

# CONCORD FEDERATION OF MUSICIANS LOCAL #374, AMERICAN FEDERATION OF MUSICIANS

## BY-LAWS

Organized May 1, 1904  
Constitution and By-Laws Adopted  
May 16, 1904

Last Amended, Revised and Adopted: December 17, 2025

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### ARTICLE 1

#### TITLE, OBJECT AND JURISDICTION

**Section 1.** This Local Union shall be known as the Concord Federation of Musicians, Local #374, American Federation of Musicians.

**Section 2.** The objects and purposes of this Local Union shall be:

- (A) To unite the professional musicians within its jurisdiction who are eligible for membership without regard to race, religion, creed, color, national origin or sex.
- (B) To organize the unorganized professional musicians in its jurisdiction and to provide services to such organized professional musicians.
- (C) To secure improved wages, hours, working conditions and other economic advantages for the professional musicians in membership through collective bargaining and to establish terms and conditions for equitable and fair dealing among its members.

**Section 3.** The territorial jurisdiction of this Local Union shall be Coos, Grafton, Carroll, Belknap, Sullivan, and Merrimack counties in New Hampshire, and additions, deletions, or changes which may be hereafter mandated by the AFM.

## ARTICLE 2

### MEMBERSHIP

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

**Section 2.** Applicants for membership who are former members of this or any other AFM local or are currently members of any other AFM local are subject to appropriate provisions of the By-Laws of the AFM relating to affiliation as former, transfer, or traveling members.

**Section 3.** Applicants for membership are required to complete the AFM approved application form in the presence of the Secretary-Treasurer or his/her designee and deposit the required fees and dues of membership.

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

**Section 5.** An applicant, having been approved by the Executive Board, who is not currently a member of another local shall give the required oath of obligation to an appropriate official of this Local and shall attend an orientation meeting as per the AFM approved application form.

## ARTICLE 3

### OFFICERS

#### **Section 1. PRESIDENT**

- (A) It shall be the duty of the President to preside at all meetings of the membership and the Executive Board and to enforce due observance of the By-Laws. He/she shall convene all regular and special meetings of the membership and of the Executive Board and decide all disputed points of order unless a two-thirds (2/3) majority of the case dissent therefrom.
- (B) He/she shall sign all checks, bills, and agreements or orders for payment of money in the event of the Secretary-Treasurer's absence, demise or disability.
- (C) He/she shall appoint all committees and shall be an ex-officio member of all committees except the Election Committee.
- (D) He/she shall vote only in case of a tie, except on matters which are before the membership and voted upon by secret ballot.
- (E) By virtue of his/her election to office by secret ballot, he/she shall be the first delegate to the International Convention of the AFM.

## **Section 2. VICE PRESIDENT**

- (A) It shall be the duty of a Vice President to perform the duties of the President in his/her absence.
- (B) In the event of the death, disability, resignation or removal from office of the President, the Vice President shall become President.

## **Section 3. SECRETARY-TREASURER**

- (A) It shall be the duty of the Secretary-Treasurer to keep a faithful record of proceedings of meetings of the membership and of the Executive Board, answer all communication, keep a true account of the membership and issue notices for all meetings of the membership and of the Executive Board.
- (B) He/she shall sign all checks, bills and agreements or orders for payment of money.
- (C) He/she shall keep an accurate account of all receipts and expenditures of the Local and shall present a detailed statement of all receipts and expenditures to the Executive Board at least quarterly.
- (D) The Treasurer shall surrender all financial records to an auditing committee to consist of at least two (2) members to be appointed by the President.
- (E) At the expiration of his/her term of office, he/she shall deliver to his/her successor all monies books and records belonging to the Local.
- (F) By virtue of his/her election to office by secret ballot, he/she shall be the first delegate to conventions and conferences of the AFM, except the International Convention of the AFM.

## **Section 4. EXECUTIVE BOARD**

- (A) The Executive Board shall be composed of the President, Vice President, the Secretary-Treasurer, and at least two (2) Trustees.
- (B) The Executive Board shall meet November, January, March and May and on special call of the President. It shall have the authority to set the day, hour and place of its meetings, except for those on special call of the President.
- (C) The Board shall exercise general supervision of the interest and affairs of the Local and its properties, pass upon all applications for membership, approve all expenditures of the Local and direct the Secretary-Treasurer as to what bank(s) or other financial institution(s) monies of the Local are to be deposited.
- (D) Except for the office of the President, the Executive Board shall have authority to fill any vacant office for the balance of the elected term of such office.

- (E) The Executive Board shall serve as a Board of arbitration and trial board as provided elsewhere in these By-Laws.
- (F) The Executive Board shall have authority to appoint agents as it deems necessary to visit places in the jurisdiction where musicians are performing and shall have authority to fix the wages and expenses to be paid such business agents, who shall report their activities as required by the Board.
- (G) All executive board members and committee members are required to sign the conflict of interest policy.

## **ARTICLE 4**

### **NOMINATIONS**

#### **Section 1. NOMINATIONS**

- (A) Nominations for all officers and alternative delegates to conventions and conferences of the AFM shall be held each November at a special membership meeting for that purpose alone with the day, time and place determined by the Executive Board.
- (B) At least fifteen (15) days prior to the nominations meeting, the Secretary-Treasurer shall make written notice or use any other appropriate means of communication, electronic or otherwise, of such meeting to all members. The notice shall contain the date, time and place of the meeting and the positions subject to nomination.
- (C) The nominations meeting shall be held as called, regardless of any quorum requirements.
- (D) Any member in good standing present at the nominations meeting shall be entitled to nominate any eligible candidate of his/her choice. The nominee shall be present at the meeting in which his/her name is placed in nomination or must present a written signed statement of acceptance of nomination from such nominee.
- (E) To be eligible for nomination, a member must have been a member of the Local in continuous good standing for at least twelve (12) months preceding the nominations meeting.
- (F) Immediately after receipt of all nominations, the President shall appoint an Election Committee of three members, none of whom are candidates. The Committee shall choose a Chairperson. The Committee shall handle all details of the election. The Committee members may be paid for their services in an amount to be determined by the Executive Board.

#### **Section 2. ELECTIONS**

- (A) The election shall be held at the December meeting. The Executive Board shall determine the exact day, date and place of the election.

- (B) No later than ten (10) days after the nominations meeting, the Secretary-Treasurer shall make written notice or use any other appropriate means of communication, electronic or otherwise, to all members of the election. The notice shall contain the date and place of the election, the hours of opening and closing of the polls, a sample ballot and specifications for absentee voting.
- (C) The polls shall be open for at least one hour.
- (D) Candidates shall be listed on the ballot in last name alphabetical sequence.
- (E) The writing in of names or persons not nominated and listed on the ballot is prohibited.
- (F) Any member who resides outside the jurisdiction of the Local or will be unable to vote at the polls because of a musical engagement may request an absentee ballot in writing to the Secretary-Treasurer who shall deliver request to the Chairperson of the Election Committee within forty-eight (48) hours of receiving the request, mail or use any other appropriate means of communication, electronic or otherwise, the member a ballot, a small envelope to insert the ballot, and a larger envelope to be addressed to the Election Committee c/o the Secretary-Treasurer for the Local or provide any other appropriate means of absentee voting, electronic or otherwise. The Secretary-Treasurer shall not tamper with the ballots received. All absentee ballots must be received by the Secretary-Treasurer in sufficient time for at least two (2) members of the Election Committee to pick up or receive said ballots and deliver them to the polls prior to the opening of the polls.
- (G) A plurality of votes cast shall elect a candidate to office. Alternate delegates to conventions and conferences of the AFM shall be those candidates in sequence by vote totals.
- (H) Newly elected officers shall assume office on January 1.

## **ARTICLE 5**

### **MEETINGS**

**Section 1.** Regular meetings of the membership shall be held monthly, October through May. The exact day, date, time and place of the membership meetings shall be determined by the Executive Board, who shall also have authority to adjust meeting dates to avoid legal holidays, and for reasons of emergencies. The meeting schedule for the coming year shall be distributed to the members prior to the October meeting each year. Members will receive at least two weeks' notice of any subsequent changes in the meeting schedule, except when an emergency prevents such notice.

**Section 2.** The President or the Executive Board may call a special meeting for a specific purpose which shall be specified in a notice of such meeting to all members, which shall be mailed by the Secretary-Treasurer at least fifteen (15) days prior to the meeting. No other business than specified in the notice shall be transacted at a special meeting.

**Section 3.** A quorum of at least two (2) board members must be in attendance at a membership meeting to be called to order or continued.

**Section 4.** If at any regular or special membership meeting, a quorum is not achieved, the Executive Board shall have authority to act upon any items on the agenda of such meeting subject to applicable provisions of the Labor-Management Reporting and Disclosure Act of 1959, as amended.

**Section 5.** The conduct and procedures of all regular and special membership meetings shall be set forth in Robert's Rules of Order.

## ARTICLE 6

### DUES, FEES AND ASSESSMENTS

**Section 1.** Initiation fees, reinstatement fees, dues, late fees on dues, dues based on earnings and assessments for members to become and remain members in good standing shall be as established by the membership from time to time in compliance with applicable provisions of the Labor-Management Reporting and Disclosure Act of 1959, as amended.

**Section 2.** Any member who desires to resign in good standing must notify the Secretary-Treasurer in writing by January first.

**Section 3.** Any member unable to meet the requirements of Section 2 because of extenuating circumstances beyond his/her control may pay membership dues for the previous year under the following conditions:

(A) January 1-March 31 inclusive. Payment of previous years' membership dues together with one-quarter (1/4) of current years' membership dues and late fees. Any member whose membership dues remain unpaid three (3) months from the due date shall stand automatically suspended.

(B) April 1-June 30 inclusive. Payment of previous years' membership dues together with one-half (1/2) of current year's membership dues and late fees. Any member whose membership dues remain unpaid six (6) months from the due date shall stand automatically expelled and shall be required to pay reinstatement fee, in addition to dues and late fees previously stated, in order to reinstate his/her membership.

**Section 4.** Any member whose membership dues remain unpaid one (1) year from due date shall thereafter be required to re-affiliate under the same terms and conditions as a new member.

**Section 5.** All members are required to pay dues based on earnings for all musical services performed in the amount of four percent (4%) of Local scale wages, three percent (3%) for two (2) or more consecutive engagements. These dues based on earnings shall be known as work dues and shall be payable to the Secretary-Treasurer no later than the fifteenth day of the month following the month during which services were performed. Member-leader/contractors are required to deduct the

applicable work dues from their sidemen wages pursuant to written authorization from each sideman to make such deductions. Member-leader/contractors shall remit the total work dues deducted plus their work dues to the Secretary-Treasurer no later than the fifteenth day of the month following the month during which the services were performed. Any member is subject to charges and appropriate disciplinary action for failure to comply with this By-Law.

## **ARTICLE 7**

### **WAGE LIST**

**Section 1.** The minimum wage scales for engagements in the jurisdiction of the Local shall be as 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 wage scales.

**Section 3.** The Executive Board shall have the authority to establish a wage scale for any type of engagement for which a wage scale has not been previously established by the membership, subject to approval at the next regular meeting.

**Section 4.** No member shall perform or agree to perform an engagement for less than the applicable minimum wage scale established for such engagement.

## **ARTICLE 8**

### **DUTIES OF MEMBERS**

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

- (A) to act in any way detrimental to the interest, standards or objects of the Local;
- (B) to act in bad faith or deal unfairly with the Local or any of its members;
- (C) to provide services as a leader or contractor, or to perform as a single on any engagement not covered by a collective bargaining agreement between the Local of the AFM and an employer, without filing a fully completed AFM approved contract form with the Secretary-Treasurer prior to commencing the engagement;
- (D) to knowingly perform any engagement not covered by a collective bargaining agreement between the Local or the AFM and an employer, or an AFM approved contract;
- (E) to perform or agree to perform an engagement for less than the minimum compensation established for such engagement by the Local or the AFM;

- (F) to render services for organizations, establishments or individuals on the International Unfair List;
- (G) to work as an employee for an employer against whom the Local or the AFM is engaging in a lawful, primary strike or cross-through or work behind a lawful, primary picket line established by the Local or the AFM;
- (H) to fail to fulfill any commitment, written or verbal, to another member regarding an engagement, or to fail to comply with the industry standard of at least two (2) weeks written notice between leader/contractor and side-person to terminate a steady engagement;
- (I) to perform an engagement gratis without permission of the Executive Board.

## **ARTICLE 9**

### **CLAIMS: RULES OF PRACTICE AND PROCEDURE**

**Section 1.** Unless a collective bargaining agreement is in effect which should prevent him/her from doing so, a member of this Local may file a claim with the Secretary-Treasurer.

- (A) Any other member of this Local may file a claim for any amount of money he/she alleges is due him/her relating to a musical engagement, or;
- (B) Any non-member employer or purchaser may file a claim for any amount of money which he/she alleges is due to him/her relating to a musical engagement in the jurisdiction of this Local, if such non-member employer or purchaser has agreed to submit such a claim to arbitration by the Executive Board.

**Section 2.** A claim must be filed in writing with the Secretary-Treasurer within one (1) year of the occurrence from which claim arose.

**Section 3.** The Executive Board shall, at its earliest opportunity, after written notice to the parties, allowing at least twenty (20) days for them to prepare their case, sit as a Board of Arbitration and conduct a full and fair hearing and render its decision.

**Section 4.** All communications concerning claims shall be sent by the Secretary-Treasurer to the parties by certified mail, return receipt requested.

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

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

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

## **ARTICLE 10**

### **CHARGES AND TRIALS**

**Section 1.** The Executive Board shall have authority to hear and decide all charges against members and to impose appropriate fines or other disciplinary action.

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

**Section 3.** Charges must be within one (1) year of the date of the occurrence from which such charges arose.

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

- (A) the nature of the offense;
- (B) the provision of the By-Laws at issue;
- (C) the date, time, and place of the alleged occurrence;
- (D) sufficient facts to provide the charged member information to prepare his/her defense; and
- (E) the date, time, and place of the hearing.

**Section 5.** A member shall be given at least fifteen (15) days from the mailing of the notice of charges to prepare his/her defense for the hearing on such charges.

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

**Section 7.** All communications concerning charges and disciplinary action therefrom shall be sent by the Secretary-Treasurer to the charged party by certified mail, return receipt requested.

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

## **ARTICLE 11**

### **AMENDMENTS**

**Section 1.** The Executive Board or any three (3) members of the Local, in good standing, may present in writing to the Secretary-Treasurer a resolution to amend the By-Laws.

**Section 2.** Within ten (10) days of receipt of a resolution to amend the By-Laws from the Executive Board, the Secretary-Treasurer shall make written notice or use any other appropriate means of communication, electronic or otherwise, to all members of the regular or special membership meeting at which the resolution is to be acted upon. The notice shall contain the resolution and the date, time and place of the meeting. The date of the meeting shall be at least twenty-one (21) days from the date of the communication of the notice.

**Section 3.** Upon receipt of a resolution to amend the By-Laws signed by three (3) members who are in good standing, the Secretary-Treasurer shall present the resolution to the next regular or special meeting of the Executive Board, which shall consider the merits of the resolution and make a recommendation on same. The Secretary-Treasurer shall then make written notice to all members of the regular or special membership meeting at which the resolution is to be acted upon. The notice shall contain the resolution, the recommendation of the Executive Board, and the date, time and place of the meeting. The notice shall be made at least twenty-one (21) days prior to the membership meeting which shall be no sooner than forty (40) days from the Executive Board meeting at which the resolution was presented and no later than thirty (30) days from such Board meeting.

**Section 4.** A resolution to amend the By-Laws is subject to a two-thirds (2/3) majority vote of those members voting for approval.

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

**Section 6.** A quorum of four (4) members is required.

## **ARTICLE 12**

### **REMOVAL OF OFFICERS**

**Section 1.** An officer of the Local may be charged by a majority of the Executive Board, or by a petition signed by ten percent (10%) of the membership in good standing of the Local. If a petition is to be presented, the petition shall be presented to the Secretary-Treasurer unless the Secretary-Treasurer is the charged party, in which case the petition shall be presented to the President.

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

**Section 3.** The charged officer shall be forwarded the specific charges in writing by the Secretary-Treasurer or President, as the case may be, within ten (10) days of the Executive Board's action or filing of petition.

**Section 4.** The President, or the Vice President if the President is the charged party, shall call a special membership meeting to elect a three (3) member Trial Board, which shall select its Chairperson, to conduct a hearing upon the charges. None of the Trial Board Members shall be officers of the Local,

but all must be members in good standing. Notice of this special membership meeting shall be made to all members in good standing at least fifteen (15) days prior to the meeting and shall contain the date, time and place of the meeting, plus the purpose of the meeting as stated above: i.e. the specific allegations against the officer.

**Section 5.** The Trial Board shall call and conduct a full and fair hearing of the charges at the earliest feasible date no sooner than fifteen (15) days after its election. Immediately following the hearing, the Trial Board shall render its decision as to the guilt or innocence of the accused and advise the Secretary-Treasurer or President, as the case may be, of such offense.

**Section 6.** If the Trial Board has found the accused officer guilty, the President, or Vice President if the president is the charged party, shall promptly call a special membership meeting to review the decision of the Trial Board and vote by secret ballot to sustain or deny such decision. Notice of the special membership meeting shall be made to all members in good standing at least fifteen (15) days prior to the meeting, and shall contain the date, time and place of the meeting, plus the purpose of the meeting as stated above.

**Section 7.** If two-thirds (2/3) of the members voting at the meeting vote to sustain the guilty findings of the Trial Board, the officer shall stand removed from office, and the vacancy shall be filled as provided elsewhere in these By-Laws.

## **ARTICLE 13**

### **AUTHORITIES**

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

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

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

**Section 4.** The parliamentary authority for the Local shall be Robert's Rules of Order.

## **ARTICLE 14**

### **GRATIS ENGAGEMENTS**

**Section 1.** A member or a group of members wishing to perform a musical engagement gratis will petition this Local's Executive Board for permission to do so at least one (1) week before the performance is to take place.

**Section 2.** Said member or group of members will petition the Board either in writing or with a phone call to the Secretary-Treasurer, or any other Board member, who will then contact all other Board members for a vote on the petition.

**Section 3.** The Executive Board will entertain petitions only if the date, time, place and venues of said engagement is specified and only if the venue is established as a charitable, non-profit or educational enterprise or any other venue approved by the Board.

**Section 4.** Members are only permitted to perform gratis upon the approval of such a petition by a majority of the Executive Board. Members are never permitted to earn below prevailing scale wages in this or any other Local's jurisdiction.

**Section 5.** All Board members shall vote such petitions up or down, save the President. If there is a tie vote, the President will cast the deciding vote.