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TMA Benevolent Funds Policy and Procedure

Contents

Preamble.....	1
Definitions.....	2
1 TMA Benevolent Funds Policy Overview	2
2 Health, Education and Welfare Fund (HEW)	3
3 Member Assistance Fund Procedure (MAF).....	4
4 Life Member Benevolent Fund Procedure (LMBF).....	6
5 Lester Petrillo Memorial Fund for Disabled Musicians Procedure	6

Preamble

The Toronto Musicians' Association (TMA) has established three Benevolent Funds that are available to its members: Health, Education and Welfare Fund (HEW), Member Assistance Fund (MAF), Life Member Benevolent Fund (LMBF). These Benevolent Funds are established in the TMA Bylaws by the Board of Directors of the Toronto Musicians' Association (the Board) and approved by the TMA Membership to benefit TMA members who are experiencing loss of work as a musician due to illness or injury. The Board reserves the right to suspend disbursement of these Funds at any time if the Funds are depleted, or if the Board decides to suspend the program for any other reason. The Board, at its discretion, may amend these policies and procedures and the amounts set aside for these funds.

The Lester Petrillo Fund is administered by the Federation.

Definitions

Operations Manager is the TMA administrative staff member with responsibilities under this policy who is delegated to supervise administration of the TMA Benevolent Funds.

Board of Directors (Board) is the governing body of the Toronto Musicians' Association, elected by the Membership of the TMA

Executive Director (ED) is as provided for in the TMA Bylaws.

Health, Education and Welfare Fund (HEW) is a fund provided for in the TMA Bylaws, created and exclusively administered by the TMA

Lester Petrillo Memorial Fund for Disabled Musicians is a disability fund that is exclusively administered by the AFM from its New York offices

Life Member is a member of the TMA in good standing and who qualifies as a Life Member under the TMA Bylaws

Life Member Benevolent Fund (LMBF) is a fund that is provided for under the TMA Bylaws

Member is a member of the TMA in good standing

Member Assistance Fund (MAF) is a fund provided for in the TMA Bylaws that was created and is exclusively administered by the TMA

1 TMA Benevolent Funds Policy Overview

1.01 This policy applies to the provision of Benevolent Funds to Members of the Toronto Musicians' Association (TMA), Local 149 of the American Federation of Musicians of the United States and Canada, in accordance with TMA Bylaws. The TMA Funds include the Health, Education and Welfare Fund (HEW), the Member Assistance Fund (MAF), and the Life Member Benevolent Fund (LMBF). The Lester Petrillo Memorial Fund, The Actors Fund of Canada, and the Unison Fund are referred to in this document to provide additional opportunities for support for TMA members but are not offered through the TMA.

1.02 All medical certificates, medical information, and applications for the TMA Benevolent Funds are treated as confidential and shall only be seen by designated staff of the TMA and the members of the MAF Committee who are responsible for processing and evaluating applications.

1.03 The Health, Education and Welfare Fund (HEW) is primarily used to provide modest financial relief for Members who cannot work as a result of illness or injury. In accordance with the policy established by the Board, TMA Members may apply for a maximum of twelve weeks of HEW per year for a maximum of two consecutive years.

1.04 The Member Assistance Fund (MAF) is primarily used as an extension of HEW, in accordance with the policy established by the Board. Members may apply for a maximum of twenty-four weeks of MAF per year for a maximum of two consecutive years. Special consideration may be made in exceptional circumstances.

1.05 The Life Member Benevolent Fund (LMBF) is designed to allow TMA Life Members who cannot afford annual membership dues to apply to the TMA for a subsidy equal to the amount of the annual life member dues, in order to retain membership in the Local.

1.06 The Lester Petrillo Memorial Fund for Disabled Musicians is a charitable trust fund that provides financial aid to AFM Members. It is administered through the office of the AFM Secretary-Treasurer. Information on this Fund can be found at <https://www.afm.org/petrillo-memorial-fund/>

1.07 The Member Assistance Fund [Bylaws Article 93 (2)] and Life Member Benevolent Fund [Article 93 (1)] are held in separate accounts by the TMA. Whenever a donation is made to the TMA for Benevolent Funds, monies will be directed equally to the MAF and the LMBF, unless specified otherwise by the donor.

1.08 The TMA Executive Director (or Operations Manager) shall report to the Board on the total amounts disbursed through HEW and LMBF bi-annually. The Chair of the MAF Committee shall report to the Board at the next Board meeting on the number of applications disbursed through MAF.

1.09 Conflict of Interest: Employees and Board members shall disclose all known conflicts of interest or known potential conflicts of interest that may arise in processing applications for TMA Benevolent Funds.

Under this policy, a conflict of interest or potential conflict of interest may arise when an employee or Board member is perceived or may be perceived to have a conflict between their private or personal interests and a member applicant for a benefit under this policy. Such a conflict may occur if an employee or Board member has or may have a private or personal interest in the outcome of a member applicant's application.

If a Staff or Board member becomes aware of a potential conflict in the assessment of a TMA Benevolent Funds application, they shall immediately advise the Operations Manager, MAF Committee Chair, and/or the Secretary of the Board. Reasonable and timely steps shall be taken to avoid the conflict including, but not limited to, the removal of the parties in the conflict from the decision-making process that affects the applicant for a benefit under the policy. The parties shall ensure that there is minimal delay in the application and approval process.

1.10 To ensure that the TMA Benevolent Funds remain viable, as of November 30 of every year, should any fund drop below \$10,000 a contribution may be made to that Fund from the TMA General Fund, equivalent to 1% of all TMA work dues revenue accounted for between January 1 and November 30 of that year and this contribution shall be made by December 15 of that year.

1.11 TMA Benevolent Funds are available to members who have been in good standing for the two years prior to the application. Special consideration may be made in exceptional circumstances.

2 Health, Education and Welfare Fund (HEW) - Procedure

2.01 Article 92 (1) of the TMA Bylaws provides that when a Member cannot work as a musician because of illness or injury, the Member may apply to the TMA for relief through the Health, Education and Welfare Fund (HEW).

2.02 HEW, if approved, is disbursed in the amount of \$100 per week for up to twelve weeks in one year. A Member may receive this benefit for a maximum of two consecutive years.

2.03 Any Member who cannot work according to 2.10 should contact the TMA to request a TMA Benevolent Funds Application form. Any individual may contact the TMA with permission of the applicant and apply on their behalf. The Operations Manager or Delegated Staff Member shall process the Member's request in a timely manner.

2.04 The Operations Manager or Delegated Staff member shall prepare the following forms for the Member seeking support:

- a. TMA Benevolent Funds Information Letters, dated
- b. TMA Benevolent Funds Application Form
- c. TMA Request for Letter from Medical Practitioner
- d. TMA Benevolent Funds Results Letter
- e. AFM Lester Petrillo Memorial Fund Information Letter, dated
- f. AFM Lester Petrillo Memorial Fund Application

and either e-mail or mail the forms to the Member at their address of record, or to a third party who wishes to apply on behalf of the Member. Duplicates shall be made so that the TMA office has a copy for its records and to confirm that the forms have been sent. The Operations Manager shall maintain a complete file that contains the names and addresses of each applicant who applies for relief under the TMA Benevolent Funds.

2.05 When the TMA Benevolent Funds Application form and Medical Practitioner's Letter are submitted to the TMA, the Operations Manager shall send copies to the TMA Secretary, and the MAF Committee Chair (if applicable) within two business days of receipt. The completed TMA Benevolent Funds Application and Medical Practitioner's Letter shall be reviewed by the Operations Manager. If they recommend that the Member receive HEW, they shall notify the Secretary. The Operations Manager shall prepare a payment for the period recommended and submit to two bank signatories within two business days and notify the Secretary. The signatories shall have the authority to sign or decline the payment and the Operations Manager shall ensure payment is sent along with the TMA Benevolent Funds Results Letter within an additional two business days. If there is a simultaneous request to the other TMA Benevolent Funds, the Operations Manager may wait until results from all Funds are complete to send the payment(s) and TMA Benevolent Funds Results Letter to the Member.

2.06 If the Operations Manager does not recommend approval of HEW, or the signatories do not approve the payment, the Operations Manager shall e-mail the Secretary the reasons for denying the application. The Secretary shall then a) concur with the decision, or b) request more information, or c) change or overturn the Operations Manager's decision and

recommend approval of HEW benefits. The Secretary shall report their decision with their reasons at the next meeting of the Board of Directors. Members' names shall be kept confidential to those required to approve or deny the decision.

2.07 If a Member is approved for less than twelve weeks of HEW and their illness or injury changes to make them eligible for Member Assistance Fund, the Member may request additional payments from that Fund. In that case, the Member shall submit a second TMA Benevolent Fund Application and accompanying Medical Practitioner's Letter.

3 Member Assistance Fund (MAF) - Procedure

3.01 If a Member has indicated on their TMA Benevolent Fund Application an illness or injury that is estimated by a Medical Practitioner to last longer than twelve weeks, then a copy of the application and the medical practitioner's letter (that states the Member's prognosis) shall be sent by the Operations manager to the Chair of the MAF Committee by e-mail within two business days of receiving both the application and the medical practitioner's letter. Members eligible for support from the Member Assistance Fund may also request that the MAF pay their TMA Annual Membership Dues and/or the costs of obtaining the Medical Practitioner's Letter up to \$75, upon receipt of the invoice or proof of payment.

3.02 The MAF Committee Chair shall then consult with the other members of the MAF Committee concerning the application and make a recommendation within ten business days on: i) the number of weeks of support at \$100 per week approved up to twenty-four weeks, ii) payment of TMA Annual Membership Dues, and/or iii) the reimbursement of any fees for the Medical Practitioner's Letter, if applicable, up to \$75.

3.03 If the MAF Committee makes a recommendation regarding the Member's application, the MAF Committee Chair shall send an e-mail to the Operations Manager the Committee's decision within two business days, unless additional information is required.

3.04 If the Committee approves the member's application for MAF, the Operations Manager shall ensure payment is prepared, approved by bank signatories, and sent to the Member, along with the TMA Benevolent Funds Results Letter within an additional five business days. If there is a simultaneous request to the other TMA Benevolent Funds, the Operations Manager may wait until results from all TMA Benevolent Funds are complete to send the payment(s) and TMA Benevolent Funds Results Letter.

3.05 If the MAF Committee does not approve an application, the MAF Committee Chair shall e-mail the Operations Manager the decision, as well as the reasons for the non-approval for the records.

3.06 Exceptional requests for MAF support consistent with the objectives in the TMA Bylaws "to provide modest financial assistance to members experiencing illness or disability

beyond the period provided for under the Health, Education and Welfare Fund” [Article 93(1)] may be made to the MAF Committee. In order to be accepted, exceptional requests must be recommended by a majority vote of the MAF Committee and may be approved by a majority vote of the Board of Directors, upon request.

3.07 If a Member did not apply for MAF on their initial TMA Benevolent Funds Application and wishes to apply, they shall submit a second Application and accompanying Medical Practitioner’s Letter.

4 Life Member Benevolent Fund (LMBF) – Procedure (*Non-medical Fund)

4.01 If a Member wishes to apply to the TMA Life Member Benevolent Fund to pay their TMA Annual Membership Dues, they shall submit a TMA Benevolent Funds Application

4.02 All requests for the LMBF shall be sent to the Operations Manager. If they recommend support, the Operations manager shall prepare a payment from the Life Member Benevolent Fund to pay the Member’s TMA Annual Membership Dues. That payment shall be approved by two bank signatories.

4.03 If the Operations Manager does not recommend support, they shall e-mail the Secretary of the Board the reasons for denying the application. The Secretary shall then a) concur with the decision, or b) request additional information, or c) change or overturn the Operations Manager’s decision. The Secretary shall report their decision with their reasons to the Board at the next meeting of the Board of Directors.

4.04 Support from the LMBF for subsequent years shall be confirmed by the Member by responding to an e-mail request from the Operations Manager.

4.05 The Operations Manager shall report on Fund usage to the Board bi-annually.

Additional Financial Support (Non-TMA Fund)

5 Lester Petrillo AFM Memorial Fund for Disabled Musicians – Procedure

5.01 Applications for the “Lester Petrillo Memorial Fund for Disabled Musicians” should be forwarded to the TMA Secretary, along with the Medical Practitioner’s Letter, in a timely manner..

5.02 The Secretary shall forward the application and supporting forms to the Lester Petrillo Memorial Fund administrator in a timely manner, from the time all follow-up information is concluded.