

BYLAW PROPOSAL FOR JUNE 2023 MEMBERSHIP MEETING

Creating a building fund and diverting money from the strike fund to the Building Fund as necessary for the maintenance of or repair to the building.

Article III, Section 5

(a) In addition to any other dues provided for in these Bylaws or required to be paid pursuant to the Bylaws of the American Federation of Musicians., there shall be paid by all members on all musical engagements work dues in the amount of three and one-half percent (3.5 percent) of the minimum scales earned by such members on all such musical engagements. Work dues on engagements done under Federation negotiated Agreements covering services rendered for electronic media (recording, broadcasts, films, video, etc.) shall be four and one-half percent (4.5 percent) of the minimum scales earned by members on all such engagements, except as follows: sound recordings: four and one-quarter percent (4.25 percent), demo recordings: four percent (4 percent), theatrical and low budget motion picture: four and one-quarter percent (4.25 percent), incidental theatrical: four and one-quarter percent (4.25 percent), limited pressing: four percent (4 percent), which amounts shall include the appropriate percentage of scale wages due and payable by the Local to the Federation as Federation Work Dues as provided for in Article 9, Section 32(b) of the Federation Bylaws for such electronic services. A portion of the amount thus collected by the Union equivalent to ~~one-quarter of one percent (0.25%)~~ **one-tenth of one percent (0.10 percent)** of all scale earnings on which work dues are collected by Local 802 shall be placed in the Members Benefit Strike Fund where it shall be subject to the Bylaws governing that fund. A further portion of the amount thus collected by the Union equivalent to one-quarter of one percent (0.25%) of all scale earnings on which work dues are collected by Local 802 may, at the discretion of the Executive Board, be used for Public Relations programs. Such programs may include the Emerging Artists Project (EAP) and any other similar program meant to increase the union's membership and bargaining unit work available to the union's membership. The amount of any grants awarded as part of such program shall not exceed the actual amount of funding established by the Executive Board available for such program at the time. The Union will notify its members of the status of such program on an annual basis. **A further portion of the amount thus collected equivalent to fifteen hundredths of one percent (0.15 percent) of all scale earnings on which work dues are collected by Local 802 shall be deposited in the Building Fund.** Work dues payable by members on all income earned under Local 802 Agreements for work only as teachers and recording studio engineers shall be calculated at two percent (2 percent) of the scale established by the collective bargaining agreement under which such teaching services are performed.

Section 8. Strike Fund.

- (a) There shall be a Strike Fund of this Local separate and apart from the General Fund which shall derive its funding pursuant to Section 5(a) of this Article.
- (b) No expenditure shall be made from the Strike Fund except for payment, when so authorized by the Executive Board of expenses incurred in strikes, lockouts and informational picketing, including payments to individuals or to musicians unemployed as the result of such actions.
- (c) At such time as the Strike Fund reaches or exceeds two million dollars (\$2,000,000), loans from the Strike Fund to the General Fund shall be permitted in an amount up to one hundred thousand dollars (\$100,000) per transaction on approval by the Executive Board; the total of such loans shall not exceed four hundred thousand dollars (\$400,000) in the aggregate at any time, **except as pursuant to Section 9(c) of this Article.**
- (d) All monies residing in the Strike Fund shall continuously be deposited in interest-bearing, insured accounts, and any loans to the General Fund shall bear interest at rates equivalent to current U.S. Treasury bills. Any and all interest or dividends earned shall accrue to the Strike Fund.
- (e) In the event that the level of the Members' Benefit Strike Fund shall fall below \$2,000,000 (or such higher figure as shall be established by the transfer of surplus funds from the General Fund over the years), the provisions of Article III, Section 5(a) shall be implemented until the Strike Fund is replenished.

Section 9. Building Fund

- (a) There shall be a Building Fund of the Local separate and apart from the General Fund which shall derive its funding pursuant to Section 5(a) of the Article.
- (b) The Building Fund shall be used, at the discretion of the Executive Board, to finance building maintenance, repairs and renovations of the Local's property at 322 W. 48th St.
- (c) In the case of extraordinary expenses incurred in the maintenance, repair or renovations to 322 W. 48th St, any amount over two million dollars (\$2,000,000) in the Strike Fund may, at the discretion of the Executive Board, be transferred to the Building Fund. Additionally, amounts below two million dollars (\$2,000,000) in the Strike Fund may be lent to the Building Fund at the discretion of the Executive Board.
- (d) **Building Sale**
The Executive Board shall have the right to sell the Local's property at 322 W. 48th St, but may do so only after gaining the approval of the membership through a referendum vote. Upon execution of such a sale, monies in the building fund shall revert to the general fund of the Local.