



BY-LAW N° 2

CONCERNING THE EQUALIZATION FUND

June 2021

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BY-LAW N° 2

BY-LAWS CONCERNING THE EQUALIZATION FUND

ARTICLE 1 - DESIGNATION AND OBJECTIVE

1.1 Designation

A fund designated as the «Equalization Fund» shall be established and maintained by the Fédération du personnel de soutien de l'enseignement supérieur.

1.2 Objective

The goal of the Equalization Fund is to increase the effectiveness of union affairs, specifically by:

- . encouraging the participation of affiliated unions in activities and on decision-making bodies of the Federation;
- . encouraging the representation of support staff at Centrale meetings;
- . attenuating the financial inequalities between unions due to the number of members they have, the real earnings of these members or the remote location of these unions;

all the while respecting the financial limitations of the Federation.

ARTICLE 2 - ELIGIBILITY AND MAKING CLAIMS

2.1 Eligible Beneficiaries

The following are eligible to benefit from the Equalization Fund:

- a) the newly affiliated union which is in the process of becoming certified, already certified or has a service agreement;
- b) the responsible person on the Executive Committee of the Federation who assumes a mandate given by unions with less than 100 members to represent these unions at Centrale meetings,

in this case, the eligible equalization reimbursement amounts are those which are prescribed in the FPSES Financial Policy applicable to members of the Executive Committee;
- c) affiliated unions whose members' real earnings amount to less than 6 million dollars.

2.2 **Eligibility Requirements**

The Federation shall reimburse the union for the participation of support staff delegates in accordance with the following two criteria:

- The real earnings of the dues-paying members of the union must have totaled less than 6 million dollars in the preceding fiscal year (See the form provided in Appendix C: an electronic form and signature are valid), but the way unions are reimbursed varies according to the following criteria:
 - o less than 3 million, 80% of the eligible amounts;
 - o more than 3 million but less than 4 million, 60% of the eligible amounts;
 - o more than 4 million but less than 5 million, 40% of the eligible amounts;
 - o more than 5 million but less than 6 million, 20% of the eligible amounts.

Regional Disparities

Unions whose establishments are located outside the greater Montreal area (more than 80 kilometers from the offices of the FPSES) are entitled to an additional percentage of equalization payments according to the following scales:

- o Abitibi-Témiscamingue 60%
- o Central Quebec 17%
- o Estrie 18%
- o Montérégie 17%
- o Outaouais 29%
- o Quebec City 17%

The percentage claimed by the local union from the Equalization Fund can never exceed 100% of the eligible amounts.

2.3 **Eligible Amounts**

Reimbursement for expenses covered by this article shall be made **upon presentation of supporting documents** such as:

- o a copy of the local union's reimbursement form;
- o a copy of the invoice sent by the Employer to the Union for release time expenses;
- o a copy of a ticket (bus, train, airplane, taxi);
- o a copy of the parking receipt;
- o a copy of the reimbursement form for child care expenses.

At no time may the amounts claimed from the Equalization Fund by local unions be greater than the amounts actually reimbursed to delegates.

For transportation

As much as possible, the union should use the least expensive form of transportation.

Automobile (reimbursement for one automobile only per union):

- personal automobile: mileage in accordance with Ministry of Transport norms (See the form provided in Appendix A: an electronic form and signature are valid), the starting point being the union headquarters / the cost of the mileage defrayed by the union up to a maximum of 42 cents per kilometer;
- rental automobile: the cost of rental and gas on presentation of receipts. In this case, the reimbursement may not surpass the cost of using a personal automobile.
- parking expenses, up to a maximum of \$25 per day.

Public transportation (reimbursement for economy fare):

- bus, train: 100% of costs;
- airplane: 100% of costs as long as the distance covered is more than 600 kilometres from the site of the meeting. If not, the Federation shall reimburse the equivalent of 28 cents per kilometer.

Taxi: 100% of the costs associated with the meeting.

The Federation will reimburse travelling expenses to and from meetings which last two days or more and the least expensive between the costs of transportation for each day and the total amount which would be incurred by accommodations for delegates.

For the end-of-year Federal Council, which is structured as a retreat, the Federation will reimburse the cost of accommodations, regardless of the number of kilometers separating the site of the retreat from the workplace of the delegates.

For Overnight Accommodations

Hotel - Motel

- A maximum of \$125 per night for hotel or motel accommodations.
- A union that is more than 200 km. from the site of the meeting shall be entitled to accommodations on the eve of the meeting as long as the meeting begins before 11 a.m.
- A union that is more than 350 km from the site of the meeting shall be entitled to accommodations on the eve of the meeting.

Friend - Parent

- Reimbursement of \$30 for the delegate who stays overnight with a parent or friend.
- In the case of a "force majeure" (blizzards, etc.), claims for an additional night of accommodations may be authorized by the Executive Committee of the Federation.

Per Diem

The Federation shall cover the costs of meals reimbursed by the Union up to a maximum of \$10 for breakfast, \$15 for lunch and \$25 for supper, per day and per delegate.

When overnight accommodations on the eve of a meeting are authorized, the Federation shall cover the costs of meals reimbursed by the Union up to a maximum of \$25 per day per delegate.

For Child Care Expenses (for children* 16 years old or under)

- The Federation shall reimburse the claimant at a rate of \$5 per hour (maximum of \$55 for a 24-hour period) on presentation of receipts. (Request for Reimbursement of Childcare Expenses – local form)

In cases involving breastfeeding, an additional \$15 will be reimbursed if another person has to travel to look after the child.

These expenses are reimbursed under the following conditions:

The care is provided by a person other than the spouse or someone else who permanently resides with the claimant.

The hours of care are not within the regular working hours of the claimant's week, unless the claimant can prove that these expenses were directly caused by the fact that he or she participated in an FPSES activity.

Any exception must be submitted to the FPSES Executive Committee.

Compensation for Union Release Costs

The Federation shall reimburse 80% of the fees charged to the Union by the Employer, up to a maximum of \$250 per day for each participant.

In cases where a union has the right to overnight accommodations on the eve of the meeting, the Federation shall reimburse 80% of the fees charged to the Union by the Employer up to \$125 per participant, for the additional half-day of travel.

2.4 Union Claims

The treasurer of each union must send the Federation a photocopy of the delegate's expense report reimbursed by the union, including photocopies of the receipts.

The union must also fill out the following form for each meeting: *Remboursement FPSES: Fonds de péréquation – Quantum* (Appendix B).

All claims for reimbursement of expenses incurred by a union must be received by the Federation no later than August 31 of each year. **No claims will be accepted after this date.**

On presentation of receipts, the Federation shall reimburse unions on or about October 31.

The FPSES shall reimburse 100% of the eligible amounts for the first person released to attend eligible activities (Art. 3.1) and 60% of the eligible amounts for a second person.

Reimbursements paid on or about October 31 must be calculated subject to article 5.3 of this by-law.

2.5 Funds Available from the Centrale des syndicats du Québec (CSQ)

When a Union can claim reimbursement under policies and by-laws of the Centrale, the Federation shall not make any reimbursement under this by-law.

However, if the amounts reimbursed under the policies and by-laws of the Centrale are less than those provided for in this by-law, the Federation shall reimburse the difference, when requested by a union with supporting documents.

ARTICLE 3 - FEDERATION & CENTRALE DECISION-MAKING BODIES: REIMBURSEMENT

3.1 Eligible Activities

The decision-making bodies and activities covered by these by-laws are:

For the Federation:

- the Federal Council (CF): two delegates per union;
- negotiating bodies in the public and parapublic sectors:
 - College Negotiating Committee (CNC): two delegates per union;
 - University Coordinating Committee (CCU): two delegates per union;
 - Coordination of service organization unions: two delegates per union;
- the Comité d'interprétation, de formation et d'application des conventions collectives (CIFACC): two people per union.

For the Centrale:

- the General Council (CG): one delegate per union;
- the General Negotiating Council (CGN): two delegates per college sector union;
- the Congress: one delegate per union;
- training sessions in labour relations authorized by the Executive Committee of the Federation (health and safety in the workplace, employment insurance, social security, pension plan and group insurance): one person per union;
- the Women's Network: one delegate per union;
- the Youth Network: one delegate per union;
- the Health and Safety in the Workplace Network: one delegate per union;
- the Bruntland Environment for a Sustainable Future and Green Establishments Network: one delegate per union;
- the Socio-political Action Network: one delegate per union.

ARTICLE 4 - MANAGEMENT OF THE EQUALIZATION FUND

- 4.1** The Equalization Fund is administered by the Finance Committee.
- 4.2** All expenses related to the administration or management of the Equalization Fund shall be covered by the Federation's General Administration Fund.

ARTICLE 5 - SOURCE OF THE EQUALIZATION FUND

- 5.1** The Equalization Fund receives amounts in accordance with the by-laws of the Federation, which stipulate that it should receive 0.045% of the real earnings of dues-paying members.
- 5.2** At the end of the financial exercise, if the balance remaining in the Equalization Fund exceeds \$10,000, the excess shall be transferred into the General Administration Fund.
- 5.3** The Equalization Fund shall at no time be permitted to be in deficit. If claims from unions exceed the sums available in the Fund, reimbursements shall be made proportionally among the unions submitting claims, including, if necessary, all of the reimbursements paid in the current year.

ARTICLE 6 - FINANCIAL STATEMENTS

- 6.1** Financial statements of the Equalization Fund shall be submitted to the Federal Council for adoption.

ARTICLE 7 - CONCILIATION MECHANISM

- 7.1** The Federation must provide a conciliation mechanism to resolve disagreements.
The purpose of this mechanism shall be to reach an agreement between the parties, either on the substance of the disagreement or on a mechanism which will lead to a settlement.
- 7.2** The Conciliation Committee shall be composed of three members:
- the person elected as Vice-President of Financial Affairs;
 - two people elected by the Federal Council, excluding members who represent unions that receive equalization benefits.
- 7.3** A union that wants to have a complaint mediated must notify the Federation which will then convene a meeting of the Conciliation Committee.
Notice of this meeting must be sent to the union at least ten (10) days in advance of the meeting.

At this meeting, the individual or individuals who represent the union and the person elected as Vice-President of Financial Affairs have the right to speak but not the right to vote.

The Committee must render a decision within 10 working days and this decision shall be final with no appeal.

ARTICLE 8 - COMING INTO FORCE

This amended by-law shall come into force on September 1, 2017.

APPENDIX A – ROAD DISTANCES

“SEE EXCEL DOCUMENT”

APPENDIX B – EQUALIZATION REQUEST FORM

“SEE EXCEL DOCUMENT”