



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



## **BY-LAW N° 10**

### **CONCERNING THE PLACING OF AN AFFILIATED UNION UNDER TRUSTEESHIP**

**February 2010**

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1. When the rights of an affiliated union's members could be threatened by the absence of a local executive, the Executive Committee of the Federation must undertake a study of the situation as soon as possible: to do this, it must mandate one or more people to accomplish this study and report back to it.
2. In all cases where a union is unable to assume its responsibilities because of the absence of an executive, the Executive Committee of the Federation must, after having studied the situation, adopt effective measures to reestablish the autonomous functioning of the union.

It must, among other things:

- convene a meeting of any union decision-making bodies concerned;
  - organize an information meeting or study session for the members of this union or a category of its members;
  - request the collaboration of another union whose headquarters are close to the union concerned.
3. If a study of the situation reveals that the rights of a member of a certified unit are threatened and that it would be impossible to reestablish the autonomous functioning of the union fast enough to ensure his or her protection, the Executive Committee of the Federation could, among other things:
    - determine a work plan;
    - inform the Centrale that it has begun the process of putting an affiliated union under trusteeship. This sort of trusteeship cannot extend beyond a period of 6 months, subject to exceptions;
    - appoint a person to temporarily assume the executive duties of the union and, if possible, appoint a person from among the union's members to accompany this person in the performance of his or her mandate.
  4. The appointed person must ensure that union members receive 1st level services, which specifically involve:
    - ensuring direct services to members;
    - informing members of their rights and defending these rights before the employer;
    - applying the collective agreement and ensuring that it is respected.

The appointed person must also report to any general meeting of the union held during his or her mandate.

At the end of the mandate, he or she must:

- convene a general assembly to inform the members of the affected union of the situation;
- submit a written report to the Executive Committee of the Federation and to the executive of the union concerned or the representative duly appointed by the general assembly of the union. Any member of the union may obtain a copy of the report by addressing a request to the Federation.

With respect to the provisions in the collective agreement related to the person who temporarily assumes the executive functions of the union, the costs associated with the employee's salary or the employee's release time as well as the costs of lodgings and travel shall be charged to the union.

The Executive Committee of the Federation may, at any time during the mandate, replace the appointed person if it deems this necessary.

5. The Executive Committee of the Federation may, in cases where they appoint a person or persons to temporarily assume the executive functions of a union, create a monitoring committee to ensure that the work plan is carried out. Such a committee could be formed by members of the union concerned, members of other unions affiliated to the Federation or of employees of the Centrale. The expenses incurred by the members of a monitoring committee (release time, lodgings and travel) must be reimbursed by the Welcoming and Consolidation Fund.
6. When the Executive Committee of the Federation becomes aware of a situation where a union has become incapable of assuming its responsibilities because it has no executive, it must make a report to the Federal Council on the state of the situation and on what measures are being taken within the framework of the powers granted to it by paragraph 7.04 Q) of the Federation's Statutes and these by-laws.