



**CONSTITUTION OF THE MUSICIANS
UNION OF LIBERIA
(MULIB)**

REVISED 2011



PREAMBLE

We, the Musicians of Liberia, having realized the great potential of music, coupled with the benefits and incentives that can be accrued from this God-given talent, and observing that these returns have not been realized in our practices and livelihood; and in consideration of the absence of an enabling environment which would preserve, protect and promote the rights and privileges of Liberian musicians under the laws of the Republic of Liberia;

We, now therefore, do hereby resolve to establish by this Constitution, a non-political, non-profitable, non-denominational and non-racial organization to protect the welfare and interest of all members, and by these presents, bringing into being this body politic as a legal framework through which all members will be governed.

ARTICLE 1: NAME

The Organization shall be known as and called the **Musicians Union of Liberia** or **MULIB**

ARTICLE 2: LIFESPAN/LEGAL FUNCTION

The Union shall have perpetual succession and a common seal being a clef-shaped harp, and may sue and be sued in its own name, and may for the purposes of its functions under this Constitution acquire, hold and dispose of any movable or immovable property and enter into any transaction whatsoever.

ARTICLE 3: HEADQUARTERS

The National Headquarters shall be located in the National capital.

ARTICLE 4: MISSION AND OBJECTIVES

4.1 MISSION

To unify all musicians of Liberia under a mother organization that will provide a conducive atmosphere so that we, musicians can collectively endeavor to protect the interest of each other.

4.2 VISION

To create a framework in which Liberian musicians will exert professionalism and self-sustainability in production, publication and preservation of their artistic works.

4.3 ARTICLE FOUR (4): AIMS AND OBJECTIVES

4.3.1 To protect the creative works and performing rights of all musicians in the Country.

4.3.2 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.

- 4.3.3 To arrest, contain the exploitation of Musicians, ensures fair return for the efforts of all Musicians and to encourage a healthy growth of the music industry in Liberia.
- 4.3.4 To encourage musical talents, seek and maintain the best of musicians and to promote research into indigenous music and culture in Liberia.
- 4.3.5 To affiliate with legitimate organizations which seek to promote the well-being of musicians locally and internationally.
- 4.3.6 To assist incapacitated musicians who were in good financial standing with the Union before their incapacitation.
- 4.3.7 To unite the musicians in the Liberia for the purpose of general protection and advancement of their interests
- 4.3.8 To promote and encourage traditional music, ballade and the cultural heritage of Liberia.
- 4.3.9 To raise funds, solicit aids from individuals and organization both locally and internationally in order to acquire real estate, performing halls, theatres, recording studio and other assets for the effective functioning of MULIB.
- 4.3.10 To publish periodicals on the day to day activities of MULIB and its members as well as set up awards in recognition of outstanding and worthy contributions of musicians, performers and sponsors.
- 4.3.11. To fix or demand royalty (ies) and other rates or levies in the music industry and related activities
- 4.3.12 To draw up a code of professional conduct and etiquette for the guidance of musicians in Liberia.
- 4.3.13 Build relationships with cultural attaches in the various embassies with the view to promoting Cultural exchange programs
- 4.3.14. Provide health, life and accident insurance policy for members
- 4.3.15 Build coalitions and act in solidarity with other organizations that share the concerns of the Union for Social and Economic justice.

4.4. To achieve these objectives, musicians must commit to;

- 4.4.1 Treating each other with respect and dignity without regard to ethnicity, creed, sex, age, religion, disability, citizenship, marital and family status, or national origin;
- 4.4.2 Honoring the standards and expectations collectively set in pursuit of the vision, supporting and following the constitution adopted.

Article 5: Membership

- 5.1 For the purposes of this Constitution, a musician may be defined as any person who plays a musical instrument of any kind, sings or composes, arranges or conducts, directs musical performances, teaches music, is a copyist of sheet music or provides service in a profession requiring musical skills.
- 5.2 In the case of non-Liberians, it applies to:

5.2.1 Persons who have been granted legal residence by the Liberian Immigration Authority and has permit to work.

5.2.2. Has been residing in Liberia for a period of at least six months prior to the application for membership.

5.2.3 Who, having gained admission into the Union whilst in Liberia, continues to fulfill membership obligations.

5.3 Membership of the Union shall be open to all musicians living and working in Liberia and shall consist of the following:

5.3.1 Regular members

Regular membership status shall be granted to musicians who subscribe to the aims and ideals of the Union, pay their dues regularly, and participate in the activities of the Union.

5.3.2 Associate members

Military/Para Military officers who are in active service and are musicians can apply for associate membership within the Union. They are not eligible for elected office. They must however pay their dues regularly, and participate in the activities of the Union.

5.3.3 **Temporary Members**

The Union may register any person to be temporary Member on conditions and for such period as the Union decides.

5.3.4 **Honorary members and Patrons**

The Union may confer honorary membership on any person who shows common cause with the Union or musicians or contributes to the well being of musicians in Liberia and other parts of the world. They shall be exempted from the payment of dues

5.3.5 **Life members**

Members who have had continuous membership in good standing in the Union for a period of Thirty five years and have reached the age of sixty-five years shall automatically become life members. They shall pay a portion of annual dues as determined by the National Executive Council, but shall pay work dues on any engagement they might play, when they are instituted, and shall be subject to all by-laws of the Union.

5.4 **Obligation to pay dues and take oath**

Every person on being admitted to the membership of the Musicians Union shall pay such initiation fees, dues and assessment, and take the oath of obligation as prescribed in the By-laws

5.5. **Duty to maintain proper conduct**

Any member who by improper conduct, in any way become a disgrace to this Union, or who imperils its interest and existence, might upon specific charges in writing and after due notice of opportunity to be heard, proof-hearing and conviction, may be fined, and/or suspended or expelled in accordance with the By-laws.

5.6 **RIGHTS AND DUTIES OF MEMBERS**

5.6.1 Union members, authorize the Union to act as their Exclusive Bargaining representative with full and exclusive power to execute agreements with employers governing terms and conditions of employment. The members by registering with the Union, enter into agreement with the Union do so for the benefit of all union members and each member is bound by this agreement.

5.6.2 However, members shall be entitled to negotiate and enter into individual agreements relating to their performance activities. In such a case it shall be the duty of the member to observe the minimum rates and conditions of employment which are from time to time adopted by the Musicians Union of Liberia (MULIB), to exchange written contracts, to give consent and to complete all other procedures in the manner determined by the National Executive Committee and to submit written contracts for professional activities abroad to the National Office before they are entered into.

5.6.2.1 **Notwithstanding, all musical events requiring the performance of three or more members shall be negotiated through the Union. Members are mandated to refer all potential employees to the Union to sign the relevant contract.**

5.6.3. A member has an obligation to undertake professional activities only with, and offer professional activities only to, other members of the Musicians Union of Liberia (MULIB). Any member who violates the provisions of this Section shall be subject to a fine of not more than Fifty (50) United States dollars and/or expulsion from the Union. This fine is subject to review by the National Executive Committee.

Members should do all that is possible to ensure that all Musicians eligible for membership of the Musicians Union of Liberia (MULIB) seek and /or retain membership of the MULIB.

5.6.4. It shall be the duty of every member to strike when called upon to do so by the National Executive Committee (NEC), to observe all embargoes on engagements, persons and places and to observe the instructions of the National Executive Committee (NEC) in connection with all disputes or other matters within the province of the National Executive Committee (NEC). Enforcement of this sub-rule shall be subject to the relevant statutory provisions in force from time to time.

5.6.5 It shall be the duty of every member to pay to the Secretary/Treasurer annual dues, and other levies and fines, and upon payment shall receive from him/her a proper receipt.

5.6.6. Members must pay to the Secretary/Treasurer all money decided by the Executive Committee or the Hearing Board to be due to other members and all fines for violation of Bylaws within the time specified by said Board.

5.6.7. Every member is expected to conduct himself/herself with propriety at all meetings, conform to the rules, obey the orders of the President and leave the meetings previous to adjournment only by permission of the President.

5.6.8 Members should not, in furtherance of this obligation and observance of this rule, incite, make or commit any breach of contract.

5.6.9. No member shall perform or agree to perform an engagement for less than the applicable minimum compensation established for such engagement by the Local or the Union. Any member violating the provisions of this Section shall be subject to a fine of not more than Fifty (50) United States dollars and/or expulsion from the Union.

- 5.6.10.** Any member who presents himself/herself at an engagement under the influence of drugs and/or alcohol or becomes so during the course of such engagement shall be subject to immediate dismissal by the employer/leader/contractor. Further, said offending member shall be subject to disciplinary action, the severity of which shall be determined by the Hearing Board.
- 5.6.11.** It shall be the duty of every member to report any breach or infringement of the Bylaws that might come to his/her knowledge, to the Union. Failure to do so will subject the member to a fine of not more than Twenty Five (25) United States dollars.
- 5.6.12.** When a member has fees or compensation due him/her from a member or members, or parties not connected with the Union, and is not successful in collecting amounts due within reasonable time, he/she shall institute a claim against defaulting party or parties, with a full statement of facts to the Secretary of the Union. In the event such grievance comes to the attention of the President, Secretary/Treasurer, or the Executive Board, involving one (1) or more members who wish to remain anonymous, their confidentiality shall be respected and the Secretary/Treasurer shall be empowered to file charges on their behalf.
- 5.6.13.** Contractors or leaders must not persecute, ridicule, coerce or otherwise intimidate any member under their supervision. They shall, however, have the right to correct or admonish a member in accordance with Union or Local Bylaws as to appearance and general behavior. Contractors or leaders guilty of violating this Section shall be subject to a fine of not less than Fifty (50) United States dollars.
- 5.6.14.** No member of the Union shall make or accept any engagement, furnish music to, or play for or with any person or entity appearing on the Union Defaulters or sanctions lists.
- 5.6.15.** The printed card or certificate of membership, with the correct receipt for current dues stamped or written thereon, shall be the only passport to professional business, unless the holder has forfeited his/her membership through resignation or violation of the Constitution and Bylaws. Members shall carry their cards on all engagements and must allow any other member the privilege of examining their cards if requested.
- 5.6.16.** Members accepting single and/or seasonal engagements must report at on time, at least 15 minutes before the scheduled time, and with good appearance as to proper attired and presentable. Such members must not be guilty of insubordination; unless said employer/leader/contractor shall be in violation of Union Constitution and/or Bylaws.
- 5.6.17.** Any member or members threatening or interfering with an official of the Union in the performance of his/her duties shall be subject to a fine, and/or suspension to be determined by the Hearing Board, subject to approval by the National Executive Committee.
- 5.6.18.** A member receiving pay for an engagement performed by a substitute shall be responsible for his/her pay. Also a member contracting engagements shall be held responsible for the amount due to those employed.
- 5.6.19.** No member of the Union shall take engagements or employment or become engaged or employed in the rendering of musical services of any kind (e.g., the making of sound tracks, "sidelining," etc.) for any type of recorded product (audio and/or visual) unless the person, firm or corporation providing such engagement or employment shall have previously entered into a written agreement with or approved in writing by the Union relating thereto.

- 5.6.20** A notice to a member of this Union concerning business of the Local, served either personally or left at the usual place of business, or forwarded to the address as appearing on the books of the Secretary/Treasurer, shall constitute an official notice. It shall be the duty of the members who sign a call for a special meeting to be present at such meeting. Fine for non-compliance is Five (5) United States dollars. Absence from 3 meetings without excuse will Subject violators with additional disciplinary measures to be determined by the hearing Board.
- 5.6.21.** No member shall use the name or any logo or trademark of the Musicians Union of Liberia (MULIB) or claim to represent the Musicians Union of Liberia (MULIB) or speak on its behalf without proper authority from the National Executive Committee.
- 5.6.22.** No member shall take the Musicians Union of Liberia or any executive or member to any Court of Law without first exhausting all internal mechanisms for redress – Arbitration Committee or Hearing Board, National Executive Committee, Board of Directors or National Congress/Council.
- 5.6.23.** Every member shall give notice to the Union of material changes to their personal duties within 21 days of the Change taking place.
- 5.6.24** Members who submit any document to the Union for recommendation shall swear an affidavit in support. Any member, who submits false documents or particulars to the Union, shall be sanctioned.
- 5.6.25** All members shall be bound by the Constitution. Hence it is the responsibility of each member to obtain a copy of the Union's Constitution and acquaint himself or herself with all the provisions contained therein. Ignorance of the Bylaws and constitution shall not be an excuse for their violation
- 5.6.26.** Any member found guilty of a violation under this section shall be fined by the Union a sum of not less than \$1,500 (One Thousand Five Hundred Liberian Dollars or not more than Seven Thousand Liberia Dollars, suspended or shall be expelled from the Union. The fine is subject to change.

5.7 CONFLICT OF INTEREST

- 5.7.1** No MULIB member shall be permitted to hold membership in any Union of musicians, not affiliated with the Musicians Union Liberia (MULIB) or in any other organization, association of musicians or collective society that has goals or engages in a pattern of conduct undermining or weakening the legitimate interest/s of the musician Union of Liberia (MULIB) or any affiliate.
- 5.7.2** No Officer, business agent, employee or committee member involved in booking, contracting, or engaging Union members to perform musical services shall: use that position, or any information received in an official capacity, including referrals, contracts or engagement reports received by or filed with the county, to solicit or obtain business for the performance of musical services from which that individual would personally benefit. Any member violating the provision of this section shall be subject to expulsion.

Article 6: UNION STRUCTURE

- 6.1. The Union shall have the following structure – National Congress, the National Executive Council, the National Executive Committee, a national secretariat, and standing committees
- 6.1.2. The National Congress
- The supreme authority of the Union shall be vested in the National Congress which shall convene every three years. The Union shall elect its officers through national and county congresses and shall consist of the following:
- National Executives
 - County executives
 - Selected members from each of the county chapters, the numbers to be determined by the National Executive Council.
- 6.1.3 All delegates must be accredited by virtue of the fact that he or she be in good moral and must not be indebted to the Union in any manner or form.
- 6.1.4 For deliberations at the Congress to be valid, at least 50 % of national and county executives and selected delegates must be present.
- 6.1.5 Resolutions at Congress shall be recorded in writing in a single document, which shall be signed by all of the delegates using a signature template before the closing session and said document be secured to form part of the union's archives. Copies of which could be made available upon request to members
- ### **6.2 NATIONAL EXECUTIVE COUNCIL (NEC)**
- 6.2 The National Executive Council shall consist of the following;
- i.. National executive Committee
 - ii.. County Chairman and Secretaries of every county and they shall be known as the NEC
- 6.2.1 The National Executive Council shall be made up of all National officers elected by the last congress who are still with the Union and chairpersons and secretaries from each chapter who are in good standing.
- 6.2.2. The National Executive Council shall convene National and chapter Congresses every three (3) years.
- 6.2.3. The National Executive Council shall have power to formulate policies and make rules and regulations for the efficient administration of the Union when applicable.
- 6.2.5 Notwithstanding, the National Executive Council shall prescribe the ratio for county representation to the National Congress when the need arise.
- 6.2.6 The tenure of office of NEC officers shall be four years but they can stand for two re-election except the Chairman who can contest for two consecutive terms only.
- 6.2.7. The National Executive Council when the need arises may require funds from any County accounts for National projects.

6.3 The National Executive Committee

6.3.1 The National Executive Committee shall comprise of the following officers who will be elected into office by a simple majority at the Union's congress. At least two of them shall be females. Members of the National Executive Committee shall be the National officers of the Union.

1. National President
2. 1st National Vice President
3. 2nd National Vice President
4. Secretary-General
5. National Treasurer
6. National Welfare Officer
7. Organizer
8. 3 others

6.3.2. The National Executive Committee shall have sole jurisdiction over all national administrative work including issuing letters to the State, Passport Office, Embassies, visa applications, awards, line ministries, hosting conferences and seminar, and international relations

6.3.3. Shall have all powers of management and administration of the Union Headquarters, assets and activities

6.3.4 The National Executive Committee shall meet regularly at least once every quarter and in case of emergencies as often as convenient.

6.3.5 Shall have powers to make rules and regulations in the form of policies for the efficient administration of the Union.

6.3.6 Will be responsible for registration and payment of dues at the National Headquarters. However the National Executive Committee may employ some of the county representatives to collect on its behalf and send the revenue to the National Headquarters.

6.3.7. As the implementing arm of the Union, it will gather proposals from the various committees within the Union for review and possible action. It may also set up ad hoc committees when necessary to assist the Union in problem solving.

6.3.8. The National Executive Committee shall have the power to co-opt when necessary.

6.4 The National Secretariat

6.4.1 It shall serve as the National headquarters of the Union and shall be located in the Capital City.

6.4.2 It shall provide offices for all permanent, temporal and contract employees of the Union

6.4.3 It shall provide secretarial services and serve as the repository of all documents and records of the Union

6.4.5 It shall be headed by the Secretary General.

6.4. County Executive Committee

- 6.5.1 They shall constitute the head office of the County
- 6.5.2 County executive members shall be elected every three years at a meeting convened for that Purpose:
- 6.5.3 The following shall constitute the officers of the county chapters
 - I. Chairman,
 - ii Vice Chairman,
 - iii. Secretary
 - iv. Treasurer
 - v. Organizer
 - vi. Welfare officer
 - vii. A Member
- 6.5.4, County executives shall serve for Three years. They shall however be allowed to stand for re-election. In the case of the Chairman, He or she can contest for only two terms.
- 6.5.5 The county elections shall be conducted within three months after the National Congress
- 6.5.6 The County executives shall work in close collaboration with the National Executive Committee in implementing programs and policies of the union.

6.6 County Secretariat (Chapters)

- 6.6.1. Each Chapter shall open and operate bank accounts.
- 6.6.2. Checks and bills of exchange shall be signed by the Secretary and Treasurer and Counter-signed by any of the following officers; Chairman or Vice Chairman
- 6.6.3 Counties shall keep proper books of accounts, which must be up to date and ready for verification by members every six (6) months.
- 6.6.4 Every county shall submit annual accounts to the National Treasurer by 15st of December each year.
- 6.6.5 The County Chapter of the Union will collect dues only on behalf of the National Executive Committee except Montserrado County since the National secretariat is also in Montserrado County.
- 6.6.6 The County secretariat shall be watchdog of all matters affecting musicians or the Union in the County
- 6.6.7 The County secretariat shall compile and submit up to date list of members collect registration fees, Dues and/or other fees on behalf of the National Secretariat and forward them only to the National Head Quarters.
- 6.6.8 The County secretariat shall be given commission based on the amount collected for the National Secretariat.
- 6.6.9 The County secretariat shall be responsible for organizing the Public Relations duties in the County.

ARTICLE 7: Functions of Officers

7.1 The President

- 7.1 The President shall preside over all meetings of the Union, including the National Congress, Executive Council Meetings, Executive Committee meetings, and maintain order; put all motions to a vote when seconded; be ex-officio of all committees, and shall only have a vote in case of a tie.

- 7.1.2 He/She shall oversee the administration of the Union and shall ensure the effective implementation of policies laid down by the National Congress or the National Executive Council/Committee.
- 7.1.3 He/She shall countersign all checks
- 7.1.4. In consultation with the Executive Committee the president shall shall appoint special committees for any special assignment or task.
- 7.1.5 He/She shall be the business representative of the Union and shall spearhead and preside over collective bargaining sittings for minimum wage, contracts and other benefits and rights of members.
- 7.1.6. He/She shall represent the Union at negotiations, conferences and other events.

8.2 1st National Vice President

- 7.2.1 He/she shall assist the President in the execution of his duties and ensure that all organs of the Union are functioning properly, and act in the absence of the President.
- 7.2.2. Be responsible for any special task and other duties assigned by the President or the Executive Committee
- 7.2.3. Shall coordinate active activities of the Business and Finance Committee National Executive Committee
- 7.2.4 He/she shall have oversight responsibility over the national Secretariat
- 7.2.5. In the absence of the President due to incapacitation or resignation, the 1st Vice President shall preside over the affairs of the Union, until elections are held.

7.3 The 2nd National Vice President

- 7.3.1. For the purpose of ascendancy, shall act in the absence of both the President and the 1st Vice President
- 7.3.2. Liaise with businesses, distributors, studios (recording) and shall coordinate all live shows under the auspices of the Union in collaboration with the Executive Committee and submit written findings/briefs to the Executive Committee on his interaction, with those entities.
- 7.3.3 Shall monitor the activities of musicians and submit written findings/briefs to the Executive Committee through the President's office on his interaction with those entities.

7.4 The Secretary-General

- 7.4.1. The Secretary General shall attend all meetings of the National Executive Council, the National Executive Committee and National Congress and other membership meetings; prepare minutes, keep accurate records of all reports and resolutions; and record the names of the maker and the seconder of any motion;
- 7.4.2. He/She shall carefully preserve at the office of the Association the books, documents, correspondence and other property pertaining to his/her office, and deliver the same in good condition to his/her successor. He/She shall be the Custodian of the Seal.
- 7.4.3. He/She shall send written notices as follows: (a) to executives of all meetings at least fifteen (15) days in advance; (b) to members concerning any fine or other disciplinary action imposed upon them within one (1) week thereafter; (c) to members concerning any outstanding dues, assessments, fines or other indebtedness; (e) to the new officials

notifying each of their election to office; (f) to committees notifying committee members of their appointment; (g) as required by any other official business of the Union.

- 7.4.4 He/She shall following an election publish the complete list of elected officers and delegates of the Union.
- 7.4.5. He/She shall be at the office of the Union daily, Monday through Friday from 9.00 a.m. to 5.00 p.m., except at such times as is necessary for him/her to be out of the office on business that is beneficial to the good and welfare of the Union. Legal Holidays and vacations are excepted.
- 7.4.6. He/She shall provide himself/herself with a publicly listed telephone during his/her term of office.
- 7.4.7. He/She shall administer all applications for membership in the Association, examine candidates, verify their current standing in county chapters with which they might be presently or formerly associated, and forward all applications to the Executive Committee for final determination.
- 7.4.8 He/She shall maintain a directory of all registered members of the Union
- 7.4.9. Be responsible for public relations and publish any information issued by the Union
- 7.4.10 Be responsible for the holding of congress and all necessary arrangements for national executive committee meetings.
- 7.4.11. Act as secretary to the National Congress and handle all necessary arrangements for meetings of the National Executive Committee
- 7.4.12. Implement policies laid down by the Union and carry out directives of the President and the National Executive Committee
- 7.4.13. Represent the Union at meetings, conferences, negotiations, etc as and when necessary
- 7.4.14. The principal duty of the Secretary General is to do all that is necessary for the objectives of MULIB to be achieved, its interest defended and its activities developed.
- 7.4.15. Shall have oversight responsibility for the county executive structure, and ensure that those structures are fully functional.

7.5 The National Treasurer

- 7.5.1. He/She shall open an account with each member, and debit each member for all dues, work dues, fines, assessments and other monies that may accrue against him/her, and credit him/her with all monies he/she might pay, which account shall be kept in such a manner as to indicate at any time the amount due from and paid by each member.
- 7.5.2 Attest all orders on the Treasury and execute any other writings required.
- 7.5.3. He/She shall receive all monies for annual dues, work dues, fines, assessments, initiation fees, etc.; pay all orders when countersigned by the President; keep an account of all monies received and expended in a set of books belonging to the Union.
- 7.5.4. He/She shall make quarterly reports to the Executive Committee and a report to the National Executive Council and Congress at each meeting of the financial standing of the Union.

- 7.5.5. Keep proper accounts of the Union and submit annual statement of accounts to the Executive Committee, the President or the National Executive Council
- 7.5.6. Make all financial records available to the auditors upon request
- 7.5.7. Prepare for the National Executive Committee a financial report on the past financial year and a budget for the coming financial year.
- 7.5.8. Make available to the national secretariat monies for which provision is made in the budget.
- 7.5.9. Issue formal notice to members who are late with payments of their annual dues and propose any necessary measures on the subject.
- 7.5.10. Discharge any other duties assigned him by the President or the Executive Committee

7.6. Welfare Officer

- 7.6.1 Shall organize humanitarian support for the benefit of members, funerals, illness, disaster, educate and enhance the welfare of members.
- 7.6.2 Shall Work to ensure that all practitioners in the various forms of music belong to the Union
- 7.6.3 Shall formulate and implement such welfare policies that would help attain the well being of musicians in Liberia.
- 7.6.4 Shall help musicians in all matters relating to the pursuit of their musical Career.
- 7.6.5 Shall organize such activities and programs to promote the well being of members.

7.7 Organizer

- 7.7.1 Shall coordinate and mobilize members for meetings and programs
- 7.7.2 Shall facilitate and coordinate outreach activities
- 7.7.3 Shall facilitate the implementation of plans and programs of the union.

7.8 Legal advisor

- 7.8.1 He shall be appointed by the National Executive Committee.
- 7.8.2 He shall advise on all legal matters of the Union
- 7.8.3 He shall prosecute and/or defend actions of the Union or members where Legal assistance of the Union is needed.
- 7.8.4 Shall advice on arbitration and disciplinary issues

ARTICLE 8: Standing Committees and Their Functions

8.1 The Union shall set up various Committees to help implement policies of the National Executive Council. The following shall constitute the Standing Committee of the Union:

1. Business, Finance and Administration Committee
2. Arbitration and Disciplinary Committee
3. Talent and Research Committee
4. Marketing and Human Resource Committee
5. Welfare Committee

8.2 Business Finance and Administration Committee

The Business, Finance and Administration Committee among other things:

- 8.2.1 Shall assist in the fund raising and management of funds for the Union
- 8.2.2 Shall assist in the development of the annual budget for the Union
- 8.2.3 Shall propose minimum wage for industry related business transactions.
- 8.2.4. Shall propose minimum performance fees for executive class halls, hotels and other venues, and shall monitor the Union's scale.
- 8.2.5 Shall seek for sponsors and scholarships for the Union's programs and activities.
- 8.2.6 Shall assist musicians in financial matters relating to the pursuit of their music endeavors.
- 8.2.7. Shall commission agents to look for jobs for members
- 8.2.8 Shall negotiate with all related institutions for better working conditions for members
- 8.2.9 Shall monitor usage of union facilities including recording studios, performance space, etc.
- 8.2.10 Shall develop plans for the setting set up publishing, recording and other facilities and the construction of the Union headquarters and theatre

8.3 Arbitration and Disciplinary Committee

- 8.3.1 The Union shall have a standing Arbitration Committee, which shall have a legal officer as an advisor. It shall be chaired by a Chairman appointed by the National Executive Committee
- 8.3.2 It shall Draw up a code of professional conduct and etiquette to guide members
- 8.3.3 Investigate cases of indiscipline and breach of the Union's code of conduct and recommend appropriate punishment to the National Executive Committee
- 8.3.4. Establish rules to ensure orderliness during meetings
- 8.3.5 Regarding issues emanating from contracts, grievances and arbitration provisions contained in a contract shall be the exclusive method of resolving dispute.

8.4 MARKETING AND HUMAN RESOURCE COMMITTEE

- 8.4.1. The Marketing and Human Resources Committee shall be responsible for Public relations duties, promotion and publicity functions of the union
- 8.4.2 It shall engage in manpower training and capacity building for members
- 8.4.3. It shall assist the President and National executive committees in recruiting permanent and temporal employees for the Union.
- 8.4.4 Shall produce souvenirs for the Union
- 8.4.5 Shall publish a magazine containing new trends and development, employment avenues, adverts etc, about the music industry.
- 8.4.6** To negotiate with all related institutional for better working conditions for members.

8.4.7 Keep an up-to-date register of members and their fields of specialization

8.4.8 Commission agents to look for jobs for members

8.5 WELFARE COMMITTEE

8.5.1 The Welfare Committee shall assist in the development and implementation of a pension and health insurance scheme for members.

8.5.2. Shall assist and console members in times of bereavement, illness, etc.

8.5.3 Shall educate member on welfare matters

8.5.4 Shall be headed by a Welfare Officer elected by the National Congress

8.6 TALENT AND RESEARCH COMMITTEE

8.6.1 The Talent and Research Committee shall research for new talents and organize talent hunts

8.6.2. Shall set up awards recognizing the outstanding and worthy musicians

8.6.3 Shall Keep an up-to-date register of members and their fields of specialization

8.6.4. Shall organize National/International Music Festivals

8.7 ELECTIONS COMMITTEE (Ad Hoc)

8.7.1 There shall be established for the purpose of National Election, an independent election committee appointed by the National Executive Council which shall be made up of five members who are non office holding musicians.

8.7.2 The Election Committee shall meet at the earliest convenient time after their election, and shall elect a Chairperson and Secretary.

8.7.3. The Committee shall develop guidelines for the holding of elections both at the national and county levels to include qualification of candidates, registration fees and the procedure for application

8.7.4 Call for filing of Nominations and receiving filed Nomination forms

8.7.5 Vet all applicants

8.7.6 The Election Committee shall have charge of the election and shall have general supervision over the same; and, said committee is hereby authorized and empowered to decide all questions and to make all rules and regulations for said election for which no provision is hereby expressly made.

8.7.7 The Election committee members should not be a contesting applicant

8.7.8. The Committee may be composed of both members of the Union and representatives from the Ministry of Labor, Information and the other civil society organizations

8.7.9. The election committee is automatically dissolved once the election is over.

8.7.10. A new committee shall be constituted for every subsequent election.

8.8 PATRONS COUNCIL

8.8.1. There shall be a Patron's Council comprising past Presidents and General Secretaries who complete their full term in office successfully.

8.8.2. The Union may appoint prominent individuals with interest in the Music industry or supportive of the Union to serve as patrons.

8.8.3. The Council shall provide guidance and advice officials of the Union as well as assist in mobilizing support for the Union and working for stronger union solidarity, etc.

Bye-Laws

Article 1: Procedure for Obtaining Membership

1.1 Persons are eligible to join the Musicians Union of Liberia if at the time of their application:

- a. He/she is following the profession of music;
- b. He/she is not a member of any other body of musicians established for protective purposes which has been proscribed by the Union and
- c. Have not previously been expelled from the Union membership or engaged in conduct contrary to the Rules of the Union. Such other person may be admitted to membership as may be deemed eligible by the National Executive Committee.

1.2 A prospective member shall be introduced and recommended for membership by a member in good standing.

1.3. To become a member, one would have to

- i. Completion a MULIB membership application form
- ii. Pay an initiation fee as determined by the National Executive Council
- iii. An appointed official of MULIB may audition an applicant.
- iv. Application for admission to the Musicians Union of Liberia in the county may be made by the same methods as the National Executive Committee makes available, and shall be sent to the National Office together with the correct subscription

1.4. Applications shall be granted or rejected under such procedures and conditions as determined by the National Executive Committee and subject to condition and/ or payments of advance subscriptions as determined by the National Executive Committee.

1.5 If the applicant is a foreign musician, the applicant shall only be admitted under regulations established by the National Executive Committee which regulations may include arrangements for foreign musicians to be admitted to Temporary Membership. Foreign applicants who do not have authorization to seek or obtain employment are not eligible for membership. If such entitlement to work is granted then the applicant may be accepted into membership until such time as the authorization to work ceases.

1.6 If an application is rejected, the applicant may, within a period of 21 days from the date the rejection, appeal to the National Executive Committee to be reconsidered. Any money paid by a rejected applicant to the Musicians Union of Liberia shall be refunded upon completion of any unsuccessful appeal against rejection.

1.7 Every member shall be attached to a county chapter, normally the county in which the member resides or performs majority of his/her professional career. In the event of a dispute concerning the particular county in which a member shall be placed, the National Executive Committee shall decide and their decision shall be final.

- 1.8. The membership of any person who has previously been a member of the Union shall date from the most recent admission to the Union.
- 1.9. Membership of any person who makes a false declaration in connection with application for membership may be declared null and void by the National Executive Committee at its discretion and all sums paid by such a person will be forfeited.
- 1.10 The Union card shall entitle membership but to maintain good standing one must pay his or her dues promptly.

Article 2: Obligation for Officers and members

Article 2.1: All officers of the Union must make the following pledge

I, _____, do hereby solemnly pledge my most sacred honor as a man/woman that I will faithfully discharge the duties of my office during the term for which I have been elected, or until my successor is duly elected and installed; that I will support the Constitution and Bylaws of the Musicians Union of Liberia, and all Rules and Regulations of the Union, and that I will enforce the laws thereof to the best of my ability, without prejudice or partiality.

2.2. Obligation for Members - All members of the Union shall make the following pledge

I, _____, in the presence of the members here assembled, do solemnly promise and declare that I will support the Constitution and Bylaws of the Musicians Union of Liberia, and submit to its mandates and obey all laws emanating there from, and the Constitution, Bylaws, Rules and Regulations of the Union, and that of any other Chapter of the Musicians Union of which I might hereafter become a member. To all this I pledge my sacred word of honor.

Membership Dues and Levies

- a. Members are eligible to hold office on affiliated bodies
- b. Members who are elected to Executive position on such bodies are eligible to maintain membership of MULIB.
- c. Members who hold executive positions on MULIB and are elected to executive positions on affiliated bodies are eligible to maintain their position on MULIB.
- d. Executives Members of MULIB, upon the expiration of their term of office, are still eligible to hold office on such external affiliates so far as they are in good standing

ARTICLE 3: FINES AND PENALTIES

- 3.1 For violation of the Constitution and by-laws, the National Executive Committee shall have power to impose a fine, suspend, or expel a member found in violation thereof.
- 3.2. Any member charged with violation of the Constitution and By-laws must be notified in writing of such charges at least fifteen (15) days in advance of his/her case before the Grievance and Arbitration Committee so that he/she may prepare his/her defense and notify any witnesses.

- 3.3 Any member making a charge or being charged with a violation of the Bylaws and not appearing before the Grievance Committee when summoned, to sustain or answer to such charge, shall be subject to a fine of not less than twenty-five dollars (\$25.00) unless a reasonable excuse is given or sent in writing.
- 3.4 All charges of violations of the Constitution and Bylaws against any member(s) of this Union must be instituted within one (1) year after date of the occurrence of said violation or claim shall not be considered.
- 3.5 A member shall be automatically suspended for failure to pay regular periodic dues to the Union for 6 months from the expiration date of the period for which the person's dues were previously paid to the Union.
- 3.6 A person having been suspended or expelled, as provided here, has neither the rights nor privileges of membership to the Union
- 3.7 The National Executive Committee may suspend a member indefinitely if his/her dues have remained unpaid for a period more than 24 months The Chapter must remove from its roster the name of any such member indefinitely suspended as provided here. However such expulsion must be preceded with a written reminder or caution.
- 3.8 Members who have been suspended from the Chapter for non-payment of dues, late fees or fines on dues, or assessments can be reinstated by paying the Chapter's prescribed reinstatement fee, if any, and the outstanding dues, late fees or fines, and assessments owed at the time of suspension. In addition, the union shall charge 20% extra.
- 3.9 For failure of any member of a Committee to attend to duties, the President shall discharge the member and appoint another member to serve on the Committee.

Article 4. Resignation

- 4.1 A member may apply to resign from the Union and the member's resignation shall be accepted by the National Executive Council if there are no outstanding issues at the time of such application.
- 4.2 The name of any person who has been expelled or has ceased to be a member may be published if considered expedient.

ARTICLE 5: MEETINGS

- 5.1.1 The National Congress shall meet once every three years but may hold emergency meetings
- 5.1.2 An emergency meeting of congress shall be held when requested by one hundred (100) members of good standing
- 5.1.3 The National Congress shall be presided over by the President or, in his absence the 1st Vice or 2nd Vice President
- 5.1.4 Two copies of the following documents shall be sent to all Chapters of the Union at least one month before the National Congress:

- 5.1.4.1 The agenda together with any new proposal from the National Executive Committee prepared by the General Secretary.
- 5.1.4.2 The report of activities of the General Secretary and the National Executive Committee for the past season.
- 5.1.4.3 The report of the Treasurer approved by the National Executive Committee.
- 5.1.4.4 The report of the Auditor.
- 5.1.4.5 The draft budget approved by the National Executive Committee including proposed amount of dues and other revenue.
- 5.1.5 The notice to summon a National Congress including agenda shall be agreed upon by the National and Regional Executives of the Union at least 28 days before the meeting day.
- 5.1.6 Decisions and voting shall be agreed upon by the National Executive Council.
- 5.1.7 The National Congress shall elect Union officers who will appoint and approve the appointment of key employees.
- 5.1.8 Number of candidates to represent each region on the National Delegates Congress must be agreed upon by the National Executive Council
- 5.1.9** Delegates must carry identification and show proof of good standing before they are allowed to vote.

5.2. ORDER OF MEETING AT NATIONAL CONGRESS

- 5.2.1 Adoption of Agenda
- 5.2.2** Verification of credentials
- 5.2.3 Approval of the Minutes of the previous meeting
- 5.2.4. The President's opening address
- 5.2.5 The report of the General Secretary and the National Executive Committee for the past season
- 5.2.6. The report of the Auditor
- 5.2.7 Constitutional Amendments
- 5.2.8 Election of New Officers
- 5.2.9. The fixing of Date and Venue for the Next National Congress
- 5.2.10. Other matters

5.3 Executive and other meetings

- 5.3.1 The National Executive Council shall meet annually, but may hold emergency meetings
- 5.3.2 The Executive Committee shall meet at least once every quarter. However, the president may convey emergency meetings as and when necessary.
- 5.3.3 The county chapters executives shall meet at least once a quarter and may hold emergency meetings when the need arises.
- 5.3.4 Regular chapter membership meetings shall be held at least four (4) times per year with the time and date being determined by the Chapter Executive committee
- 5.3.5 Special meetings of the membership shall be called by the Chairman upon written request of 50%, or upon the order of the Executive Committee and only such business for which the meeting has been called can be transacted.
- 5.3.6 All meetings must produce minutes for the archives of the union

5.4 QUORUM

- 5.4.1 The quorum for a National Congress shall be 50% of statutory and selected delegates
- 5.4.2 For the National Executive Council, the quorum shall be 50% of members

- 5.4.3 For the National Executive Committee, the quorum shall be five.
- 5.4.4 The quorum for chapter meetings shall be 50% of membership
- 5.4.5 Should a quorum not appear within thirty (30) minutes of the time specified for any chapter meeting, said meeting shall be canceled by the Chairman. Resolutions, motions, and other issues scheduled for consideration at **regular** meetings, having failed to receive a quorum for two (2) consecutive meetings shall be referred by the chairman to the county Executive committee for consideration and action.

5.5 RULES AND ORDER OF BUSINESS

- 5.5.1 Members shall conduct themselves in an orderly fashion and shall refrain from any unruly interference with the business of the meeting. Violation of this Bylaw shall subject a member to removal from the meeting at the discretion of the Chairperson, or upon a majority vote of the members present and voting.
- 5.5.2 Any member speaking shall stand and address the President and confine himself/herself to the topic of discussion.
- 5.5.3. When a question is under consideration, no motion shall be in order, except to adjourn or lay on the table.
- 5.5.4 All rules of order not herein provided for shall be in accordance with parliamentary procedure.

Article 6: ELECTIONS AND REMOVAL

- 66.1. Elections for national executive officers shall be held during the National Congress.
- 6.2 The Election month shall be in June. However, the Executive committee has the mandate to reschedule the date not earlier than six months or later than Six months.
- 6.3 The election can be scheduled earlier when the various structures are weak and the National Executive Committee is not up to the quorum of five required to hold meetings.
- 6.4 The date can be scheduled later if funds are not available to hold a national congress.
- 6.5 The President shall be eligible for two terms of three (3) years each
- 6.6 Delegates must carry identification and show proof of good standing before they are allowed to vote.
- 6.7 The President of the Union shall preside over the National Congress, until election time.
- 6.8 Elections to any office shall be by simple majority and secret ballot
- 6.9 To be eligible for nomination, a member must be in good standing and have held full membership in the Union for not less than **twelve (12) months** prior to the election, and

during that said period shall not have been found guilty of the violation of any of the Bylaws or have a criminal record.

- 6.10 In addition, to be eligible for the Presidency, the applicant must have held an executive office of the Union successfully for at least one term.

Article 7 Removal

- 7.1 The requisition for removal of any elected National Executive member shall be endorsed by not less than of four chapter executive members from seven chapters. Not less than three National Executive members shall have the right to make a motion for the removal of an elected officer and shall state fully the reasons for the removal of the officer concerned. The final decision must be taken at the National Congress.
- 7.2 Upon receipt of requisition, the Secretary General shall process the papers within 48 hours to convene a meeting to be held not later than six weeks, indicating the purpose, date, time and place as well as for the benefit of affected members the reasons for the purported removal. The respondent shall file his defense within fourteen (14) days upon receipt of the agenda.
- 7.3 A final decision to remove the executive must be endorsed by two thirds of those present.
- 7.4 In the event that the National Executive Council is unable to take appropriate action, the membership is authorized to file a petition to the Ministry of Labor for review of the complaint and final determination.

ARTICLE 8: EXPENDITURES AND FUNDS

8.1 SOURCES OF FUNDING

- 8.1.1. The Union shall derive her funds from the following:
- i) Membership dues
 - ii) Donations and grants
 - iii) Fund Raising
 - iv) Special Projects, Investments and Loans
- 8.1.2. The National Executive Council shall fix fees, levies and subscriptions and state when and how they shall be paid by members, based upon the recommendations from the National Executive Committee.
- 8.1.3 Members shall pay their dues, levies and assessment in a timely manner as determined by the Union. Dues are subject to review
- 8.1.4 The Union shall endeavor to release funds in order to implement its laudable aims and objectives
- 8.1.5 The Fund of the Union may be invested in real estate, places of performances, night clubs, restaurants, safe securities, corporate activities etc. to benefit its members as stipulated or approved by the National Convention.
- 8.1.6 The Union shall endeavor to acquire property to enhance its financial positions

8.2 ACCOUNTS

- 8.2.1 The Union shall open and operate banking accounts
- 8.2.2 All chapters of the Union shall keep proper books of accounts, which must be kept to date and ready for inspection any time.
- 8.2.3 All Union checks and bills of exchange shall be signed by the Treasurer and counter signed by any of the following officers: President, 1st Vice President and 2nd Vice President
- 8.2.4 There shall be an annual audit of the books of the Union for submission to Congress, by reputable auditors.

8.3 FINANCE

- 8.3.1 The financial year of the Union shall be from 1st January to 30th December each year.
- 8.3.2 There shall be a standing Financial Committee to oversee the finance of the Union. The committee shall examine and make recommendations on all financial matters of the Union.
- 8.3.3 The Financial Committee shall comprise the following: President, 1st Vice President, 2nd Vice President, General Secretary and Treasurer. The Union Accountant as well as three (3) other members elected by the convention
- 8.3.4 Each year, the Treasurer shall submit the accounts of the previous year, as well as the budget of the following year, for approval to the board of directors.

Article 9 Performance Related Issues

9.1: MINIMUM WAGE FOR MEMBERS

- 9.1.1 The Union shall establish a minimum wage for its members which shall be published. The minimum wage shall be subject to change.
- 9.1.2 Travel allowance, transportation, boarding, lodging and feeding must be paid for Musicians traveling outside his/her jurisdiction by the employer.
- 9.1.3. No member of the Musicians Union of Liberia shall perform or agree to perform an engagement for less than the applicable minimum compensation established for engagement by the MULIB, as the case may be. Any member who violates the provisions of this section shall be subjected to a fine of not more than \$100 and/or expulsion. The amount is subject to change based on the discretion of the National Executive Committee.

9.2 SECURITY OF MUSICIANS

- 9.2.1 Event Organizers are obliged to ensure the security and protection of all artistes before, during and after their performance. Failure to do this, the Event Organizer shall be held liable for any mishap that befalls the artiste before during and immediately after the event. MULIB reserves the rights to refer such agent or event organizers to the law enforcement agencies for prosecution in case of any eventuality.

9.3 MUSICIANS TRAVELLING OUTSIDE LIBERIA

- 9.3.1. All members traveling outside the country must obtain a letter from the Union for record purposes to ensure the Union knows their whereabouts.
- 9.3.2 Musicians must give details of their invitee, the destination, address, telephone, fax numbers and email.

9.4 ENGAGEMENTS ABROAD

- 9.4.1 It is important that contracts for engagements abroad shall be reviewed by the Union before they are entered into. In addition to ensuring that the rates and conditions are satisfactory (e.g. Provision of adequate subsistence payments, fares and insurances) such notification will, in some countries avoid difficulties arising with the national Union of those countries. The following advice reflects the current position for working abroad.
- 9.4.2 The tour (engagement) should be covered by a written contract (in English) and copy of the contract should be submitted to the National Headquarters.
- 9.4.3 It can be very difficult indeed for unpaid fees or any other payments to be recovered from employers or promoters based abroad either by legal action or by Trade Union representation. Members should therefore ensure that payment is made in advance or promptly during the tour at the times stated in the contract.
- 9.4.4 All traveling expenses from Liberia to the country abroad and within that country and return to Liberia must be paid by the Engager.
- 9.4.5 Accommodation is normally provided by the engager and where this consists of bed and breakfast an additional subsistence's payment must be paid to each musician. Union policy is that members are entitled to single room accommodation in hotels. Members should not be required to share accommodation if they do not wish to do so.
- 9.4.6 Work permits are required in some of the foreign countries. The responsibility for obtaining work permits with the promoter of the tour but members should ensure that permits have been granted before leaving to any foreign country.
- 9.4.7 There is always the possibility of illness or accident during engagements abroad. Members should therefore ensure that they are covered by Insurance and medical care. For details on Insurance or medical services available in other countries members are to contact the Union.

9.5: FOREIGN MUSICIANS PERFORMING IN LIBERIA

- 9.5.1 The organizers of musical events featuring foreign musicians must ensure that the foreign artist obtain work permit prior to performing
- 9.5.2 Such foreign musician must also apply for temporary membership with the Musicians Union prior to the event
- 9.5.3 The Musicians Union may institute a performance levy in relation to the event
- 9.5.4 Organizers must also ensure that local artists are featured in the events and be compensated adequately.

9.5.5 The Musicians Union of Liberia will coordinate with the Ministry of Labor, the Ministry of Information, Culture and tourism and the Immigration Authorities to ensure that organizers of events featuring foreign artists comply with the laws of Liberia and relevant regulations

9.6: LIBERIAN MUSICIANS LIVING ABROAD

9.6.1 Liberian musicians living outside the country can form Associations at their places of residence, but must affiliate with the Musician Union of Liberia (MULIB) whose headquarters shall always be in the capital city, Monrovia.

ARTICLE 10 -AMENDMENTS

Any Amendment of this Constitution shall be subject to recommendations made to or by the National Executive Council and shall be subsequently be approved by two third majority on the National Congress or at an emergency meeting upon giving six weeks notice in writing, stipulating the proposed amendment.

Any member in good standing for more than a year may propose amendment, but the proposal shall be looked into by the National Executive Council and action taken by the Council accordingly.

Upon receipt of request for a meeting on constitutional amendments, the National Executive Committee shall circulate the notice for a possible call for emergency congress, along with the proposed amendments and the meeting shall be convened within 12 weeks from the date of receipt of requisition.

All amendments must be endorsed by two thirds majority of those present and voting.

Article 11:

With effect from July 15, 2011 all previous rules rescinded.

ARTICLE 12: COMMENCEMENT

With the coming into effect of this Constitution: All assets, property, rights, liability and obligations shall be in the name of the Musician Union of Liberia, (MULIB). This Constitution is deemed to have been adopted, approved and endorsed as our working document.

Signed:.....
President

Signed:.....
Secretary General