

Providence Federation of Musicians

EDWARD J. PLUNKETT
AL DeANDRADE
CARL HOSBOND
YVONNE MONNETT
ELIOT PORTER
DAVID RUFINO

President
Vice-President
Executive Board
Executive Board
Executive Board

LOCAL No. 198-457
AMERICAN FEDERATION OF MUSICIANS
Affiliated with the A.F.L.-C.I.O.

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General Membership Meeting December 7, 2020

Virtual Meeting, held via GoToMeeting.com

MINUTES

- I. Call to Order-** President Plunkett calls the meeting to order at 7:37pm
Roll call of officers: President Plunkett, V/P DeAndrade, EBM Hosbond, EBM Monette, EBM Porter, and EBM Rufino all marked present.

Determination of Quorum (5% of membership) - 17 members present, 12 members required, quorum established.

- II. Playing of Taps-** In honor of those lost on the attack on Pearl Harbor on this date in 1941, V/P DeAndrade performs Taps.

- III. Centenary Celebration of Arthur Medeiros and Nat Piccirilli**
Motion made by V/P DeAndrade to set aside the regular order of business to make the presentation of Proclamations to the Local's two centenarians, Nat Piccirilli and Arthur Medeiros. 2nd made by Brother Peter Bodner. The motion carries.

V/P DeAndrade notes that these events were planned for an in person meeting in May, but due to the Covid-19 Pandemic, such events were not possible. Upon V/P DeAndrade's request, the Executive committee agreed to hold a virtual ceremony in order to make the presentations during 2020.

V/P DeAndrade presents moving remarks, commending both men on their military, musical, and professional careers.

President Plunkett offers some thoughts on significant events of 1920, the year of both men's births.

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Reading of Proclamations: President Plunkett reads the proclamations presented to each gentleman from:

- AFM President Ray Hair
- AFM Secretary-Treasurer Jay Blumenthal
- U.S. Senator Jack Reed
- U.S. Senator Sheldon Whitehouse
- U.S. Representative James Langevin
- U.S. Representative David Cicilline
- Rhode Island Governor Gina Raimondo
- Rhode Island General Treasurer Seth Magaziner
- and the Rhode Island Legislature.

President Plunkett offers special thanks to V/P DeAndrade for his tireless efforts to organize this ceremony.

V/P DeAndrade offers special thanks to Patrick Crowley, Secretary-Treasurer of the Rhode Island AFL-CIO, for his assistance in obtaining all of the proclamations.

At this time President Plunkett requests that all invited guests, who are not members of the Local, leave the meeting, as the business portion of the General Membership Meeting is restricted to members only.

Due to the nature of a virtual meeting, and to comply with both AFM and U.S. Department of Labor rules and regulations, President Plunkett asks for UNANIMOUS CONSENT TO WAIVE THE RIGHT TO A SECRET BALLOT FOR THE REMAINDER OF THE MEETING. UNANIMOUS CONSENT IS GRANTED BY THOSE MEMBERS IN ATTENDANCE.

IV. New Business- 3 new resolutions up for vote.

In order to expedite and prioritize the business of the evening, EBM Porter moves to take up “New Business”, the passage of three pending resolutions, immediately, and to defer all other business to follow. 2nd made by V/P DeAndrade. The motion carries.

Resolution 2020-01: (Copy of resolution is attached.) Resolution to eliminate fixed office hours at the Local’s office and allow the Executive Board to set its monthly meeting times.

Bylaw Committee Chair Sandy Gorodetsky reports that this resolution has no conflicts with the bylaws and is legal.

Motion to approve by EBM Porter; 2nd by Sister Zoia Bologovsky. The motion **carries** unanimously and the resolution is **adopted**.

Resolution 2020-02: Reduction of officer salaries and switch to independent contractor status to cut down on some costs to the local. Bylaws Committee Chair Gorodetsky reports that there is no conflict with the salary reduction, but the switch to Independent Contractor status for officers may conflict with RI labor law. Further discussion on the topic is warranted. President Plunkett **withdraws** the resolution.

Resolution 2020-03: (Copy of resolution is attached). Adoption of a **new wage scale**. Wage Scale Committee Chair EBM Porter reports that, with the help of President Plunkett and expert testimony, the wage scale committee completely revamped the local's wage scale. Some new schedules were added, such as: Theater, Electronic Media, Music Preparation, etc. Scales are now written out to reflect 4 categories: W2 employee with pension, 1099 Independent Contractor with pension, W2 without pension, and 1099 without pension. Wage Scale Committee Chair Porter endorses passage of the new scales. Wage Scale Committee Member Carl Gerhard thanks President Plunkett for his extraordinary efforts to put together the new wage scale. Wage Scale Committee Member Jordan Nunes praises the creation of the new electronic media scale.

Motion to adopt the resolution is made by Brother Bodner; 2nd by V/P DeAndrade. President Plunkett opens the floor up for discussion. Sister Jane Murray asks about what happens to the scale when the pension rates change. President Plunkett replies that the scale was created using Microsoft Excel formulas, so changes to any rate are easy to make. A PDF (non-modifiable) version is posted on the local's website. Sister Murray follows up with a question regarding employment status of 1099 vs W2 as compared to the Commonwealth of Massachusetts. President Plunkett replies that Massachusetts law is much more strict on the definitions of W-2 employees than RI labor laws. The motion **passes** unanimously and the wage scale is **adopted**.

- V. Secretary Report:** Presentation of minutes from the 11/16/2020 meeting. Motion to accept minutes made by Brother Peter Bodner. 2nd by V/P DeAndrade. The motion passes unanimously.
- VI. President's Report-** President Plunkett is hopeful for a good year. The first half may remain tough, but we are hoping for a strong second half. PPAC remains closed until

October 2021. There will be no fee or dues increases. President Plunkett offers wishes of Happy Holidays from the Officers and Executive board.

VII. Announcements- Most members are keeping up with dues, some are not. It costs the local money to keep members on the roll, thus after January 1, waivers and deferments of expulsion will not be extended.

VIII. Communications- AFM Lester Petrillo fund will now offer assistance up to \$500 to musician's with Covid-19 related illness.

IX. Committee Reports

RIPO Committee - RIPO union steward EBM Porter reports that RIPO has performed a few streamed concerts, using small orchestras with rotating personnel. The new CBA covers the terms of these performances.

Golf Committee - V/P DeAndrade reports that next year's tournament will return to Montaup Country Club. 2020 event earned a profit of \$2200.

Cavalcade of Bands - V/P DeAndrade reports that three Cavalcades of Bands have been scheduled for 2021, on May 25, August 17, and October 19. The final decision on whether they are to be held will have to defer to requirements and regulations of the Rhode Island Department of Health which are in force at the time of each event.

No other committees have business to report.

X. Old Business- None to report.

XI. Good and Welfare-

- New England Musicians Relief Fund has grants available up to \$1000. Applicants must have earned 50% of prior income from music performance or teaching.
- AFM Lester Petrillo fund now offering grants up to \$500 for musicians whose health has been affected by Covid-19, or who have been forced to quarantine because of exposure to COVID-19.

V/P DeAndrade announces that he will deliver all proclamations to Arthur Medeiros and Nat Piccirilli

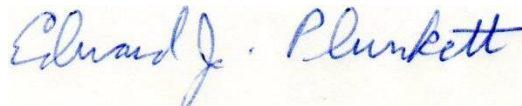
XII. Adjournment - Motion to adjourn made by Brother Bodner, 2nd by V/P DeAndrade. President Plunkett declares the meeting adjourned at 8:56 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David Rufino", written in a cursive style.

David Rufino, *Executive Board Member*
acting as Recording Secretary

Approved: March 15, 2021

A handwritten signature in blue ink, reading "Edward J. Plunkett", written in a cursive style.

Attested:

Edward J. Plunkett, *President*

R E S O L U T I O N No. 2020-01

A RESOLUTION:

1) TO ELIMINATE FULL-TIME OFFICE HOURS AND STAFFING

2) TO ALLOW FLEXIBLE SCHEDULING OF EXECUTIVE BOARD MEETINGS

~~WHEREAS~~ over the last ten years the Local has seen a precipitous drop in membership;
~~AND,~~

~~WHEREAS~~ the decline in membership has caused a serious erosion of the Local's financial resources and its ability to maintain full-time staffing for the office; ~~AND,~~

~~WHEREAS~~ Twenty-First Century technology, such as the Internet and cell phones, has greatly enhanced the ability to conduct business virtually, without having to staff an office full-time;
~~AND,~~

~~WHEREAS~~ more flexibility in scheduling is needed to operate both the Local and the office as efficiently as possible; ~~AND,~~

~~WHEREAS~~ the lower salaries now paid to officers could potentially violate Rhode Island minimum wage laws if a full work week, or even a part-time work week, were required; ~~AND,~~

~~WHEREAS~~ the Executive Board now meets virtually online; ~~AND,~~

~~WHEREAS~~ now that the Executive Board has been enlarged, it is more difficult to schedule Executive Board meetings at a time that is convenient for all members to attend,

~~BE IT THEREFORE RESOLVED THAT:~~

- I) Full-time and part-time operation and staffing of the office shall not be required.
- II) Hours of operation of the office, if any, shall be set by the President, as currently authorized in Article III, Paragraph (F).
- III) The Local's By-Laws shall be modified to incorporate these changes, as follows:

ARTICLE I
TITLE, OBJECT and JURISDICTION

R E S O L U T I O N No. 2020-01

Section 1. ~~The Union office shall be open between the hours of 9:30AM and 2:30 PM Monday through Friday each week, except for holidays~~

IV) The Executive Board shall continue to meet on a monthly basis, but shall not be required to meet on the same day each month. The Executive Board shall set its own day and time of meeting.

V) The Local's By-Laws shall be modified to reflect this change as follows:

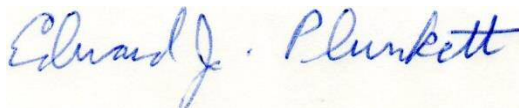
**ARTICLE III
OFFICERS**

Section 5. EXECUTIVE BOARD

(B) ~~The Executive Board shall meet on the first Wednesday on or after the fifteenth day of each month~~ *once each month and on special call of the President. It shall have authority to set its exact day, hour and place of its meetings, except for those on special call of the President. A majority of members of the Board present shall constitute a quorum.*

VI) This resolution shall become effective upon ratification by the membership of the Local.

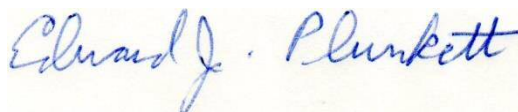
Respectfully submitted,



Edward J. Plunkett, *President*

Introduced: October 5, 2020

Approved: December 7, 2020

Attested: 

Edward J. Plunkett, *President*

R E S O L U T I O N No. 2020-03

A RESOLUTION TO ADOPT A NEW WAGE SCALE

~~WHEREAS~~ the Local's Wage Scale has not been changed in many years and does not reflect current economic activity; ~~AND~~,

~~WHEREAS~~ the Local's current wage scale does not address the misclassification of employees as 1099 "independent contractors" rather than W-2 employees; ~~AND~~,

~~WHEREAS~~ the Local's current wage scale does not properly address nor calculate required pension contributions to the AFM-Employers' Pension Fund (AFM-EPF); ~~AND~~,

~~WHEREAS~~ the Local's current wage scale has never addressed the areas of music preparation and electronic media; ~~AND~~,

~~WHEREAS~~ the Wage Scale Committee has worked assiduously for more than six months to develop a new wage scale that addresses the issues and problems of the twenty-first century music industry,

~~BE IT THEREFORE RESOLVED THAT:~~

- I) The new wage scale proposed by the Wage Scale Committee be adopted to replace the Local's current wage scale;
- II) The new Wage Scale shall become effective on January 1, 2021.

Respectfully submitted by,

Local 198-457 Wage Scale Committee

Eliot Porter, *Chair*

Carl Gerhard

Jordan Nunes

R E S O L U T I O N No. 2020-03

Introduced: October 5, 2020

Approved: December 7, 2020

Attested: 

Edward J. Plunkett, *President*