-Treasurer of the American Federation of Musicians.

Section 2. Rules of procedure:

Section 2(a). A written claim must be filed in writing together with a copy of the contract and all riders thereto, if applicable, with the Secretary-Treasurer within two years of the occurrence from which the claim arose.

Section 2(b). The Secretary-Treasurer shall immediately notify the respondent of the filing of such claim and shall send a complete copy of the claim, including all related documents, together with a copy of these Rules, to the respondent for answer.

Section 2(c). The respondent shall have thirty days from the date of notice of the claim to answer the claim to the Secretary-Treasurer. Such answer shall include a concise statement of facts relevant to the dispute. If either the identity or capacity of the party identified by the claimant as respondent is disputed, the respondent shall affirmatively set forth and identify the proper name, title and/or capacity of the party who has been incorrectly identified by the claimant. In addition, the respondent shall raise affirmatively any defense of mitigation of damages. Failure to do either shall result in the presumption that the parties have been correctly named and identified and that damages have not been mitigated.

Section 2(d). Upon receipt of the respondent's written answer to the claim, the Secretary-Treasurer shall forward a complete copy of the answer, including all attachments and materials submitted by the respondents therewith, to the claimant.

Section 2(e). The claimant shall have thirty days from the date of correspondence from the Secretary-Treasurer in which to reply to the Secretary-Treasurer in writing to the facts, matters and issues set forth in the respondent's answer.

Section 2(f). Upon receipt of the claimant's reply to the answer, the Secretary-Treasurer shall forward a complete copy of the reply to the respondent.

Section 2(g). The respondent shall have thirty days in which to file with the Secretary-Treasurer a written rebuttal to the claimant's reply.

Section 2(h). Throughout the course of a proceeding, the parties shall have the right to be represented by attorneys if a party so elects in writing, all correspondence relating to a claim that would otherwise be forwarded to the party shall be sent to his or her attorney of record by the Secretary-Treasurer.

Section 2(i). If an answer, reply or rebuttal is not received promptly by the Secretary-Treasurer, it will be assumed that the party does not choose to respond to the opponent's statements.

Section 2(j). The Secretary-Treasurer shall submit the case to each participating Executive Board member for decision and/or award after the claim, answer (if any), reply (if any), and rebuttal (if any) are filed with him or her.

Section 2(k). The Secretary-Treasurer shall not, except as set forth above, nor shall any Board member who may have a stake in such claim, participate in the hearing, decision and/or award in any case processed under these Rules. The President shall participate only in the event of a tie vote by the participating Board members.

Section 2(l). Board members shall not be bound by rules of evidence or procedure prescribed by statute or by any court or administrative agency. The Board, in adjudicating and determining the case, may take into account the customs, practices, standards and conditions of the music industry of which the Board members have knowledge, without the need for evidence thereof to be introduced in the proceeding.

Section 2(m). The Board members need not meet jointly to consider or discuss the evidence presented but may, upon their election, consider the evidence individually and without consultation among them. A decision must be based on a majority vote of the Board members who have considered the evidence in the case.

Section 2(n). The decision and/or award of the Board shall be issued in writing within six months of the date of the last submission to the Secretary-Treasurer by any of the parties to the arbitration case. The decision shall be served upon the parties by the Secretary-Treasurer.

Section 2(o). All decisions of the Board shall be final, conclusive and binding upon the parties. All decisions of the Board may be appealed to the International Executive Board of the American Federation of Musicians by filing a Notice of Appeal with the Secretary-Treasurer of the American Federation of Musicians, together with a copy of the decision, within thirty days from receipt of notice of the Board's decision.

Section 2(p). All communications concerning claims shall be sent by the Secretary-Treasurer to the parties by certified mail, return receipt requested.

X. CHARGES AND TRIALS

Section 1. Any member of this Union may prefer a charge against another member of this Union alleging a violation of the Bylaws of this Union.

Section 2. The Executive Board shall have authority to hear and decide all charges against members and to impose appropriate fines or other disciplinary action.

Section 3. No member shall be put on trial for any alleged offense unless charges have been preferred in writing to the Secretary-Treasurer. If the Secretary-Treasurer is the charging party, the charges shall be filed with the President.

Section 4. Charges must be preferred within two years of the date of the occurrence from which such charges arose.

Section 5. Rules of Procedure.

Section 5(a). Notice of charges shall be given in writing to the charged member by the Secretary-Treasurer or President, as the case may be. The notice shall contain the following:

1. The nature of the offense;
2. The provision(s) of the Bylaws, rules or regulations at issue;
3. The date, time and place of the alleged occurrence; and
4. Sufficient facts to provide the charged member information to prepare his or her defense.

Section 5(b). The charged party shall have thirty days from the date of notice of the charge to answer the charge to the Secretary-Treasurer (or President, as the case may be). Such answer shall include a concise statement of facts relevant to the charge.

Section 5(c). Upon receipt of the charged party's written reply to the charge, the Secretary-Treasurer (or President, as the case may be) shall, forward a complete copy of the reply, including all attachments and materials submitted by the charged party therewith to the charging party.

Section 5(d). The charging party shall have thirty days from the date of correspondence from the Secretary-Treasurer (or President, as the case may be) in which to forward to the Secretary-Treasurer (or President, as the case may be) in writing a rebuttal to the facts, matters and issues set forth in the charging party's reply.

Section 5(e). Upon receipt of the charging party's rebuttal to the reply, the Secretary-Treasurer (or President, as the case may be) shall forward a complete copy of the rebuttal to the charged party.

Section 5(f). The charged party shall have thirty days in which to file with the Secretary-Treasurer (or President, as the case may be) a written surrebuttal to the charging party's rebuttal.

Section 5(g). Throughout the course of a proceeding, each party shall have the right to be represented by an attorney. If a party so elects, all correspondence relating to a charge which would otherwise be forwarded to the party shall be sent to his or her attorney of record by the Secretary-Treasurer (or President, as the case may be).

Section 5(h). If a reply, rebuttal or surrebuttal is not received promptly by the Secretary-Treasurer (or President, as the case may be), it will be assumed that the party does not choose to respond to the opponent's statements.

Section -5(i). The Secretary-Treasurer (or President, as the case may be) shall submit the case to each participating Executive Board member for decision after the charge, reply (if any), rebuttal (if any), and surrebuttal (if any) are filed with him or her .

Section 5(j). Should the charging party be a member of the Executive Board, the Board member shall not participate in the hearing and decision in any case processed under these Rules. The President shall participate only in the event of a tie vote by the participating Board members.

Section 5(k). All communications concerning charges and disciplinary action therefrom shall be sent by the Secretary-Treasurer (or President, as the case may be) to the charged party by certified mail, return receipt requested.

Section 6. Any member found guilty of charges shall be advised, in writing, by the Secretary-Treasurer (or President, as the case may be) of his or her right to appeal the decision of the Executive Board to the International Executive Board.

XI. NOMINATIONS AND ELECTIONS

Section 1. Terms of Officers and Executive Board Members will be of a duration of three years and will be arranged so as not more than three officers and/or board members will be elected in one year. Elections will be held once a year.

This will be facilitated in the following manner:

The President, Canadian Vice-President and Midwest U.S. Executive Board Member will be elected in the same period and serve three year terms beginning with the election of 2008 (offices to be served beginning 2009.)

The Eastern U.S. Executive Board Member and Western U.S. Executive Board Member will be elected in the same period and serve three year terms beginning with the election of 2009 (offices to be served beginning 2010.)

The Secretary-Treasurer will be elected and serve three year terms beginning with the election of 2010 (office to be served beginning 2011.)

Hence, duration of the terms of all offices shall be three years.

Section 2. Only Active Members in good standing shall eligible to be nominated for and hold office in the Union.

NOMINATIONS

Section 3(a). Nominations shall be held at the third general meeting. At least thirty days before the third quarter general meeting, the Secretary-Treasurer shall publish an official notice of nominations in the issue of the official journal of the Union, which shall be mailed to all members of record.

Section 3(b) Nominations may be made by either of the following methods:

(i) A nominating Committee of three Active Members shall be appointed by the President, and may nominate on eligible Active Member for each open position. The Nominating Committee shall be charged with ensuring that each position open for nominations has at least one nominee. The Nominating Committee shall further be charged with presenting candidates who reflect diversity of the Union in regard to race gender, age, musical-style, etc. To that end, the Committee shall confer for the purpose of soliciting candidates for each election and shall submit its list of candidates to the Secretary-Treasurer no later than the third general meeting. Members of the Nominating Committee may neither be officers nor candidates for office.

(ii) Any Active Member in good standing may declare his or her candidacy for office by advising the Secretary-Treasurer of such in writing no later than the closing of nominations at the third quarter general meeting or by nominating him or herself by voice during the call for further nominations at the third quarter general meeting.

(iii) Any Active Member in good standing may place in nomination any other member in good standing for office by advising the Secretary-Treasurer of such in writing no later than the closing of nominations at the third quarter general meeting or by placing the nomination by voice during the call for further nominations at the third quarter general meeting.

Section 3(c). Immediately following the deadline for nominations, the Nominating Committee shall verify the eligibility for every candidate to run for and hold office utilizing a list supplied by the Secretary-Treasurer containing the names of every Active Member who was in good standing of the Union at the close of nominations.

Section 3(d). Following the completion of nominations and eligibility verification, the Nominating Committee shall supply the list of all nominees to the Election Committee made up of three Active Members appointed by the Executive Board for the purpose of preparing the ballot and conducting the election. The Election Committee shall be instructed to determine the order in which candidates' names appear on the ballot by utilizing a random drawing method.

ELECTION

Section 4(a). No sooner than thirty days nor later than forty days after the nominations deadline, the ballots shall be prepared and mailed out by the Election Committee via first

class mail to all Active Members. The Secretary-Treasurer shall supply the Election Committee with one set of mailing labels of all eligible voters for that purpose together with a separate list of eligible voters for verification during tallying. Each eligible member shall receive an official ballot, an instruction sheet, one envelope marked with the words "SECRET BALLOT", another larger envelope pre-addressed to the Election Committee that shall have on its face printed lines identified for the member to sign and print his or her name and return address.

Section 4(b). When the number of candidates for a position does not exceed the number to be elected, those candidates shall be declared elected by acclamation, and the ballot shall so state. When the number of candidates for all positions does not exceed the number to be elected, those candidates shall be declared elected by acclamation, and the Secretary-Treasurer shall so advise the membership in the official journal, under which circumstances a balloting of the membership shall not be required.

Section 4(c). The writing in of names of persons not nominate and listed on the ballot or voting for more candidates than the number to be elected are prohibited. Failure to observe these prohibitions shall result in the voiding of that section of any ballot so spoiled.

Section 4(d) At a date and time to be determined by the Executive Board, which shall be no sooner than thirty days nor later than forty days from the date on which the ballots were mailed, the Election Committee shall (1) verify the validity of each ballot by comparing the names on the return addresses with each ballot by comparing the names on the return addresses with the list of members from which the ballot mailing was made; (2) open the outer envelopes and remove the ballot envelopes, separating and setting aside the outer envelopes; and (3) open the ballot envelopes and tally the votes. At the conclusion of the tallying, the Election Committee shall certify the results of the tallying and shall supply a report of same to the President and Secretary-Treasurer. The Secretary-Treasurer shall publish the results in the next issue of the official journal.

Section 4(e). The Election Committee shall retain all ballots and envelopes for the Union as part of the Union's records for one year following the election. Invalid, spoiled and unused ballots shall also be retained for one year.

Section 4(f). A plurality of votes cast shall elect a candidate to office.

Section 4(g). The term of office shall be for three years and shall begin January 1st.

Section 4(h). Oath of obligation for officers: "I (...giving name ...) do hereby solemnly pledge my most sacred honor that I will faithfully discharge the duties of my office as (... stating office ...) of this Local during the term for which I have been elected, or until my successor is duly elected and installed; that I will support the Bylaws of the American Federation of Musicians and the Bylaws, rules and regulations of this Local No. 1000, and that I will enforce the laws thereof to the best of my ability without prejudice or partiality.

RIGHTS OF CANDIDATES

Section 5(a). Each candidate may submit a campaign statement in support of his or her candidacy of no more than 200 words to the Secretary-Treasurer for inclusion in the election issue of the official journal. Statements shall be printed in identical type size and shall appear in the same order in which the candidates' names will appear on the ballot. Each candidate may also purchase a mailing list in printed form or on magnetic media (if available) of all members eligible to vote at a cost to be determined by the Executive Board.

Section 5(b). Any candidate, or his or her designee(s), shall have the right to be present at and observe the opening and tallying of the ballots so long as observers do not interfere with that process. A designee must be a member of the Union, and must present the Election Committee chairperson with a written statement from the candidate authorizing him or her to observe.

Section 5(c). The Secretary-Treasurer shall advise all candidates of these rights within seven days following the close of nominations.

XII. AMENDMENTS AND RESOLUTIONS

Section 1. All proposals to amend or repeal any part of the Bylaws or to offer a resolution must be presented in writing bearing the signature of the proponent(s) and submitted to the Secretary-Treasurer not later than 60 days previous to the membership meeting at which the amendment will be considered. The Secretary-Treasurer shall acknowledge receipt of all proposals or resolutions.

Section 2. Amendments to the Bylaws may be considered at any membership meeting, provided that the amendment(s) appear in *New Deal* at least a month previous to such meeting.

Section 3. The Executive Board shall review all proposed amendments and resolutions and shall make a recommendation on same together with the reasons therefor.

Section 4. A two-thirdss vote of those Members voting shall be required to adopt a proposal to amend or repeal any provision or part of the By-laws.

Section 5. Resolutions not affecting the Bylaws may be considered by the membership after having been presented at any quarterly membership meeting. A simple majority of those members voting shall be required to adopt a resolution that does not propose to amend the Bylaws.

XIII. AUTHORITIES

Section 1. These Bylaws are subject and subordinate to the Bylaws and amendments thereto of the American Federation of Musicians, and wherever conflict or discrepancy appears between the Bylaws of this Union and the Bylaws and amendments thereto of the American Federation of Musicians, the latter shall prevail.

Section 2. These Bylaws shall not be enforced in any manner in conflict with public law.

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

Section 4. The Parliamentary authority for this Union shall be Robert's Rules of Order.

XIV. WITHDRAWAL AND DISSOLUTION

Section 1. This Union shall not withdraw, cancel, annul, or in anyway modify its membership in the American Federation of Musicians except by a two-thirds vote of the entire membership in good standing. Any proposal to withdraw, cancel, annul or modify the Union's membership in the American Federation of Musicians may not be initiated without the approval of a properly constituted General or Special Meeting, and shall be ultimately decided by referendum ballot.

Section 2. This Union shall not dissolve without the written consent of nine-tenths of the membership in good standing. Any proposal to dissolve may not be initiated without the approval of a properly constituted General or Special Meeting, and shall be ultimately decided by referendum ballot, setting forth any proposed plan of dissolution.