

# AGMA

## AMERICAN GUILD *of* MUSICAL ARTISTS

### **Board of Governors Revision**

#### *Key Changes*

The Board of Governors Revision is a comprehensive overhaul of AGMA’s Constitution, designed to modernize and strengthen our Union and make sure that AGMA can fight for all of its members for years to come.

This document is designed to summarize the most important changes in the document, which are only some of the improvements to the Constitution in the Revision. For a review of every change in the Revision, Article by Article, please check the Explainer and/or the Annotated Revision.

Many of the changes in the Revision can be divided into four broad “themes”: 1) Clarity, Modernization, and Legal Compliance; 2) Justice and Equality; 3) Transparency; 4) Democracy.

#### **1. Clarity, Modernization, and Legal Compliance**

Our Constitution hasn’t been meaningfully updated in a long time, and it shows.

- Too often, our Constitution is overly legalistic, vague and confusing, and uses antiquated and gendered language.
- There are provisions of our Constitution that make it hard to use the most current technology to run AGMA and serve our members.
- There are also some provisions of our current Constitution that aren’t legally compliant, because they were written a long time ago.

To address these problems, the Revision:

- Includes a new preamble, a clear and powerful statement about AGMA’s members and our shared values.
- Changes the parts of the Constitution that govern how we communicate with our members and with each other. Under the Revision, AGMA will be able to send emails most of the time, instead of physical mail. We also made changes to make sure that we can hold every AGMA meeting by videoconference.
  - o In addition to bringing us into the 21<sup>st</sup> century, these changes should help AGMA save money and be environmentally responsible.
- Makes several changes—to our election structure and to other portions of the Constitution—to bring AGMA into compliance with federal labor law.

What do we mean by **Clarity**?

- Here’s the language from Article IV, Section 1 of the *current Constitution*, on Membership Applications:

No person shall become a member of the Guild unless and until he shall sign an application which shall substantially provide that he agrees to be bound by the Constitution of the Guild and by such amendments thereto as may hereafter be lawfully made, and by any By-Laws, rules, regulations and orders existing or thereafter lawfully enacted, and by any amendments to such Constitution, By-Laws, rules, regulations and orders. Said application may contain such further terms and provisions and such further information as to the applicant's qualifications and experience as the Board may from time to time prescribe.

- Here’s the new language, in the *Revision*:

A prospective eligible person who wishes to join the Guild must first complete and sign a membership application. The application shall provide that the prospective member agrees to be bound by the Constitution and By-laws of the Guild and future amendments lawfully made to the Constitution and By-laws, and to any rules, regulations or orders of the Guild. Membership applications may be signed and processed electronically.

- This change does three important things:
  - o It makes the language clear and understandable.
  - o It removes gendered language.
  - o It provides for electronic membership applications, helping us modernize and go Green.

## 2. **Justice and Equality**

AGMA's Constitution should be a statement of our values. The Revision does that by making sure our Constitution underscores and reflects AGMA's commitment to eliminating sexism and racism from our workplaces, our industries, and our world.

The Revision includes a new Article on Justice and Equality, which will be Article II of the new Constitution.

Article II provides as follows:

*Section 1.* It shall be the national policy of the Guild that all workers, including all members of the Guild, have an absolute right to a working environment free from sexual harassment, racism, and discrimination based on any protected characteristic.

*Section 2.* While the provision of an equal and just workplace is ultimately the responsibility of the signatory employers of the Guild, AGMA will hold our employers accountable to ensure that they provide the members of the Guild with a discrimination and harassment free work environment.

*Section 3.* Where appropriate, AGMA will work with our employers, with industry groups, with our sister unions, and with individuals to combat systemic sexism, racism, and all other forms of discrimination.

### 3. **Transparency**

One of the biggest shifts in the Board of Governors Revision is that it makes AGMA transparent.

The current Constitution does not contain all of the important information about how AGMA runs.

- The rules, responsibilities, and authority of the Board of Governors is scattered across a different Articles, and some of that information is in the Bylaws or in Board policies. The same is true for Area Committees.
- National Officers only have one section of one Article in the current Constitution, and our Standing Committees are not in the Constitution at all.

The Revision changes all of that by reorganizing the "Governance" sections of the Constitution.

- Now there will be one Article for the Board of Governors, one Article for National Officers, and one Article for Standing Committees and Area Committees.
- Our members will be able to look at the Constitution and easily understand how the Union runs.

- We've also moved certain items—like AGMA's internal disciplinary process and dues structure—from the Bylaws into the Constitution.

Moving these items into the Constitution is very important. The Board can change AGMA's Bylaws or policies at any time. By putting these in the Constitution, we are ensuring that the members will have to approve any change to the way that AGMA is governed.

#### **4. Democracy**

The Revision makes big changes to the way that we hold elections for the AGMA Board of Governors, and we think these changes will make AGMA much more democratic.

- Under the Board of Governors Revision, every member of AGMA who meets the Constitution's eligibility requirements will now be able to run for the Board.
- The Revision also adds At-Large seats on the Board of Governors for every Area, to make sure that each corner of our membership has guaranteed representation on the Board.
- Similarly, the Revision adds an At-Large seat for Non-Resident Artists, so that our members who work and live abroad have guaranteed representation as well.
- The Revision includes work requirements that members must meet to serve as a National Officer or member of the Board. These requirements to make sure that the elected leaders of AGMA are working members of AGMA.
  - o To serve on the Board, a member must: 1) be an active member in good standing for 1 year prior to their nomination, and; 2) work under an AGMA CBA in the past 5 years or work a total of 80 weeks under an AGMA collective bargaining agreement.
  - o To serve as a National Officer, a member must: 1) be an active member in good standing for 2 years prior to their nomination, and; 2) work under an AGMA CBA in the past 5 years or work a total of 100 weeks under an AGMA CBA.

#### **Other Important Changes**

Not all of the changes in the Revision fit neatly under one of the aforementioned major themes. Here are some of the other important changes to the current Constitution provided for in the Revision.

##### **1. Membership Eligibility**

The Revision has a new standard for who is eligible for AGMA membership. This new standard does not apply to anyone who is already a member of AGMA.

Under the current standard, any Artist who “performs, has performed, or intends to perform” under an AGMA CBA is entitled to join the Union. There are a few problems with this standard:

- The term “perform” does not accurately describe what some of our members do every day.
- By allowing anyone who “intends to perform” to join AGMA, we allow Artists to join who may never work under an AGMA CBA.

The Revision rewrites this standard to provide that any Artist who “works, has worked, or is about to work” under an AGMA collective bargaining agreement is eligible for membership in AGMA.

- This new standard ensures that, moving forward, our Union will be made up of Artists who work with us at AGMA signatories, under our collective bargaining agreements.

## 2. **Definition of “Active Member in Good Standing”**

The Revision adds a definition to the Constitution for an “active member in good standing.” This is important for Union governance, as active members in good standing are the only people entitled to the rights and privileges of membership in AGMA.

This change also makes one crucial change to current practice: it provides that our new members who are paying their initiation fee through an installment plan will be considered active members in good standing, entitled to all of the rights of AGMA membership.

## 3. **National Officers**

The Revision includes significant changes to the National Officers of AGMA:

- The Revision combines the offices of Secretary and Treasurer into one office: Secretary-Treasurer, similar to the structure of many of our sister unions.
- Vice Presidents
  - o AGMA currently has 5 Vice Presidents. The Revision expands that number to 8 Vice Presidents.
    - 4 Vice Presidents will be nominated and elected by category: Choristers and Actors, Soloists, Dancers, and Stage Staff.
    - 4 Vice Presidents will be nominated and elected by Region: New York, Midwestern, Eastern and Southern, and Western.
  - o This new structure with additional Vice Presidents guarantees that each Election Region and each Employment Category has direct representation at the highest levels of AGMA’s leadership. These individuals will be nominated

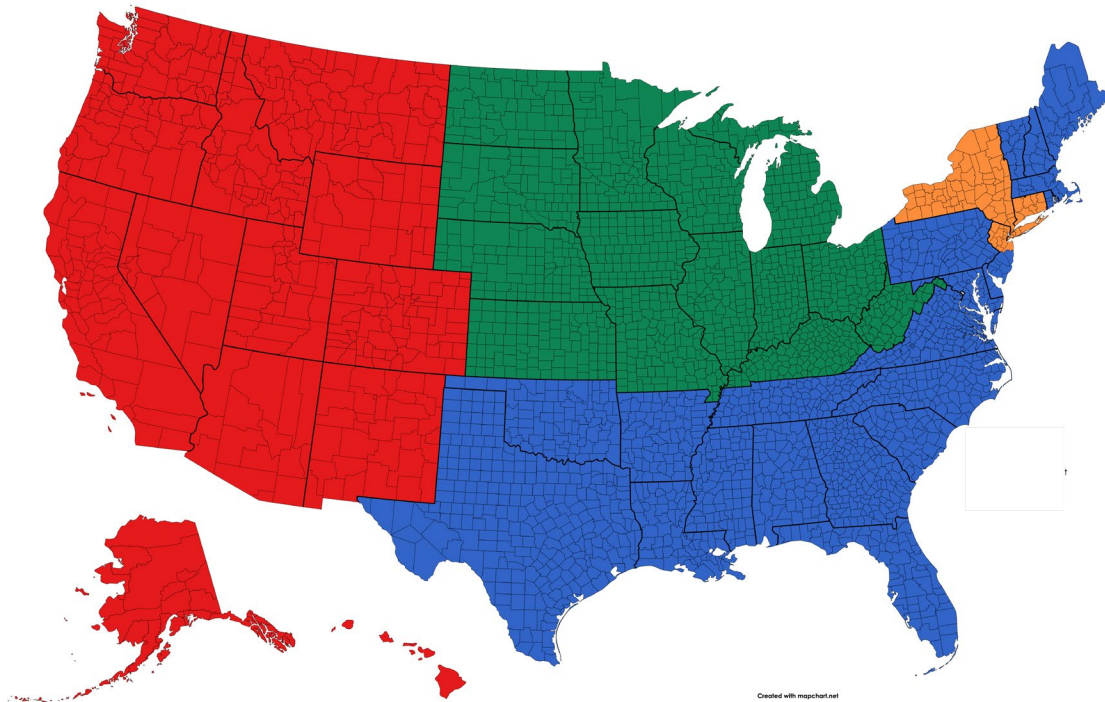
by and voted on by the members of each Election Region and Employment Category.

#### 4. **Election Regions**

One of the biggest changes in the Revision is a shift in the way that AGMA elects its Board of Governors. Instead of electing by Area, the Revision creates 4 Election Regions:

- New York
- Midwestern
- Eastern and Southern (comprised of New England, Pittsburgh, Philadelphia, Washington/Baltimore, New Orleans, and Texas/Oklahoma)
- Western (comprised of Southern California, San Francisco, and Northwest)

#### **New Election Regions**



Orange: New York  
Blue: Eastern and Southern  
Green: Midwestern  
Red: Western

The reasons for this change are legal compliance, democracy, and fairness. Currently, there are members of AGMA who cannot run for a seat on the Board of Governors because there are not enough members in each Area to qualify for a seat under our current system. For instance, there is neither a Dancer seat, a Stage Staff seat, or a Soloist seat on the Board of Governors for Pittsburgh. This is a legal problem—it's directly contrary to federal labor law. It is also a fairness problem: every member of AGMA should be able to run for the Board.

By making larger Election Regions, the Revision fixes these problems by ensuring that every member of AGMA will be able to run for the Board, now and in the future. The Revision also adds At-large seats for each Area and for non-resident members. The reason for this is to make sure that, under the new system, each Area still has guaranteed representation on the Board.