



FÉDÉRATION DU PERSONNEL DE SOUTIEN  
DE L'ENSEIGNEMENT SUPÉRIEUR (CSQ)



## STATUTES OF THE FÉDÉRATION DU PERSONNEL DE SOUTIEN DE L'ENSEIGNEMENT SUPÉRIEUR (FPSES)

February 2019

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## CHAPTER 1 – GENERAL PROVISIONS

### 1.01 NAME

The name of the Federation is:

Fédération du personnel de soutien de l'enseignement supérieur.

The acronym of the Federation is « FPSES ».

### 1.02 LEGAL CONTEXT

The Fédération du personnel de soutien de l'enseignement supérieur is constituted according to the Professional Syndicates Act (R.S.Q.S., Chapter S-40.).

### 1.03 COMPOSITION AND JURISDICTION

In conformity with chapter 3.00 of the Statutes of the Centrale, the Fédération du personnel de soutien de l'enseignement supérieur is a sectoral grouping within the Centrale made up of support personnel unions who work in higher education (cégep and university) establishments and institutions which provide services to these establishments.

### 1.04 GOALS OF THE FEDERATION

The goals of the Federation are to promote and develop the economic, social, cultural and professional interests of support staff and to defend the right to free association, free negotiations and the freedom of union activities.

The roles of the Federation are:

- A) To provide unions with a political structure in which they can debate general issues or issues specifically related to support staff.
- B) To provide 2<sup>nd</sup> level legal, negotiation and labour relations services to affiliated unions and their members.
- C) To develop an expertise on employment classes, i.e., on issues related to qualifications, job performance and career development, and to make the representations which are required.
- D) To ensure that the Centrale provides the services to unions to which they are entitled, such as 2<sup>nd</sup> level social security, union training, coordination of national negotiations, intersectoral legal services and union organization.
- E) To act as the spokesperson for its unions at Centrale meetings.
- F) To represent unions in the collective bargaining process, as mandated.
- G) To coordinate activities among its unions.
- H) To help affiliated unions fulfill their responsibilities.

### **1.05 CHARTER OF HUMAN RIGHTS AND FREEDOMS**

The Federation and its affiliated unions agree to respect the *Charter of Human rights and Freedoms*.

The Federation commits itself to conducting its affairs with no discrimination or exclusion based on race, colour, sex, gender expression or identity, pregnancy, sexual orientation, civil status, age, religion, political conditions, language, ethnic or national origin, social condition, handicap or the use of a means to offset this handicap.

### **1.06 PSYCHOLOGICAL HARASSMENT**

The Federation affirms that all forms of harassment are intolerable in the workplace and in a unionized environment, and that these acts constitute a violation of human rights.

Psychological harassment involves vexatious behavior which may manifest itself in behaviors, words, acts or repetitive gestures which are hostile and unwelcome, which are detrimental to the dignity or the psychological or physical integrity of a person and which create a harmful work environment for the person.

For greater clarity, psychological harassment includes such conduct when manifested in words, acts or gestures of a sexual or discriminatory nature (race, color sex, gender expression or identity, sexual orientation, etc.).

A single serious conduct could also constitute psychological harassment if it achieves the same effect and produces a continuously harmful effect on the person.

The Federation and its unions are committed to promoting a workplace and a union milieu which are free of harassment, and will take all reasonable measures to achieve this.

The Federation adheres to the by-law of the Centrale des syndicats du Québec aimed at countering sexual and homophobic harassment.

The Federation shall deal with complaints in accordance with its own By-Law No. 8 – To Counter Psychological, Sexual or Homophobic Harassment and Violence in the Union Sector.

### **1.07 HEAD OFFICE**

The head office of the Federation is situated in Montreal.

### **1.08 AFFILIATION OF THE FEDERATION**

The Federation is affiliated to the Centrale des syndicats du Québec and acts as a representative of its members with regard to the latter. The Federation may also affiliate itself with any organization whose interests are consistent with its own.

### **1.09 DEFINITIONS**

In the Federation's Statutes and By-Laws, the following expressions signify:

**Centrale:**

Centrale des syndicats du Québec (CSQ)

**Fiscal year:**

The Federation's fiscal year begins on September 1 and ends on August 31 of the following year.

**Advisor:**

A person employed by the Centrale or the Federation or any other person authorized by the Federation to act in this capacity. The advisor has the right to speak but not to vote.

**Total payroll:**

The total of all of the real earnings of the dues-paying people in a union except for the earnings of the members of union which is awaiting certification from the Labour Relations Board.

**Member:**

Any support staff person who has been duly admitted by his union in conformity with his union's statutes and by-laws and who has not ceased to be a member.

**Dues-paying person:**

A person who is a member of a union and a person who pays the equivalent in union dues without being a member.

**Delegate:**

A union member who is appointed by his union to represent it at meetings of authorized bodies of the Federation.

**Observer:**

A person who has been invited to attend a meeting as an observer by an official delegate, by an affiliated union or by a member of the Executive Committee.

**Support staff:**

Employees in the job categories covered by support staff certifications.

**Union:**

A support staff union affiliated to both the Federation and the Centrale.

## **CHAPTER 2 – AFFILIATED UNIONS**

### **2.01 CONDITIONS FOR ADMISSION**

Any union which holds a certification to represent support staff as defined by article 1.03 may be affiliated to the Federation under the following conditions:

- a) they must send the Federation a request for affiliation accompanied by a certified copy of the adopted resolution supporting the request, as well as the names and addresses of the people they officially represent;
- b) they must pay a five dollar (\$5) entrance fee for affiliation;
- c) they must submit a copy of their statutes and by-laws with all subsequent amendments;
- d) they must adhere to the Federation's and the Centrale's statutes and by-laws;
- e) they must be affiliated to or have a service contract with the Centrale;
- f) they must be accepted by the Executive Committee of the Federation.

### **2.02 RESPONSIBILITIES OF THE LOCAL UNION**

The responsibilities of the local union are to:

- inform their members of their rights and defend these rights;
- apply the collective agreement and ensure that it is respected;
- set up a labour relations committee;
- negotiate local agreements and local arrangements;
- have their own policy on their duty to represent their members;
- represent their members on local committees of the collective agreement;
- formulate grievances and, if necessary, submit them to arbitration;
- respond to members' questions regarding their rights with respect to social security (group insurance, pension plan, health and safety);
- attend meetings and activities of the Federation and the Centrale.

### **2.03 PROMOTING THE REPRESENTATION OF SUPPORT STAFF**

In conformity with the statutes of the Centrale, a union must promote the representation of its member on authorized bodies and in activities of the Federation and the Centrale.

### **2.04 OBLIGATIONS OF THE UNION**

The obligations of a union are to:

- A) share the goals of the Federation and the Centrale;
- B) monitor the representative nature of the union with respect to obligations attached to certification, to membership lists and to affiliation;
- C) pay the regular dues owed to the Federation and the Centrale;
- D) appoint delegates to authorized bodies, fill out the letters of accreditation and send them to the Federation and the Centrale;



- E) produce the statement of dues-paying members and send it to the Federation and the Centrale;
- F) include in its statutes the provisions related to the conditions which must be respected for disaffiliation from the Federation or the Centrale.

## **2.05 STATEMENT OF DUES-PAYING MEMBERS**

On September 1 of each year, the Federation recognizes a union's declared statement of dues-paying members as of the preceding December 31, certified by the General Administration of the Centrale.

At the request of an affiliated union, the statement of membership of the union can be changed on May 31 and September 30 of each year. This application must be submitted to the General Administration of the Centrale.

If a union refuses to comply with the statement of dues-paying members, this could affect the number of delegates it is entitled to send to meetings of authorized bodies of the Federation.

## **2.06 SUSPENSION OF AN AFFILIATED UNION**

- A) A union may be suspended for the following reasons:
  - taking actions aimed at damaging the proper functioning of the Federation;
  - violating the Federation's statutes and by-laws.
- B) The union concerned shall receive from the Executive Committee of the Federation, by registered or certified mail, a notice of suspension identifying the reasons for the suspension as well as the procedures for recourse.
- C) The suspension may only be imposed by the Federal Council. The Council may only impose a suspension if the union to be suspended has been advised by registered or certified mail at least forty-five (45) days in advance of the date of the assembly where the motion to suspend will be presented.
- D) The union concerned may express its point of view at the assembly and participate with full rights in the debate.
- E) To take effect, the recommendation to suspend a union must receive the supporting votes of 2/3 of the delegates in attendance at the Federal Council.
- F) Any suspended union may be reintegrated under conditions established by the Federal Council. The rights of the suspended union are reinstated as soon as it is reintegrated.

## **2.07 EXCLUSION OF AN AFFILIATED UNION**

Any union excluded from the Centrale is considered to be excluded from the Federation.

## **2.08 LOSS OF RIGHTS**

Any excluded, suspended or disaffiliated union loses all claims to the Federation's assets.

## **CHAPTER 3 – DUES AND FINANCIAL CONTROLS**

### **3.01 REVENUES**

The Federation's revenues are drawn from the following:

- A) the five dollar (\$5) entrance fee for unions;
- B) any grant it may receive;
- C) the regular dues paid by affiliated unions;
- D) dues from all unions or groups with service contracts, as stipulated in By-Law no. 4;
- E) annual allocations from the Centrale based on the fixed and variable criteria of the application of provisions of the CSQ's Equalization Fund regulations.

The Federation's revenues are distributed into its various funds in accordance with its statutes and by-laws.

### **3.02 REGULAR DUES**

The regular dues owed by affiliated unions shall be assessed at 0.32% of the income actually earned by dues-paying members.

This amount is distributed as follows:

- 0.19% into the General Administration Fund ;
- 0.045% into the Equalization Fund;
- 0.07% into the Negotiation Fund;
- 0.01% into the Welcoming and Consolidation Fund;
- 0.005% into the Relocation Fund.

### **3.03 GENERAL ADMINISTRATION FUND**

All Federation revenues not allocated to the Equalization Fund, the Negotiation Fund, the Welcoming and Consolidation Fund or the Relocation Fund shall be allocated to the General Administration Fund.

With its General Administration Fund, the Federation assumes financial responsibility for the costs of its activities related to, on the one hand, its political structure and, on the other hand, its human resources.

The Federal Council directs the utilization of the General Administration Fund by adopting the Federation's plan of action and its budget forecasts and revisions.

### **3.04 EQUALIZATION FUND**

The Federation allocates to its Equalization Fund the portion of the regular dues paid by affiliated unions indicated in these statutes, this portion being 0.045% of the real earnings of dues-paying members.

The goal of the Equalization Fund is to improve the local union's ability to participate in meetings and activities of the Federation by providing some financial support.

The Federation's Equalization Fund is constituted in conformity with By-Law No. 2 (By-Law Concerning the Equalization Fund) adopted by the Federal Council.

### **3.05 NEGOTIATION FUND**

The Federation allocates to its Negotiation Fund the portion of the regular dues paid by affiliated unions indicated in these statutes, this portion being 0.07% of the real earnings of dues-paying members.

The goal of the Negotiation Fund is to increase the effectiveness of union actions undertaken by the FPSES to fulfill its mandate to negotiate the working conditions of the members of affiliated unions.

The Fund shall also serve to regulate the financial situation of the Federation with regards to negotiating expenses which arise on an irregular basis and to provide for special situations which arise during negotiations.

The Federation's Negotiation Fund is constituted in conformity with By-Law No. 9 (By-Law Concerning the Negotiation Fund) adopted by the Federal Council.

### **3.06 WELCOMING AND CONSOLIDATION FUND**

The Federation allocates to its Welcoming and Consolidation Fund the portion of the regular dues paid by affiliated unions indicated in these statutes, this portion being 0.01% of the real earnings of dues-paying members.

The goal of the Welcoming and Consolidation Fund is to integrate new groups into the affairs of the FPSES and to enable local unions to organize their own affairs.

Another goal of the Fund is to assist already certified unions which are experiencing difficulties.

The Welcoming and Consolidation Fund is constituted in conformity with By-Law No. 5 (By-Law Concerning the Welcoming and Consolidation Fund) adopted by the Federal Council.

### **3.07 RELOCATION FUND**

The Federation shall finance its Relocation Fund with the portion of the regular dues paid by affiliated unions specified in these bylaws, which is 0.005% of the income actually earned by its dues-paying members.

The objective of the Relocation Fund is to ensure the financial capacity of the FPSES to welcome delegates of all affiliated unions, as well as members of its Executive Committee.

The Federation's Relocation Fund is constituted in accordance with Regulation n° 11 (Regulation related to the Relocation Fund) adopted by the Federal Council.

### **3.08 DISBURSEMENTS**

All disbursements are made by check signed or electronic payments authorized by the president and vice president in Charge of Financial Affairs.

The Executive Committee shall appoint one of its members to act as a substitute to sign checks or authorize electronic payments.

### **3.09 NON-CERTIFIED MEMBERS**

Unions shall not pay dues to the Federation for members for whom they are not yet certified by Labour Relations Commissioner to represent.

### **3.10 PAYMENT OF DUES**

Unions shall pay dues to the Federation in conformity with By-Law No. 4 (By-Law Concerning the Collection of Dues from Unions) adopted by the Federal Council.

### **3.11 CONTROL OF EXPENDITURES**

The Executive Committee must regularly verify, throughout the year, that the revenues and expenditures of the Federation are being used in accordance with the budgetary forecasts adopted by the Federal Council.

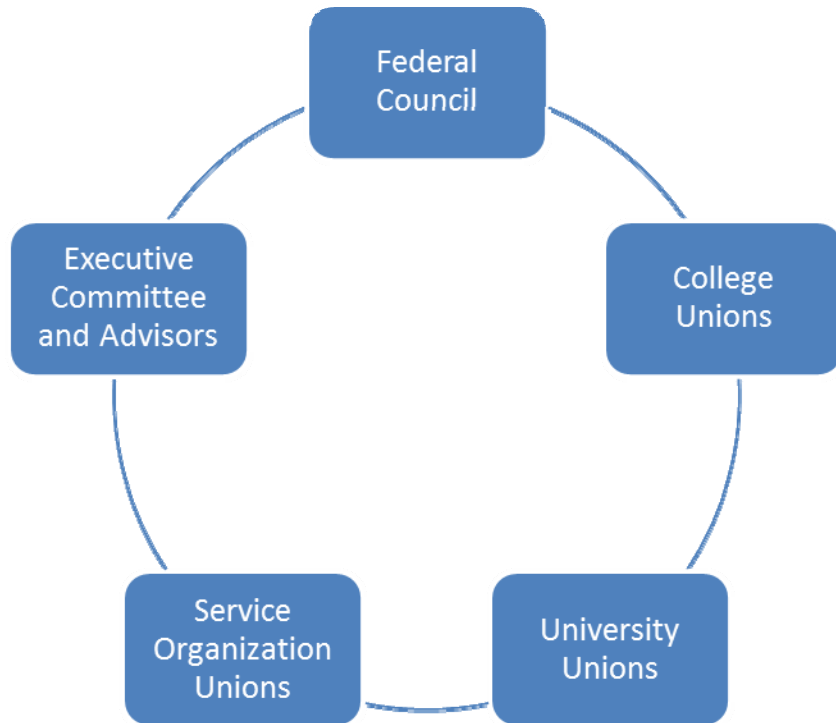
## CHAPTER 4 – AUTHORIZED BODIES OF THE FEDERATION

### 4.01 THE AUTHORIZED BODIES OF THE FEDERATION ARE

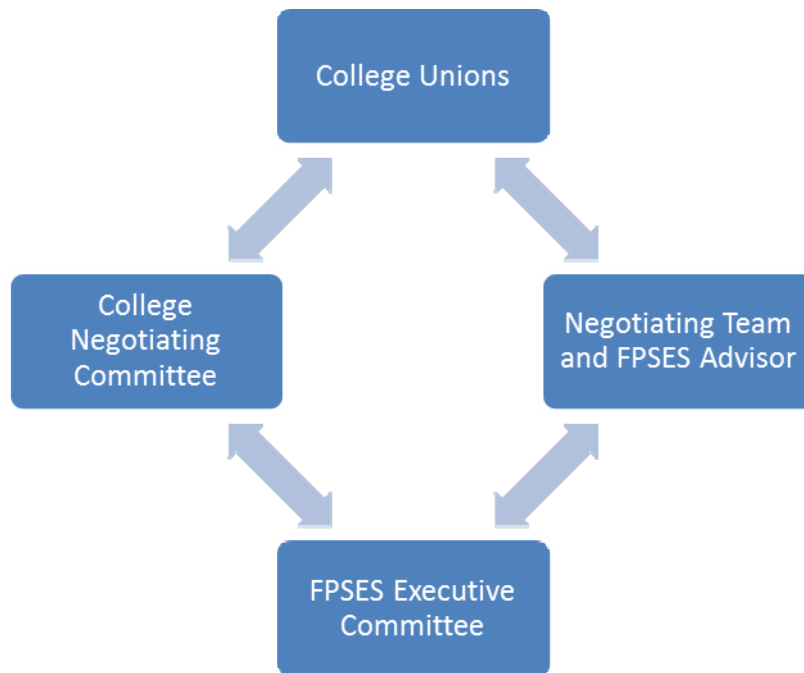
- The Federal Council (CF);
- The Executive Committee (CE);
- The College Negotiating Committee (CNC)
- The University Coordinating Committee (CCU)

### 4.02 ORGANIGRAM

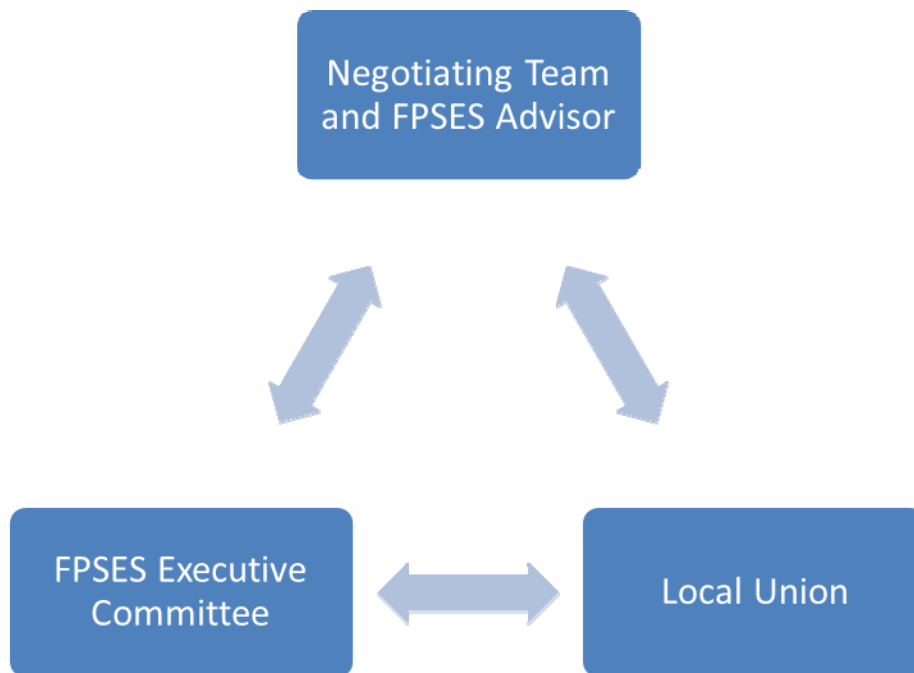
#### FEDERAL COUNCIL



## PUBLIC AND PARAPUBLIC SECTOR NEGOTIATIONS



## UNIVERSITY NEGOTIATIONS AND SERVICE ORGANIZATION UNION NEGOTIATIONS





#### **5.04 QUORUM**

Quorum for the Federal Council is reached with seven (7) affiliated unions.

#### **5.05 VOTING**

Members of the Federal Council have the right to speak and the right to vote.

Observers have only the right to speak, unless the assembly decides otherwise.

A motion is passed with a majority of the votes cast.

#### **5.06 CONVOCATION**

A) The Executive Committee convenes meetings of the Federal Council.

B) Notice of the convening of a regular assembly shall be sent by email to unions, at least ten (10) days before the scheduled date of the assembly, except when prevented by a "force majeure".

The proposed agenda must be included in the notice. Whenever possible, relevant documents must be sent to the union at the same time.

C) If it deems it necessary, the Executive Committee may convene a special meeting of the Federal Council.

D) A special assembly must be convened within five (5) days of receiving a request for such an assembly from at least five (5) unions. Such an assembly must be held no less than forty-eight (48) hours before and no more than ten (10) working days after the time that the notice of the meeting is addressed to each affiliated union.

E) If elections need to be held, nomination forms must be included in the mailing.

#### **5.07 POWERS AND JURISDICTION OF THE FEDERAL COUNCIL**

A) To make any decision and organize any activity which is likely to increase support staff participation in union affairs.

B) To take a position on any issue of general or specific concern to support staff and, when necessary, present this position to authorized bodies of the Centrale.

C) To elect the members of the Executive Committee.

D) To appoint the members of the statutory committees.

E) To set up any committee or work table it deems appropriate, appoint the members of such groups and adopt their plans of action.

F) To receive and deal with reports from the Executive Committee, statutory committees, ad hoc committees or work tables.

G) To adopt the Federation's plan of action, budget forecasts and budget revisions.



- H) To receive financial statements.
- I) To modify these statutes and to adopt, modify or repeal by-laws.
- J) To take a position on the suspension or reinstatement of a union.
- K) To rule on the removal of an Executive Committee member from office.
- L) To adopt its own rules of procedure by modifying, if necessary, By-Law No. 1 (Procedures for Deliberative Assemblies).

## **CHAPTER 6 – NEGOTIATIONS AND LABOUR RELATIONS**

### **SECTION 1: PUBLIC AND PARAPUBLIC SECTOR UNIONS**

#### **COLLEGE NEGOTIATING COMMITTEE**

##### **6.01 REPRESENTATION**

The College Negotiating Committee is composed of:

- two (2) delegates from each of the college unions;
- the representative of the Executive Committee responsible for cégep negotiations;
- members of the negotiating team.

##### **6.02 DELEGATES ON THE COLLEGE NEGOTIATING COMMITTEE**

Each union appoints its delegates for a one-year mandate ending on October 31 of each year.

At the same time that official delegates are appointed, each union may also appoint substitute delegates for a one-year mandate ending on October 31 of each year. The number of substitute delegates cannot exceed the number of official delegates

When unions appoint delegates, they must notify the Federation of the names of the members of their delegation by sending in the letter of accreditation found in Appendix B. An electronic document and electronic signature are valid.

Appointments take effect as soon as the Federation receives the letters of accreditation signed by the people who hold the offices of president and secretary of the union.

Under exceptional circumstances, however, the Federal Council may accept the signature of another member of the Union's Executive Committee or Council of Administration.

If it is not possible to comply with the provisions stipulated in the two preceding paragraphs, a certified copy of the general assembly motion concerning the appointment of the union's official delegates may substitute for the letter of accreditation.

An official delegate's mandate may be revoked at any time by his or her union. The union must then advise the Federation, giving them the name of the revoked delegate as well as the name of the replacement delegate.

The union may at any time submit a new list of official and substitute delegates.

##### **6.03 MEETINGS**

The College Negotiating Committee (CNC) meets whenever necessary.

#### **6.04 QUORUM**

Quorum for meetings of the College Negotiating Committee (CNC) is reached with four (4) unions.

#### **6.05 VOTING**

A) Delegates as well as the representative responsible for public and parapublic negotiations have the right to vote.

Each union notifies the Federation of the names of the members of its delegation by sending in the letter of accreditation found in Appendix B. An electronic document and electronic signature are valid.

When a union is represented by two delegates, each delegate shall hold a union mandate.

When a union is represented by a single delegate, that person shall hold both union mandates.

However, if a union wishes a single delegate to hold both of their mandates at all times, it must check the appropriate space in the letter of accreditation found in Appendix B. Such a decision cannot be revoked before the following October 31.

B) Observers and members of the negotiating team have only the right to speak.

#### **6.06 CONVOCATION**

##### **Regular Meetings**

The representative of the Executive Committee of the Federation responsible for public and parapublic negotiations shall convene meetings of the College Negotiating Committee. Convocations of regular meetings are sent by email to unions at least seven (7) days before the scheduled date of the meeting. A draft of the proposed agenda of the meeting should be sent at the same time.

##### **Special Meetings**

With a written request from 20% of the unions on the College Negotiating Committee, the Executive Committee must convene a special meeting within five (5) days of receiving such a request.

##### **Emergency Meetings**

Emergency meetings must be convened with telephone calls at least twenty-four (24) hours before the meeting is held. The message must indicate the place, the date, the time and topics to be discussed, which cannot be changed.

#### **6.07 POWERS AND JURISDICTION**

A) To oversee the preparations for negotiations;

B) To adopt the union sectoral and intersectoral demands;

C) To adopt any compromises to be made during negotiations;

- D) To receive regular reports on the state of negotiations at the sectoral table and at the common table;
- E) To determine the composition of the negotiating team and carry out elections;
- F) To adopt and recommend that unions adopt the national contents of the collective agreement;
- G) To determine the mandate of Federation representatives on the CIN (Intersectoral Negotiations Council) and on the General Negotiations Council (GNC);
- H) To discuss the application of the collective agreement;
- I) To receive regular reports on the work of the Intersectoral Negotiations Council (CIN) and vote on its recommendations;
- J) To make recommendations to the Executive Committee or to the Federal Council on its financial and resource needs;
- K) To adopt and recommend to unions the tactics and actions needed to support the negotiations;
- L) To appoint representatives to sit on the various national committees as stipulated in the collective agreement.

#### **6.08 STRIKE VOTE**

The right to strike belongs to the local union.

The Federation may join forces with affiliated unions to publicize the demands of its members.

#### **6.09 COLLECTIVE AGREEMENT**

When gathering votes from the unions on the acceptance or rejection of a collective agreement, both a majority of unions and a majority of the membership must vote in favour of accepting the new collective agreement in order for a resolution to be adopted at the national level.

If this double majority is not achieved, the person who is politically responsible for college negotiations must convene a College Negotiating Committee meeting as soon as possible in order to secure the appropriate mandates needed to obtain a collective agreement at the national level.

#### **6.10 IN CAMERA**

Delegates of the College Negotiating Committee may decide, with a simple majority vote, to sit *in camera*.

#### **6.11 REPRESENTATION ON NEGOTIATING BODIES OF THE CENTRALE**

Members of the Executive Committee named as official delegates on the negotiating bodies of the Centrale are strictly obliged to present mandates given to them by the CNC.

## **6.12 COLLEGE NEGOTIATING TEAM**

### **A) Composition**

The negotiating team shall be composed of:

- the person on the Federation's Executive Committee responsible for public and parapublic sector negotiations;
- the resource person assigned to the negotiations;
- the people appointed to be on the team by the College Negotiating Committee.

### **B) Duties**

While respecting the mandates and orientations decided by the College Negotiating Committee, the duties of the negotiating team are to:

- a) ensure the presence and the representation of the Federation at negotiating tables where the interests of support staff are at issue;
- b) create, when necessary, the instruments of consultation and analyze the results;
- c) compile data banks and files required to support the negotiations;
- d) write texts;
- e) analyze the employer offers;
- f) establish a negotiating strategy and decide on the pace of activities at the negotiating table;
- g) prepare counter-proposals by taking into consideration the latitude granted by authorized bodies, and deliver responses to the employer party at the negotiating table;
- h) initial agreements reached at the negotiating table, if need be;
- i) report to the Executive Committee and the College Negotiating Committee on the state of negotiations and any impasses reached at the negotiating table;
- j) direct the information actions and participate in tours of the unions.

### **C) Tasks of the Person on the Executive Committee of the Federation Responsible for Public and Parapublic Negotiations**

The tasks are, among others, to:

- a) coordinate the work of members of the negotiating team;
- b) convene meetings of the College Negotiating Committee;
- c) present the mandates obtained from the CNC to the negotiating bodies of the Centrale (CIN and GNC).

### **D) Elections**

- a) Any member of a union may be elected to the negotiating team as long as she is support staff.
- b) Negotiating team elections are held in accordance with the terms and measures foreseen in By-Law No. 7 (Election Procedures).

- c) A member elected to the college negotiating team may not be a delegate of his union on negotiating bodies.

A member elected to the college negotiating team may assume a political responsibility in his own union. This responsibility should not interfere with the work required by the negotiations.

### **6.13 INFORMATION**

- A) It is each union's responsibility to provide their members with the most complete information possible on the subject of negotiations.
- B) Unions must equip themselves with a functional and rapid structure for distributing information and receiving feedback.
- C) The Federation shall present regular reports to the CNC on what is happening at the negotiating table.
- D) Reports from the negotiating table are for the exclusive use of delegates to the CNC and are not to be distributed.
- E) The Federation shall issue regular information bulletins on the negotiations intended for all the members; this bulletin shall be sent to each union to distribute to their members.
- F) The Federation may occasionally run integrated information-mobilization campaigns (posters, buttons, leaflets and other materials with a common theme, a common slogan and a common design), campaigns which should focus on priority issues and serve to mobilize the members. Unions are responsible for carrying out these campaigns in their own locales.

## **SECTION 2: UNIVERSITY UNIONS**

### **UNIVERSITY COORDINATING COMMITTEE**

#### **6.21 REPRESENTATION**

The University Coordinating Committee shall be composed of:

- two delegates from the university unions;
- the person on the Federation's Executive Committee responsible for university negotiations.

#### **6.22 DELEGATES ON THE UNIVERSITY COORDINATING COMMITTEE**

Each union appoints its delegates for a one-year mandate ending on October 31 of each year.

At the same time that official delegates are appointed, each union may also appoint substitute delegates for a one-year mandate ending on October 31 of each year. The number of substitute delegates cannot exceed the number of official delegates

When unions appoint delegates, they must notify the Federation of the names of the members of their delegation by sending in the letter of accreditation found in Appendix B. An electronic document and electronic signature are valid.

Appointments take effect as soon as the Federation receives the letters of accreditation signed by the people who hold the offices of president and secretary of the union.

Under exceptional circumstances, however, the Federal Council may accept the signature of another member of the Union's Executive Committee or Council of Administration.

If it is not possible to comply with the provisions stipulated in the two preceding paragraphs, a certified copy of the general assembly motion concerning the appointment of the union's official delegates may substitute for the letter of accreditation.

An official delegate's mandate may be revoked at any time by her union. The union must then advise the Federation, giving them the name of the revoked delegate as well as the name of the replacement delegate.

The union may at any time submit a new list of official and substitute delegates.

### **6.23 MEETINGS**

The University Coordinating Committee (UCC) shall meet when necessary.

### **6.24 CONVOCATION**

The person representing the Federation's Executive Committee responsible for university negotiations shall convene meetings of the University Coordinating Committee.

### **6.25 POWERS AND JURISDICTION**

To discuss:

- the application of collective agreements;
- adequate solutions to the problems of various unions;
- the actions and tactics required by negotiations.

To make recommendations to the Executive Committee or Federal Council on its financial and human resources needs.

### **6.26 UNIVERSITY NEGOTIATING TEAM**

Composition

- As stated in the statutes and by-laws of each union.
- A Federation resource person when requested by the local union.

**6.27 DUTIES OF THE PERSON ON THE EXECUTIVE COMMITTEE OF THE FEDERATION RESPONSIBLE FOR UNIVERSITY NEGOTIATIONS**

- A) To follow every stage of the negotiations (preparation, negotiation, mobilization) of each union not regulated by public and parapublic sector negotiations;
- B) To ensure the closest possible coordination between unions in the same sector during their collective agreement negotiations.

**6.28 STRIKE VOTE**

The right to strike belongs to the local union.

The Federation may join forces with affiliated unions to publicize the demands of its members.

**SECTION 3: SERVICE ORGANIZATION UNIONS**

**6.31 THE SERVICE ORGANIZATION UNION NEGOTIATING TEAM**

Composition

- As stated in each union's statutes and by-laws.
- A Federation resource person when requested by the local union.

**6.32 DUTIES OF THE PERSON ON THE FEDERATION'S EXECUTIVE COMMITTEE RESPONSIBLE FOR THE NEGOTIATIONS OF SERVICE ORGANIZATION UNIONS**

- A) To follow every stage of the negotiations (preparation, negotiations, mobilization) of each union;
- B) To ensure the closest possible coordination between unions working in similar fields during their collective agreement negotiations.

**6.33 STRIKE VOTE**

The right to strike belongs to the local union.

The Federation may join forces with affiliated unions to publicize the demands of its members.



## CHAPTER 7 – EXECUTIVE COMMITTEE

### 7.01 COMPOSITION

- A) The Executive Committee is composed of three positions.
- B) The three positions are:
- President;
  - Vice president in charge of administrative affairs;
  - Vice president in charge of financial affairs.

### 7.02 RELEASE TIME

The person who holds the position of president shall have full time release in order to devote all of his or her time to working at the Federation.

The vice presidents of the Executive Committee shall be released on an occasional basis to fulfill their responsibilities. The release time must take into account the financial capacities of the Federation and the mandates that are entrusted to the vice presidents.

Vice Presidents of the Executive Committee may assume political responsibilities in their local unions. Nevertheless, this responsibility should not interfere with the work they have to perform for the Federation.

### 7.03 TERMS OF OFFICE

#### A) Duration

Persons are elected to the Executive Committee for a period of two (2) years at the last Federal Council meeting of the fiscal year. All are eligible for re-election.

At the end of their terms, all Executive Committee members shall return all documents and other effects belonging to the Federation.

In order to fill a vacant position, a candidate may be elected for the remainder of a term only. This candidate may, nevertheless, be re-elected.

#### B) Rotation:

Executive Committee members are elected in the following two-year rotation:

- election of the president is held in odd-numbered years;
- elections of the two vice presidents are held in even-numbered years.

#### C) Entry into Office of New People Elected to the Executive Committee

People elected to the Executive Committee during the course of a mandate shall begin their term of office at the close of the Federal Council meeting during which they were elected.

New people on the Executive Committee elected during the regular period shall take office on the first day of July following the election.

#### **7.04 POWERS AND JURISDICTION**

- A) Manage the assets of the Federation and take care of everyday business.
- B) Make recommendations to authorized bodies which it deems useful and carry out the decisions taken by these bodies.
- C) Prepare the plan of action and budgetary forecasts for submission to the first meeting of the Federal Council.
- D) Regularly verify that the Federation's revenues are being used in conformity with authorized budgets and prepare revised budgets.
- E) Determine how issues and responsibilities arising from the Federation's plan of action are to be distributed among Executive Committee members, subject to the provisions of the statutes and by-laws.
- F) Set the time, date, place and agenda for regular and special meetings of the Federal Council.
- G) Accept or reject requests for affiliation to the Federation and for service contracts.
- H) Validate the convocation of meetings of the College Negotiating Committee (CNC) and the University Negotiating Committee (UNC) and arrange the organization of tours of affiliated unions in accordance with budgetary provisions.
- I) Organize the appointment of representatives to the various authorized bodies of the Centrale.
- J) Ensure the political assignments of resource people assigned to the Federation.
- K) Make all representations to the Centrale required to ensure that it provides the services that members are entitled to, specifically those related to 2<sup>nd</sup> level social security, union training, coordination of national negotiations, intersectoral legal services and union organization.
- L) Choose the accounting firm that will carry out the financial audit.
- M) Authorize tours of affiliated unions as determined by the negotiating committees.
- N) Decide, at the beginning of each fiscal year, who will assume the presidency in case of absence.
- O) Decide who, among the people elected to the Executive Committee, will be responsible for the various negotiations of college, university and parapublic collective agreements.
- P) Distribute the various dossiers among the people elected to the Executive Committee.
- Q) Intervene when an affiliated union becomes incapable of functioning.

In certain cases, the Executive Committee may assign responsibility for a dossier to a delegate. This person must report to the Executive Committee of the Federation.

#### **7.05 DUTIES OF THE PRESIDENT**

- A) Manage the everyday business of the Federation by undertaking a general supervision and coordination of all of the activities of the Federation.
- B) Convene meetings of the Executive Committee and assemblies of the Federal Council.
- C) Chair meetings of the Executive Committee.

- D) Be politically responsible for dossiers assigned by the Executive Committee as well as those assigned by authorized bodies of the Federation.
- E) Attend, when required, meetings of the negotiating committees and any other committee except for the Elections Committee.
- F) Officially represent the Federation.
- G) Be responsible for the management of human resources.
- H) Sign minutes and other documents along with the vice president in charge of administrative affairs.
- I) Sign cheques along with the vice president in charge of financial affairs.

#### **7.06 DUTIES OF THE VICE PRESIDENT IN CHARGE OF ADMINISTRATIVE AFFAIRS**

- A) Record the minutes of Executive Committee meetings, Federal Council assemblies, or any other meeting, and co-sign documents along with the president.
- B) Be responsible for the Federation's archives.
- C) Be politically responsible for dossiers assigned by the Executive Committee as well as those assigned by authorized bodies of the Federation.

#### **7.07 DUTIES OF THE VICE PRESIDENT IN CHARGE OF FINANCIAL AFFAIRS**

- A) Co-sign cheques and other financial documents with the president or any other person authorized by the Federal Council to co-sign.
- B) Collect or see to the collection of dues and other revenues.
- C) Keep the accounting up-to-date and make all necessary bank transactions.
- D) Submit budget forecasts and revised budgets to the Federal Council.
- E) Submit to the Federal Council statements of revenues and expenses covering the period prior to the assembly.
- F) Be responsible for the auditing of Federation accounts at the end of each fiscal year and submitting the results of this audit to the Federal Council.
- G) Carry liability insurance whose premiums are paid by the Federation.
- H) Convene meetings of the Finance Committee.
- I) Be politically responsible for dossiers assigned by the Executive Committee as well as those assigned by authorized bodies of the Federation.
- J) Ensure that statements of revenues are produced.
- K) Ensure that all payments are made in conformity with laws and by-laws.

#### **7.08 MEETINGS**

The Executive Committee shall meet as often as its responsibilities warrant, no fewer than five (5) times per year.

If one of the members of the Executive Committee so requests in writing, the President must convene a meeting of the Executive Committee.

The Executive Committee may invite an observer or advisor to its meetings. These people have the right to speak only.

#### **7.09 CONVOCAATION**

For meetings which have not been planned in advance, the time limits for convening a meeting must be respected:

- A) for regular meetings, five (5) working days in advance of the proposed date of the meeting;
- B) for special meetings, two (2) working days in advance of the proposed date of the meeting, or twenty-four (24) hours in the case of a conference telephone call.

Nevertheless, at any time during a meeting of the Centrale's Congress or during a Federation Federal Council assembly, the president may verbally call an on-the-spot meeting to deal with urgent matters.

#### **7.10 QUORUM AND VOTING**

- A) The quorum of the Executive Committee consists of the majority of persons elected.
- B) A motion is passed by the majority of votes cast.

#### **7.11 REMOVAL FROM OFFICE**

##### **A) Reasons**

Any person on the Executive Committee may be removed from office for one of the following reasons:

- missing more than three (3) regular meetings of the Executive Committee in a twelve (12) month period, without sufficient cause;
- refusing to carry out decisions taken by the authorized bodies of the Federation;
- causing serious prejudice to the Federation;
- incapacity to act.

##### **B) Decision**

Any motion to remove someone from office must come from a union or the Executive Committee and must be submitted with at least thirty (30) days advance notice before the scheduled date of the Federal Council where the motion will be debated. This notice must be sent to the members of the Federal Council.

Any person elected to the Executive Committee who is the object of a motion to remove from office must be advised with a registered letter. This letter must identify the reasons for the motion to remove from office.

In order to be adopted, a motion to remove from office must receive at least two thirds (2/3) of the votes cast.

Only the Federal Council has the power to remove a member of the Executive Committee from office.

## **7.12 VACANCY**

An Executive Committee vacancy occurs in the following situations:

- A) a member resigns, dies or is removed from office;
- B) a member ceases to be a union member or is a member of a union which has disaffiliated from or been excluded by the Federation;
- C) a member becomes incapable of acting;
- D) no one is elected to the position.

Such a vacancy shall be filled at the next scheduled Federal Council.

## **CHAPTER 8 - COMMITTEES**

### **8.01 FUNCTIONING OF COMMITTEES OR WORK TABLES**

#### **A) Meetings**

Each committee is responsible for its own internal operations.

All committee meetings shall be convened by the Executive Committee member responsible for the committee.

If a written request is received from two members of a committee, the Executive Committee member responsible must convene a meeting of the committee as soon as possible.

#### **B) Reports**

1. All committees must report their activities to the authorized body which created it.
2. This reporting must be done in writing, unless the resolution which created the committee states that it can be verbal.
3. Written reports must be signed by representatives of the committee concerned.

#### **C) Expenditures**

The Committee or work table manages a budget authorized by the Federal Council, and is responsible for its own release time. It may not accumulate debts without the authorization of the Executive Committee.

#### **D) Duration**

All committee members are elected for the remainder of the fiscal year. They are eligible for re-election at the first Federal Council of the year.

#### **E) Quorum**

Subject to a provision of these statutes or by-laws expressly stating otherwise, quorum for all committee meetings shall be the majority of the committee's members.

The president of the Federation is not counted in the quorum when he attends as an ex-officio member.

### **8.02 STATUTORY AND REGULATORY COMMITTEES**

The statutory committees of the Federation are:

- A) The Elections Committee;
- B) The Finance Committee;
- C) The Statutes and By-Laws Committee;
- D) The Communications Committee

The regulatory committees of the Federation are:

- A) The Conciliation Committee (By-Law N° 2);
- B) The Legal Services Appeals Committee (By-Law N° 3).

### **8.03 ELECTIONS COMMITTEE**

#### **Composition:**

The Elections Committee is composed of two (2) delegates chosen by the Federal Council:

- a president;
- a scrutineer.

At its first regular assembly of the year, the Federal Council shall appoint one of its delegates to be the president of the Elections Committee.

When an election is held, the Federal Council shall appoint a scrutineer.

#### **Mandate:**

The Elections Committee is responsible for carrying out the elections as stipulated in these statutes and by-laws. It also administers the counting of the ballots.

### **8.04 FINANCE COMMITTEE**

The outgoing vice president in charge of financial affairs shall remain available, if necessary, to participate in activities of the Finance Committee and in the auditing process and the production of the financial report.

At the end of her mandate, a vice president in charge of financial affairs shall not be eligible to sit on the Finance Committee for the subsequent two (2) years.

#### **Composition:**

The Finance Committee is composed of three (3) people:

- two (2) delegates chosen by the Federal Council at its first regular assembly of the year;
- the vice president in charge of financial affairs.

#### **Duties:**

- A) To examine budget forecasts and budget revisions before they are submitted to the Federal Council.
- B) To examine the revenues and expenditures and verify that the expenditures conform to the Federation's statutes, by-laws and policies.
- C) To examine the annual financial statements for each of the funds stipulated in these statutes and by-laws before they are submitted to the Federal Council.
- D) To ensure, each year, that the books are verified and that the financial statements are prepared and audited by the chosen firm.

- E) To respond to specific requests from the Federal Council, the Executive Committee or the vice president in charge of financial affairs.
- F) To make any suggestion or recommendation, which is likely to improve the administration of the Federation, to the Executive Committee or the Federal Council.

#### **8.05 STATUTES AND BY-LAWS COMMITTEE**

##### **Composition:**

The Statutes and By-laws Committee is composed of three (3) people:

- two (2) delegates elected by the Federal Council at its first regular assembly of the year;
- a member of the Executive Committee.

##### **Duties:**

- A) To ensure that the statutes and by-laws are respected.
- B) To study all proposed amendments to statutes, and amendments or repeal of by-laws and advise the Federal Council on such proposals.
- C) To recommend modifications of statutes and by-laws to the Federal Council.

#### **8.06 COMMUNICATIONS COMMITTEE**

##### **Composition:**

The Communications Committee is composed of four (4) people:

- three (3) people elected by the Federal Council at its first regular assembly;
- a member of the Executive Committee.

##### **Mandate:**

The Communications Committee works with the Executive Committee to meet the communication and visibility needs of the Federation. It participates in the development of the communications plan and in producing the various forms of information. It can oversee the updating of the website.

#### **8.07 COMMITTEES OR WORK TABLES**

The Federal Council or Executive Committee may create any committees or work tables which could contribute to the smooth functioning of the organization, and may appoint members of affiliated unions to sit on these committees.

The role of a committee or work table is to contribute to the development of orientations and positions of the Federation on issues which an authorized body of the Federation or the Executive Committee has given it a mandate to study.

Members of a committee or work table must have some knowledge of the issues to be dealt with by the committee in question.



The committees or work tables must submit their plan of action to the relevant body for adoption.

Committees and work tables shall submit a report of their activities at the last Federal Council of the fiscal year.

## **CHAPTER 9 - AFFILIATION, DISAFFILIATION, SCHISM, DISSOLUTION, LIQUIDATION**

### **9.01 AFFILIATION**

The Federation is composed of unions who have made a written request to join and who have agreed to respect the statutes and by-laws of the Federation.

### **9.02 DISAFFILIATION**

An affiliated union must comply with the disaffiliation procedures set out in the statutes of the Centrale.

### **9.03 SCHISM**

- A) Article 9.02 of the Federation's statutes concerning the wish to disaffiliate does not apply to a union which leaves the Federation to join the ranks of another group affiliated to the CSQ.
- B) When a college, university or service organization group wishes to withdraw from the Federation in order to join the ranks of another federation affiliated to the CSQ, to create a new federation or join another group, it must comply with the following procedures:
1. Inform the Executive Committee of the FPSES in writing.
  2. Send this written notice thirty (30) days in advance of the Federal Council where it will be discussed.
- C) During this special Federal Council, the issue shall be presented and a special committee shall be created. The composition of this committee shall be:
- one person from each group of the Federation;
  - the members of the Federation's Executive Committee;
  - one person from the Executive Committee of the Centrale.

The special committee could include Centrale resource people if it deems this necessary.

This special committee shall have a period of thirty (30) additional days to fulfill its mandate. At the end of this period, a second Federal Council will be held.

The mandate of this special committee shall be to define the problem and attempt to find solutions that would prevent such a schism within the Federation. The special committee will then present its report to the Federal Council which will make its decisions.

If the situation persists, the special committee will be asked to oversee the distribution of Federation assets among the different groups.

If no agreement on the sharing of assets satisfactory to all groups can be reached, a person who will act as an arbitrator will be appointed.

During the Federal Council which will deal with the schism, the Federation's regular procedures for deliberative assemblies shall be suspended to enable voting related to the sharing of Federation assets and their obligations and rights, including votes related to a possible arbitration.

Voting should be held separately. This means that each of the entities (the group that is staying and the one that is leaving) shall hold their own votes. It is essential that each location where the voting will take place should name their own chair of their assembly.

After this voting takes place, the Federal Council shall bring all of the delegates together to receive each group's report and deal with them.

The Federal Council cannot put forward a motion for all delegates to vote on if a majority was not first obtained in each of the groups concerned.

#### **9.04 DISSOLUTION**

The Federation cannot be dissolved as long as three (3) affiliated unions wish to preserve it.

In this case, the Federation may only be dissolved with a motion adopted by a vote of at least two thirds (2/3) of the delegates in attendance at an assembly of the Federal Council.

#### **9.05 LIQUIDATION**

In the event of dissolution, liquidation procedures must be undertaken in accordance with the provisions of the *Professional Syndicates Act* (L.R.Q., Chapter S.40).

## **CHAPTER 10 - AMENDMENTS TO THE STATUTES AND BY-LAWS**

### **10.01 ADOPTION OF STATUTES AND BY-LAWS**

A proposal to modify or repeal any of these statutes or any by-law, or any proposal for a new statute or by-law must be sent to the members of the Federal Council, by one of its unions, by the Executive Committee or by the Statutes and By-Laws Committee, at least forty-five (45) days before the Federal Council assembly which will deal with it.

Federal Council delegates, the Executive Committee and the Statutes and By-Laws Committee may formulate amendments to any announced motions for modifications or for new provisions, in conformity with this article and by sending them to the Executive Committee at least twenty-five (25) days before the Federal Council assembly which will deal with them.

No new motions will be accepted beyond this time limit.

The Executive Committee shall send to affiliated unions, at least ten (10) days before the Federal Council assembly which will deal with them, all motions received within the established time limits as well as the position of the Statutes and By-Laws Committee on each motion, if applicable.

All motions addressed in this article must be included in the minutes of the Federal Council assembly at which the motions were put forward.

The Federal Council which deals with motions presented in accordance with this article cannot amend them without the approval of at least 90% of the votes cast.

A vote to divide a motion or an amendment brought to the Federal Council, by virtue of this chapter, cannot be requested without the approval of at least 90% of the Federal Council.

Statutes of the Federation can only be adopted, modified or repealed with the approval of two thirds (2/3) of the votes cast by delegates in attendance.

By-laws of the Federation can only be adopted, modified or repealed with the approval of two thirds (2/3) of the votes cast by delegates in attendance.

Policies of the Federation can only adopted, modified or repealed with the approval of the majority of votes cast by delegates in attendance.

### **10.02 COMING INTO FORCE**

Any amendment to a statute or by-law, or any new by-law, shall come into force as soon as it is adopted by the Federal Council, unless a different date is specified.



