

September 22, 2014

To the Members of La Guilde des Musiciens et Musiciennes du Québec, Local 406, AFM:

As you are aware, after years of dialogue and debate, La Guilde and the AFM were very close to entering into a "Service Agreement", which would have provided \$170,000 from the AFM in additional funding to help fulfill Local 406 obligations under Provincial Status of the Artist legislation. At the last moment, La Guilde's administration added an additional demand – for total autonomy, thus torpedoing the discussions and revealing the administration's actual agenda – disaffiliation.



As posted on La Guilde's website, on or about September 16, 2014, Local 406 filed a request in Quebec Superior Court to obtain a declaratory judgement. The essence of what La Guilde's administration has asked for is a ruling that would permit La Guilde's administration to ignore its own bylaws and the AFM's in order to convert the recent disaffiliation survey into an actual vote for secession from the AFM. In other words, after having failed to provide proper notice of motion to the membership last December and then having failed to achieve the 2/3 majority required by La Guilde's bylaws to amend the bylaws to effect dissolution, La Guilde's administration now wants the court to say that those rules don't matter. Indeed, the administration wants the court to say that a razor-thin majority (53.3%) is good enough to impose a drastic change on the local and that the other nearly half of the membership who voted the other way do not count.

Once the Canadian Office was served with the court documents and it became clear that La Guilde's administration was prepared and determined to completely disregard its own bylaws, the AFM International Executive Board (IEB) had no choice but to place La Guilde under trusteeship, as per Article 5, Section 70 of the AFM Bylaws.

Mr. Emile Subirana was carefully selected as Trustee because of his fifteen (15) years of experience managing La Guilde's affairs, knowledge of Quebec laws and obligations and his ability to communicate in multiple languages. To be clear, his position is not a candidate for president, but an AFM guardian to direct Guilde staff and affairs until such time as an election could be held.

On September 18th, a court bailiff, Mr. Subirana and I arrived at La Guilde offices to serve the Trusteeship letter from International President Ray Hair, and gain access to and control of the Local. We were denied entry, and the letter from the President was ignored.

That afternoon, we attended a court hearing whereby the AFM made a motion for an interlocutory and provisional injunction to compel La Guilde to comply with the President's order in accord with La Guilde and AFM bylaws. Mr. Justice Hamilton ruled, in essence, that since the parties would be back in court for La Guilde's motion very shortly, he saw no emergency situation which would warrant an injunction at this time. However, he reserved the right for the AFM to apply again if La Guilde violated additional Bylaws or failed to meet its obligations as an AFM Local. The situation therefore, is at this time, status quo, in that the Local and the AFM will maintain their relationship and service to the members. Our office will endeavour to keep you updated as events unfold. In addition, please visit www.cfmismyunion.ca.

Sincerely and fraternally,

Alan Willaert, AFM Vice-President from Canada

