

Excerpt from *The Officers' Edge*, Spring 2002

Providing a Pension Fund for Local Officers and Employees

The American Federation of Musicians and Employers' Pension Fund ("AFM-EPF") is one of the AFM's most valuable benefits. Too often, Local Officers negotiate for pension contributions for their members in the Local Collective Bargaining Agreements, but fail to provide for pension contributions for employees of the Local. If the employees of your Local are not currently earning benefits from the AFM-EPF, here are the necessary steps the Local must take to participate:

1) The pension contributions must be appropriately authorized by the Local. Therefore, one of the following requirements must be met:

- The Local bylaws must specifically provide for a pension contribution at a specified percentage (e.g., 7%) of each employee's wages.
- The pension contribution (including the specified percentage of wages) must be approved at a membership meeting, consistent with bylaws.
- The pension contribution (including the specified percentage of wages) must be approved by the Local's executive board, if the board is permitted to make this type of decision under the bylaws.
- The approved bylaw must be stated in the local bylaws.

2) The Local must sign the standard Participation Agreement form provided by the AFM-EPF. The Participation Agreement includes the following requirements:

- Contributions must be made for all employees of the Local. No employee or groups of employees, such as clerical or part-time employees, may be excluded. (This rule does not apply to any collectively bargained employees of the Local: the Collective Bargaining Agreement between the Local and the Union representing the employees may, but is not required to, provide for pension contributions.)
- Contributions must be made at the same rate for all employees of the Local. Contributions may not be made at a different percentage of compensation for any particular employees or groups of employees, such as clerical or part-time employees. (This rule does not apply to any collectively bargained employees of the Local: the Collective Bargaining Agreement may provide for contributions at a rate different from the rate applicable to non-collectively bargained employees.)
- Contributions must be made beginning on each employee's first date of employment. No waiting period or deferral during a probationary period is permitted.
- Contributions are due no later than the end of the month following the month in which the work is performed.
- The Local must agree to abide by the terms and conditions of the AFM-EPF governing trust agreement.

To obtain a Participation Agreement and other information so that your Local can begin to participate in the Fund, contact Marycolette Hruskocy of the AFM-EPF Signatory Department at 212-284-1311.

With your application, include proof that provisions for these contributions are stated in your bylaws, and an employee roster that includes each individual's Social Security number, address, date of birth, and wages for the past year. You should indicate in your application that you will agree to abide by the terms and conditions of the Trust Agreement, and you will receive in return a Participation Agreement (Form U) which you will sign and return to the Fund.