



## **Statutes of the Centrale des syndicats du Québec (CSQ)**

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## **Chapter 1 Name, Mission, Jurisdiction**

### **1.01 Name**

The Centrale des syndicats du Québec (CSQ) is a Quebec confederation of trade unions. It is made up of affiliated organizations adhering to its statutes and by-laws.

### **1.02 Mission**

The principal mission of the CSQ is to promote and protect the economic, professional and social interests of the members it represents and is fulfilled with deference to the fundamental values of equality, solidarity, social justice, freedom, democracy and cooperation.

With a view to the establishment of a more just and democratic society, the mission of the CSQ shall also:

- strive to improve the standard of living of workers in Québec from a social, cultural and economic perspective;
- strive to protect and extend democratic rights and in particular, to act to further extend the rights to unionization, to negotiation and to freedom of union action;
- strive to promote and protect social rights, particularly the right to education, health, work and decent living conditions;
- strive to promote and protect the rights of women.
- strive to protect and to promote gay and lesbian rights.

### **1.03 Declaration of Principles**

The CSQ has adopted a Declaration of Principles as a guide for action in the implementation of its Mission. This Declaration shall be binding on all the constituent parts of the organization. The decision-making bodies of the CSQ must see that the Declaration is applied and observed by seeking adherence through discussion and education and not by coercive means.

### **1.04 Jurisdiction**

The Centrale des syndicats du Québec may unite the Association and those Québec unions that exclusively represent salaried personnel working in the teaching, education, leisure, culture, communications, health and social services, daycare services, and the public service sectors. The General Council may, however, allow an affiliated union to represent the salaried personnel working for an employer who has integrated the activities of one of these sectors following the transfer of an undertaking.

The General Council may also allow the Centrale des syndicats du Québec to extend its jurisdiction to a group of self-employed workers in any of the sectors defined in this section, should it decide that these workers must promote and protect their collective interests before an authority that defines the framework within which they carry out their work or that exercises control over this matter.

### **1.05 Head Office**

The Head Office of the Centrale des syndicats du Québec is located in Montreal.

## **Chapter 2 Membership, Expulsion**

### **2.01 Union Organizations**

The union organizations that may adhere to the CSQ are unions, the Association, federations and, where applicable, a group of self-employed workers.

Unions are groups of salaried personnel whose main function is to represent their members in their relationship with their employers through the negotiation and the application of collective bargaining agreements.

The Association is a group of retired personnel.

The federations are groups of unions.

### **2.02 Conditions for Membership**

Any union organization wishing to join the CSQ must make written application addressed to the Executive Council supported by the following documents and information:

- a) identification of the Executive Committee; names and addresses of its members;
- b) a copy of its statutes;
- c) a photocopy of its accreditation certificate(s), if need be;
- d) the date of incorporation, if need be;
- e) a photocopy of its application for affiliation with a federation in the case of a union that must affiliate with a federation in accordance with the current statutes;
- f) a declaration confirming that the union has received the statutes and by-laws of such a federation and that it has undertaken to respect such statutes and by-laws;

- g) the list of members;
- h) a declaration confirming that the group has received the Statutes and the By-Laws of the CSQ and that it has undertaken to abide by them;
- i) payment of affiliation fees of \$1.00.

These documents shall be required insofar as they are not available to the secretariat. A federation wishing to affiliate with the CSQ must exclusively unite CSQ-affiliated unions and associations.

To be accepted, a union must abide by the by-law concerning conditions for disaffiliation. All affiliated unions must ensure that their statutes continue to conform to this by-law.

A union that affiliated with the CSQ before July 1, 1988 must have complied with the obligation stipulated in paragraph f) at the closing of the biennial meeting of the General Congress of 1992. In the same way, when a federation is recognized as a sectoral group, the unions that must affiliate with this federation shall be granted a period of twelve (12) months to comply with this obligation.

### **2.03 Decisions on Affiliations**

The Executive Council shall render a decision on an organization's application for affiliation. Should the Executive Council reject or abstain from a decision within a period of thirty (30) days following the date of the application, the organization may appeal to the General Council. Should the Executive Council grant affiliation, any affiliated organization may appeal to the General Council within a period of thirty (30) days following the date of the decision.

The Executive Council may only grant affiliation to a federation if the jurisdiction of this federation allows it to be recognized as a sectoral group in accordance with the provisions of Chapter 3 of these statutes.

### **2.04 Expulsion**

The General Congress is solely responsible for rendering decisions on exclusions. However, where the gravity of the infraction warrants suspension, the General Council may suspend an organization until such time as the General Congress hands down a definitive decision. The General Council may not render a decision unless the group subject to a proposed suspension has been notified by registered mail at least forty-five (45) days before the Assembly date.

### **2.05 Nullification of an Organization's Affiliation**

The affiliation of any union that no longer possesses any of the essential features in the accepted definition of an association of salaried personnel may be declared null by the Executive Council.

Nullification cannot be declared unless the union subject to a possible nullification has been informed in accordance with the usual conditions, thirty (30) days in advance of the date of the Executive Council meeting convened to render such a decision.

A union whose affiliation is under review with respect to nullification may appeal to the General Council, which makes the final decision.

## **Chapter 3 Sectoral Groups**

### **3.01 Sectoral Groups: Nature**

Sectoral groups are federations or affiliated unions that the CSQ recognizes as suitable for the purposes of providing services, taking joint action and representing a particular group of workers who share a specific field of interest.

Pursuant to the Statutes and By-Laws of the CSQ and subject to a specific agreement to the contrary, those federations and unions recognized as sectoral groups shall have decision-making powers with respect to their internal administration and their finances in the same capacity as the other affiliates.

### **3.02 Sectoral Groups: Recognition**

- a) The General Council may recognize as an appropriate sectoral group a federation or a union whose jurisdiction extends throughout Québec and that unites members on the basis of their particular area of interest because of employment, occupation or a common situation. To this end, the following groups shall be considered to be appropriate:
1. school board professional personnel;
  2. CEGEP professional personnel;
  3. university and research professional personnel;
  4. support personnel working in post-secondary educational institutions (CEGEPs and universities) or who dispense services in the said institutions;
  5. school board support personnel;
  6. school board teaching personnel;
  7. CEGEP teaching personnel;

8. university teaching and teaching-research personnel;
9. the personnel of private teaching institutions;
10. daycare centre and early childhood centre personnel;
11. the personnel of recreational, cultural and community establishments;
12. nursing staff;
13. nursing assistant staff;
14. health and social services professional personnel;
15. medical technicians;
16. other categories of health and social services professional personnel.

- b) The General Council may recognize as an appropriate sectoral group a federation or a union that covers more than one group specifically stipulated in this section or whose jurisdiction is entirely distinct from that of these groups.
- c) The General Council may also recognize as an appropriate sectoral group a federation or a union that covers a group specifically stipulated in this section and a group composed of personnel categories which are not covered by these groups.
- d) In health and social services, when personnel categories from different sectoral groups are grouped within a general bargaining unit, the union holding the certification must affiliate in order to represent this group within the sectoral group recognized as representing the personnel categories in sub-paragraph a (16) of this section.

Notwithstanding the first paragraph of Section 3.04, a union shall not be obliged to disaffiliate from a federation and join another federation if its affiliation was established before June 30, 1992.

- e) When it appears to serve the interests of the CSQ and the groups involved, the General Council may recognize more than one organization holding province-wide jurisdiction as a single appropriate sectoral group.

The preceding paragraphs of this Section shall apply to the exercise of this jurisdiction, adapted as required.

Such recognition may only be accorded insofar as there is reason to ensure the autonomy of a group's union life within a sectoral group. In particular, the General

Council shall take the following criteria into account when evaluating the need to ensure a group's autonomy:

- the historical roots of this autonomy;
- a specific professional solidarity;
- the fact of being employed by a particular category of employers.

The organizations that wish to be recognized in this way must also present the General Council with an agreement governing joint action that they have adopted to fulfil their mission as a sectoral group in a unified manner. The agreement must be accompanied by the acceptance resolution from the decision-making body that has the authority to adopt the statutes of each of these organizations. The General Council shall only grant recognition if it is satisfied with this agreement.

- f) Before recognizing a sectoral group, the General Council must ensure that the organization, or in the case defined in paragraph e) of this Section, the organizations applying for recognition have provided certain guarantees of their viability or their potential for remaining viable.
- g) Following a request on the part of the sectoral group or upon the recommendation of the Executive Council and following an observed absence of viability and potential viability, the General Council may withdraw sectoral group recognition from an affiliated organization or organizations which had been recognized as such.

### **3.03 Role of Sectoral Groups**

An affiliated federation that is recognized as a sectoral group or that is a part of a categorial units group must welcome within its ranks a union entering into affiliation with the CSQ if that union represents members of the same type as those united by this organization. The foregoing shall also apply to affiliated organizations recognized under paragraph e) of Section 3.02.

- b) Any affiliated organization recognized as a sectoral group shall primarily assume the responsibility for sectoral negotiations, the sectoral aspects of general labour relations and legal services, labour-related social security that the General Congress deems to be first line, and sectoral professional matters.

The responsibilities falling within such a group's jurisdiction shall be determined by resolution at the General Congress.

It may come to an agreement with one or several affiliated unions on the delegation of responsibilities, either from the union to the sectoral group or from the sectoral group to the union.

It may also delegate responsibilities to the CSQ within the framework of an agreement to this end in exchange for the payment of the appropriate sums. It may not, however, entrust the CSQ with a responsibility that has been delegated to it by one of its affiliated unions.

- c) In the exercise of its joint action and representation duties, the organization recognized as a sectoral group:
1. shall make decisions that specifically concern the sectoral group;
  2. shall receive and dispose of any recommendations or matters submitted by the Executive Council and the Intersectoral Council;
  3. may debate matters of general interest, submit such matters as well as proposals to the Intersectoral Council and the General Congress;
  4. shall act as a representative for its members to the CSQ.
- d) When more than one affiliated organization is recognized as a sectoral group, they shall assume the responsibilities stipulated in paragraph b) and exercise the duties stated in paragraph c) within the framework of the agreement concerning their joint action.

### **3.04 Compulsory Affiliation of a Union with a Federation**

When at least part of a union's membership is of the same type as the membership united within a given federation, the union must affiliate with this federation if the federation has been recognized as an appropriate sectoral group or if it is part of the Categorical Units Group. The union must remain affiliated as long as it is affiliated with the CSQ.

A union must favour the designation of persons from the sector concerned to perform the duty of representation within the federation's decision-making bodies.

The statutes of the federation must establish the representation of such a union in proportion to the number of members who are of the same type as those that the federation unites.

Following verification, the CSQ Executive Council shall attest in writing that the statutory conditions stipulated in the previous paragraph are fulfilled.

The statutes of a federation cannot, however, compel a union to delegate persons from a given category.

### **3.05 Guarantees Concerning Financial Responsibility**

The General Council shall ensure that a federation or a union provides certain guarantees concerning its financial responsibility by virtue of its legal status, its statutes and by-laws or in another manner, in order to be or to continue to be recognized as an appropriate sectoral group.

### **3.06 Categorical Units Group**

- a) The General Council shall institute a group in order to welcome any unit that represents a category of personnel that is not covered by any recognized sectoral groups.

Any unit referred to in the first paragraph, whether it be a union, group of unions or a federation, must join this group.

A Board composed of one member from the Executive Council and designated by the Executive Council and a representative from each categorial unit shall be in charge of policy coordination. The Board of policy coordination shall determine its rules of operation, which shall take effect following approval by the Executive Council.

- b) Pursuant to paragraph a) of this Section, the instituted group shall assume the responsibilities attributed by the General Council to the sectoral groups and to unions in exchange for the payment of an appropriate sum. It shall constitute an administrative unit dispensing the services associated with these responsibilities.

A group unit may, however, assume any of the stipulated responsibilities. The appropriate amount is then deducted from the sum to be paid to the CSQ.

- c) The Categorical Units Group shall ensure the representation of the units that it comprises at the Intersectoral Council.
- d) The term "sectoral group" shall include the Categorical Units Group in these statutes, unless the context indicates otherwise.

### **3.07 Group of Self-Employed Workers**

An affiliated group of self-employed workers may, upon the authorization of the General Council, be affiliated with a federation whether or not the federation is recognized as a sectoral group. It may also be recognized as a sectoral group. In the absence of such affiliation or recognition, it must join the Categorical Units Group.

The rights and obligations of affiliated units shall apply to a group of self-employed workers, adapted as required.

## **Chapter 4 The Association of Retired Personnel**

#### **4.01 Jurisdiction**

Retired personnel who have worked in the CSQ's field of jurisdiction shall be united in an association that represents them. More specifically, this Association unites retired teaching personnel having exercised pedagogical or educational functions who are covered by the Teachers' Pension Plan (T.P.P.) as well as retired personnel who, because of their employment in teaching, education, recreation, culture, communications, health and social services, daycare services and public service sectors, were covered by any of the union groups within the Corporation des enseignants du Québec or the CSQ.

#### **4.02 Mission**

Within the framework of the CSQ's mission, the specific mission of the Association is to promote and protect the interests of the retired personnel that it represents.

#### **4.03 Functions**

The functions of the Association are defined in paragraph c) of Section 3.03. Moreover, the Association may dispense services to its members and represent them outside of the CSQ.

#### **4.04 Recommendations by the Executive Council**

The Executive Council may propose studies and make recommendations to its decision-making bodies. Executive Council members may take part in the Association's Congress, with voice but no vote.

### **Chapter 5 The General Congress**

#### **5.01 Powers of the General Congress**

The General Congress holds paramount authority within the CSQ. It shall determine the general policies, the main objectives, the broad courses of action and the major priorities. Under exceptional circumstances, it may also establish specific policies, special goals or more immediate programs of action. In particular, the General Congress:

- a) shall elect the members of the Executive Council;
- b) shall adopt a Declaration of Principles;
- c) shall determine the initiation fees and the dues of unions, the Association and the federations;

- d) may, with a majority of officially registered persons, establish special dues and the collection procedures;
- e) may decide to establish a special fund and mandate the General Council to oversee its constitution; shall authorize the transfer of sums from a fund derived from dues to a special fund according to the terms that it establishes;
- f) shall decide on the affiliation of the CSQ with Canadian or international associations;
- g) may suspend or expel an affiliated body or lift a suspension;
- h) shall receive the reports of the Executive Council and the General Council and deal with them by making recommendations, comments or decisions as appropriate, pursuant to the powers allocated to the various decision-making bodies of the CSQ by these statutes;
- i) shall adopt statutes and by-laws;
- j) may convene an extraordinary Congress;
- k) may form commissions and appoint the members; may form committees and appoint the members;
- l) may adopt, amend or repeal the by-laws regulating the procedure, the organization and the operation of the General Congress. It may allow the General Council to amend these by-laws between Congresses.

It may, without prejudice to the foregoing, demand the reading of any resolution as well as a report on any activity conducted by the General Council, the Intersectoral Council and the Executive Council, the preparation and the reading of the audited financial statements and budget forecasts; in short, it may require a report on any activity conducted by the CSQ.

## **5.02**

Delegations of affiliated organizations shall meet in Congress every three (3) years, between June 15 and September 15 on the date and at the location determined by the Executive Council.

The notice of convocation must be sent to affiliates at least sixty (60) days before the Congress convocation date.

Under exceptional circumstances, the General Congress may, however, fix the date of the General Congress meeting during a period other than the period between June 15 and September 15.

**5.03**

The Executive Council, the General Council and the Congress may convene an extraordinary Congress and determine the date and the location. At the request of a group of affiliated organizations having been entitled to at least one third of the official delegates at the previous regular Congress, such an extraordinary Congress must be convened within eight (8) days of the receipt of the request.

The notice of convocation must be sent to affiliates at least fifteen (15) days before the extraordinary Congress convocation date.

**5.04 Official Delegation**

The unions, the Association and the federations are entitled to be officially represented at the General Congress. A union or the Association is entitled to be represented by one (1) person, regardless of the number of its members up to fifty (50). From fifty-one (51) members to three hundred members (300), by two (2) persons. From three hundred and one (301) members, by one person per hundred and fifty (150) additional members or a fraction of one hundred and fifty (150). The affiliated Association may not have a delegation exceeding thirty (30) members.

An affiliated federation is entitled to delegate one person, regardless of the number of its members up to one thousand (1000), based on the total number of members who are the type that it is supposed to unite and who belong to its affiliated or member organizations. From one thousand and one (1001) members, one delegate per one thousand (1000) additional members or a fraction of one thousand (1000) members.

The affiliated federation may not delegate more than five (5) members.

The members of the Executive Council shall be official delegates as a matter of right at the General Congress.

**5.05**

For the purposes of representation at the General Congress, the membership of a union, the Association and a federation shall be established according to the statement of membership inventory of due-paying members provided pursuant to Section 12.03.

## **5.06**

All official delegates at the General Congress must:

- a) be delegated by an organization in good standing that has not been penalized by suspension or expulsion;
- b) be members of the delegating organization;
- c) be designated by the competent decision-making body of the delegating organization.

Official delegates are entitled to vote.

A union, an association or a federation may designate individuals authorized to act as substitutes. These individuals must meet the same criteria that applies to delegates.

## **5.07 Associate Delegation**

The members delegated by organizations in service agreements or in cartel with the CSQ may take part in deliberations in an associate capacity; however, they shall not be entitled to vote.

## **5.08 Fraternal Delegation**

The General Congress may allow members or personnel of affiliated organizations or organizations in service agreements or in cartel to take part in its sessions in a fraternal capacity; it may also accept CSQ personnel in the same capacity. Such persons shall be entitled to take part in the deliberations, but they shall not be entitled to vote.

## **5.09 Letters of Credence**

All General Congress official delegates must bear a letter of credence signed by persons fulfilling the offices of President and Secretary-Treasurer of the CSQ. In the event that the President or the Secretary-Treasurer is unable to act or that either of these offices is vacant, the letter of credence must be signed by another member of the Executive Council of the CSQ. In all cases, two (2) signatures on the letter of credence are compulsory

## **5.10 Quorum**

The majority of officially delegated persons shall form the quorum.

## **Chapter 6 The General Council**

### **6.01 Powers of the General Council**

The CSQ is governed between the Congresses by a General Council accountable to the General Congress. The General Council shall define the orientations of the CSQ and take all measures necessary to carry out the decisions taken at the General Congress; it may establish new policies subject to revision by the General Congress. More specifically, the General Congress:

- a) may recommend amendments to the statutes of the CSQ, the adoption, the amendment or the abrogation of by-laws; shall study proposed amendments to the statutes and motions to adopt, amend or abrogate by-laws presented by an affiliated organization or the Executive Council and make the recommendations to the General Congress that it deems useful;
- b) shall adopt the action plan;
- c) shall adopt the development plan;
- d) shall monitor compliance with the policies of the CSQ on the part of the Association and the affiliated organization(s) recognized as sectoral groups;
- e) shall make the recommendations that it deems useful to the Congress;
- f) shall adopt the budget, approves the financial statements and appoints a person to carry out the audit;
- g) may constitute a special fund and adopt the rules to regulate its administration.

The rules governing the special funds may provide for the transfer of sums from a fund derived from the payment of dues to a special fund, pending prior authorization from General Congress to this effect.

These rules may also provide for the granting of sums or benefits to affiliated organizations or organizations in the process of affiliation as well as to their members without further consent from the General Council; nevertheless, any rule adopted to regulate funds providing for such grants or benefits may be disallowed by the General Congress;

- h) shall adopt rules concerning the payment of dues by organizations affiliated with the CSQ and the rules concerning the submittal of the membership inventory statement of the affiliated organizations;
- i) shall adopt rules concerning the recourses undertaken by the CSQ before the courts and the mandates of a legal nature entrusted to the CSQ by a union or a sectoral group;

- j) shall fill vacant offices within the Executive Council between Congresses;
- k) shall receive and examine the report of the Executive Council and forward it to the General Congress with appropriate comments and recommendations; it shall also receive the report of the Executive Council as to the execution of its mandate to coordinate negotiations;
  - 1. may delegate powers pertaining to group insurance plans to the Intersectoral Council;
- l) shall rule on the affiliation of the CSQ with Québec organizations;
- m) hears appeals of decisions of the Executive Council accepting or refusing affiliation with an organization; shall hear appeals of decisions rendered by the Executive Council on disputes between affiliated organizations; shall also hear appeals of decisions rendered by the Intersectoral Council concerning the allocation of equalization payments and policy on the integration of new affiliates;
- n) may suspend an organization pending the final decision rendered by the Congress, where the gravity of the infraction warrants suspension;
- o) shall rule on the elective duties that require their incumbent to devote all of their time or a portion of their time to their work in the absence of provisions for same in the Statutes and By-Laws; shall determine the remuneration of such duties;
- p) shall adopt rules governing the exercise of the intervention power of the Executive Council stipulated in paragraph q) of Section 7.03;
- q) may form committees and appoint the members; may fill vacancies in Congress committees if the Congress has not done so; may also determine the rules of operation for the committees of the CSQ;
- r) must form and maintain a committee on the status of women;
- s) may rule on the conclusion of a service agreement;
- t) may rule on the forming of commissions, determine their powers and jurisdictions and determine, where it deems appropriate, in what manner the members will be appointed.

The General Council may also determine the powers and jurisdictions of commissions whose composition has already been ruled on by the General Council and it may, when it deems appropriate, determine in what manner the members shall be appointed.

- u) may form one or several negotiation coordination commissions for salaried personnel who are not subject to the public and parapublic sectors negotiations system; may determine the composition, the powers and the basic operating rules of such commissions;
- v) may decide on the convocation of an assembly of the General Congress and determine the date and location;
- w) may adopt, amend or repeal the rules governing proceedings;
- x) may recognize, pursuant to the stipulations of Section 3.02 one or several affiliated organizations as a sectoral group; shall determine, in the case of an appeal of a decision rendered by the Executive Council, to which federation a union must adhere;
- y) shall form committees of inquiry in accordance with Section 11.05;
- z) is as a matter of right the arbitrator of all disputes between one or between several affiliated organizations and the CSQ; to this end, it shall form a Conciliation Board in accordance with Section 11.01.

## **6.02 Composition of the General Council**

The General Council shall be composed of:

1. the members of the Executive Council;
2. other members of the Intersectoral Council;
3. persons delegated by the affiliated unions;
4. persons delegated by the affiliated Association; the latter shall be entitled to a maximum of five (5) persons.

An affiliated union and the Association are each entitled to delegate one person, regardless of the number of its members up to 500, one additional person for the following five hundred (500) persons or fraction of five hundred (500) and, in excess of one thousand (1000) members, one additional person per thousand (1000) additional members or a fraction of one thousand (1000).

Unions with no more than fifty members may mandate the affiliated federation to which they belong to represent them. Such a mandate may be revoked at any time; a new mandate may not be accorded before a period of four (4) months has elapsed from the date of revocation. The number of persons that the federation may delegate and the number of mandates entrusted to its delegation shall be established according to the total membership of the unions that have accorded the mandate.

Section 6.04 shall apply to the federation or the sectoral group thus mandated, adapted as required. However, submission of a certificate stipulated in Section 6.04 must be accompanied by the declaration of the union attesting to the mandate for representation that it has granted to the sectoral group. Such a declaration must be signed by President and the Secretary of the union.

### **6.03**

For the purposes of representation at the General Congress, the membership of a union, the Association and a federation shall be established according to the statement of membership inventory of due-paying members provided pursuant to Section 12.03.

### **6.04**

All persons who represent a union or an association at the General Council must:

- a) be delegated by an organization in good standing that has not been penalized by suspension or expulsion;
- b) be members of the delegating organization;
- c) be designated by the competent decision-making body of the delegating organization.

All persons delegated by an organization shall be appointed for a term of one year. They shall remain in office until they are replaced by the organization that they represent. The organization may modify the composition of its delegation once each year. Such persons may be delegated again after their term in office expires.

At the beginning of each year, the CSQ shall notify all unions and the association of the need to provide their list of delegates or of the opportunity to amend their lists. This list or amendments to it must be accompanied by a certificate attesting to the delegation or to amendments to their delegation. This certificate must be signed by the President and the Secretary of the organization. In the event that the President or the Secretary is unable to act or that either of these offices is vacant, the certificate must be signed by another member of the organization's Executive Council or Executive Board. In all cases, the certificate must bear two (2) signatures. If no amendments to the list of delegates is forwarded to the CSQ, the list of the previous year shall be considered to be the official list.

Over the course of the year, the union or the association wishing to amend its list of delegates must forward the amended list to the CSQ, accompanied by the decision of the competent decision-making body authorizing this amendment and the certificate attesting to the amended delegation, in compliance with the preceding paragraph.

A union or an association may designate individuals authorized to act as substitutes if they fulfill the same conditions required for delegates. These individuals shall be admitted to an assembly of the General Council by submitting a copy of the letter of credence during registration that is signed by the President and the Secretary of the delegating organization. In the event that the President or the Secretary is unable to act or that either of these offices is vacant, the letter of credence must be signed by another member of the organization's Executive Council or Executive Board. In all cases, the letter of credence must bear two (2) signatures. The letter of credence must indicate the name of the person who is replaced and attest to the authorization of the substitution for this assembly of the General Council. During an election to fill a vacancy on the executive, the selection of substitutes authorized to vote shall be carried out in compliance with clause 7.17 h).

A union, an association or a federation may designate one or more individuals as observers at the General Council, with voice but no vote.

CSQ personnel shall also be admitted with observer status, with voice but no vote.

- d) Members of the General Council and the chairpersons of committees set up by the General Council in compliance with paragraphs q) and r) of section 6.01 may make one or several recommendations to the General Council and if necessary, make the final address to the Assembly. Such a committee may designate a committee member other than the chairperson to act in this capacity.

Only General Council members, however, shall be entitled to vote.

An observer may introduce a motion as well. However, such a motion can only be legitimated if it is taken up by a General Council member who thus presents the motion and makes the final address.

## **6.05 Decisions of the General Council**

The decisions of the General Council shall be adopted by the majority of mandates as determined by the provisions of this section.

- a) The number of mandates shall be determined according to the following scale of distribution:

1	to	50	1
51	to	150	2
151	to	300	3
301	to	450	4
451	to	600	5
601	to	900	6

901	to	1,200	7
1,201	to	1,500	8
1,501	to	1,800	9
1,801	to	2,100	10
2,101	to	2,400	11
2,401	to	2,700	12
2,701	to	3,000	13
3,001	to	3,300	14
3,301	to	3,600	15
3,601	to	3,900	16
3,901	to	4,000	17
4,001	to	4,500	18
4,501	to	4,800	19
4,801	to	5,100	20
5,101	to	5,400	21
5,401	to	5,700	22
5,701	to	6,000	23
6,001	to	6,300	24
6,301	to	6,600	25
6,601	to	6,900	26
6,901	to	7,200	27
7,201	to	7,500	28
7,501	to	7,800	29
7,801	to	8,100	30
8,101	to	8,400	31
8,401	to	8,700	32
8,701	to	9,000	33
9,001	to	9,300	34
9,301	to	9,600	35
9,601	to	9,900	36

The total number of mandates attributed according to the stipulations of this section shall be equally distributed among members of the delegation to which the union or the Association is entitled. The remainder, should the occasion arise, shall also be attributed namely to one or several members of the delegation, based upon the decision of the union or the Association involved.

A union may reduce its delegation, however, by one member if it notifies the CSQ by providing it with a list of the members of its delegation in accordance with the third paragraph of Section 6.04. The mandates shall then be distributed among the members of the reduced delegation, but one person may not hold more than five mandates. Such a decision cannot be revoked before one year has elapsed.

When the Association has reached the maximum delegation, each person delegated shall hold two (2) mandates.

- b) The members of the Executive Council and other members of the Intersectoral Council shall each hold one mandate.

## **6.06**

The quorum for the General Council shall be forty percent (40%) of its members holding one-half of the mandates as stipulated by the provisions of Section 6.05.

## **6.07**

The General Council must be convened at least twice yearly. The President of the CSQ or the Executive Council may decide to convene an extraordinary assembly of the Council. Upon the request of twenty-five (25) members of the General Council, an extraordinary assembly of the General Council must be convened within fifteen (15) days following the receipt of the request.

For a regular assembly, the notice of convocation must be sent to members of the Council at least ten (10) days before the assembly is held.

For an extraordinary assembly, members must be advised at least forty-eight (48) hours in advance.

## **Chapter 7 The Executive Council**

### **7.01 Composition of the Executive Council**

The Executive Council manages the CSQ. It is composed of five elected members: President, three Vice-Presidents, Secretary and Treasurer.

### **7.02 Duration of the Mandate**

The members of the Executive Council shall occupy their offices for three (3) years until an election is held to replace them. All members may be re-elected. Upon expiry of their term of office, they must remit all documents and other materials belonging to the CSQ to the head office.

### **7.03 Powers and Duties of the Executive Council**

In accordance with the policies and the objectives established by the Congress and with the decisions of the General Council, the Executive Council is collectively responsible for the management of the CSQ.

To this end, it shall carry out the necessary policy analysis, establish priorities, develop programs of action and ensure democratic supervision of policy; it shall define and carry

out strategies for representation, public intervention, interaction with affiliated organizations and the mobilization of members. More specifically, the Executive Council:

- a) shall recommend a process of strategy planning to the entire organization;
  - b) shall decide on the convocation of regular assemblies of the General Congress and the General Council; may decide on the convocation of extraordinary assemblies; shall also decides on the convocation of assemblies of the General Council on negotiations following notice to this effect from the Intersectoral Negotiations Council;
  - c) shall prepare the meetings of the General Congress, the General Council, the Intersectoral Council and the Intersectoral Negotiations Council; shall submit analysis and recommendations that it deems useful to these bodies;
  - d) shall implement the decisions and monitors the implementation of resolutions of the General Congress, the General Council and the Intersectoral Council;
  - e) shall ensure that the mandate for the coordination of public and parapublic sector negotiations is legitimately carried out; shall report to the General Council to this end;
  - f) shall decide on the delegation of duties to its members within the framework of the collective responsibility of the Executive Council and subject to these statutes;
  - g) g) shall develop an action plan and a budget to be submitted to the Intersectoral Council;
- shall form committees and designate committee members;
- i) shall hire personnel and negotiate, in the name of the CSQ, the collective bargaining agreements and agreements governing the working conditions of personnel;
  - j) shall oversee the administration of the CSQ;
  - k) shall see to the organization and the operation of services; to this end, it shall appoint a person to take responsibility for the general management of services;
  - l) shall deposit funds in a bank, a trust company, a caisse populaire or a trust and savings corporation and designate by resolution the persons authorized to sign negotiable instruments in the name of the CSQ;
  - m) shall institute arbitration boards in accordance with Section 11.04. Pursuant to this section, it is as a matter of right the arbitrator of any dispute between or among

affiliated organizations heard by the CSQ that has not been referred to an arbitration board;

- n) shall receive complaints concerning the financial management of a CSQ-affiliated organization, conflicts of interest, negligence in the granting of services or concerning internal disputes interfering with the union life of the affiliate and investigate to determine whether the affiliate is able to properly address the complaints;
- o) may make recommendations that it deems useful to the general decision-making bodies of affiliated organizations recognized as sectoral groups;
- p) may directly inform the members of an affiliate of the decisions of the General Congress and the General Council, of action and major operations on the province-wide level, in accordance with the conditions established by the General Council;
- q) may take, within the framework of rules previously established by the General Council, measures to protect the rights of the members of an affiliated union that is unable or can no longer assume its responsibilities because it no longer has an executive council or because the council is not impartial; it may, for this purpose, designate a person on whom it confers a temporary mandate to exercise the executive duties of the union; in any event, the adopted measures must aim to restore autonomy to the union organization involved as soon as possible;
- r) may determine the composition and appoint the members of commissions, where appropriate, in accordance with the decisions of the General Council;
- s) may appoint managers to take charge, subject to the authority of the general administration, of services in designated sectors of activities;
- t) may designate legal advisors and any other person for the purposes of consultation;
- u) may decide to undertake legal action and to respond to legal action undertaken against the CSQ;
- v) may acquire, administrate, sell, rent, exchange, or lend movable and immovable property and borrow against the credit of the CSQ;
- w) may make donations to movements and organizations that pursue goals consistent with those pursued by the CSQ in accordance with the law and its statutes, on the condition that such donations be granted directly from the budgetary item stipulated for this purpose in the budget adopted by the General Council;
- x) may adopt any measure concerning its procedures.

**7.04**

The quorum of the Executive Council is the majority of its members.

**7.05**

The Executive Council shall meet as often as its responsibilities require and at least once every month, at a date and location determined by the Council or, failing this, by the president. Upon the request of three of its members, the person occupying the office of secretary and treasurer must convene an assembly of the Executive Council.

**7.06**

The members of the Executive Council may participate in any general assembly of affiliated organizations that are recognized as sectoral groups. They have the right to intervene, but they are not entitled to vote.

**7.07 Office of the President: Mandate**

The President of the CSQ shall chair the General Congress, the General Council, the Executive Council, the Intersectoral Council, the Intersectoral Negotiations Council and the General Council of Negotiations.

Subject to Section 7.05, the President shall convene the assemblies of the Executive Council, the Intersectoral Council and the Intersectoral Negotiations Council; the President may convene an extraordinary assembly of the General Council; the President shall convene the General Council of Negotiations on the decision of the Executive Council following notice of convocation from the Intersectoral Negotiations Council.

In accordance with the decisions of the Executive Council to which he or she is accountable, the President shall manage and assume the general supervision of the business of the CSQ. The President shall have the casting vote at the General Congress, the General Council, the Intersectoral Council and the Executive Council. The President is ex officio member of all committees except for the Elections Committee.

The President and the Secretary-Treasurer sign the minutes of proceedings that the President chairs in accordance with the first paragraph of this Section.

**7.08**

With the consent of the President of the CSQ, the assemblies of the General Congress, the General Council and the General Negotiations Council may designate another person to chair their proceedings. These bodies may also designate a replacement. The

replacements are not entitled to vote and where applicable, may no longer represent an affiliated organization.

### **7.09 The Offices of Vice-President: Mandate**

The persons occupying the offices of Vice-President are responsible for policy in the sectors of activity that the Executive Council assigns to them.

In the event of the death or the resignation of the President or on the request of the person occupying the office of President, the first Vice-President shall assume the duties and powers of the President. The Executive Council shall designate an interim replacement should the offices of President and first Vice-President be vacated.

### **7.10 Office of Secretary-Treasurer: Mandate**

The person elected to the office of Secretary-Treasurer assumes as a matter of right the duties of Secretary of the General Congress, the General Council, the Executive Council, the Intersectoral Council, the Intersectoral Negotiations Council and the General Negotiations Council. The Secretary shall verify, secure approval for and sign the minutes of the proceedings of these bodies and perform any other mandate with which he or she is entrusted by these bodies.

The Secretary-Treasurer shall also take responsibility for the treasury and in this capacity he or she must ensure the audit of the accounts of the CSQ, submit the annual report on financial statements to the General Council and submit the annual budget forecast to the General Council.

### **7.11 The members of the Executive Council must be members of an affiliated union or association.**

A member of the Executive Council cannot be a CSQ employee in active service at the same time.

### **7.12 Eligibility**

Any member of an affiliated union or association who is an official delegate of the General Congress is eligible to fill one of the offices of the Executive Council.

### **7.13 Nomination Procedures**

The candidacy of all persons eligible to hold office on the Executive Council may be proposed in the following manner:

- a) the nomination must be proposed using the nomination form provided for this purpose, indicating the person's name, address, the union or association of which he or she is a member and the office to which he or she aspires; the proposal must be

signed by the nominator who is an official delegate and by two other official delegates; the nomination form must also bear the signature of the nominee attesting to his or her intention to assume office if elected;

- b) The nomination proposal may be sent by registered mail to the Chairperson of the Elections Committee on the condition that it be received at the head offices of the CSQ no earlier than the fiftieth (50<sup>th</sup>) day preceding the Congress convocation date and no later than the twenty-fifth (25<sup>th</sup>) day preceding the convocation date.

The nomination procedure shall close on this last day at twelve a.m. (midnight).

The nomination proposal may also, within the same time period, be submitted in person to the person who chairs the elections or to the person in charge of the general management of the elections. The nomination proposals received in this manner shall be sent as quickly as possible to the Chairperson of the Elections Committee.

If no candidates are nominated for one or several offices, proposed nominations may be submitted after the closing of nominations up to three (3) hours before the elections begin. When Congress deliberations begin, nominations may be received in accordance with procedures determined by the Elections Committee.

When the person chairing the Elections Committee receives a nomination proposal by mail, he or she shall send a certificate advising that the nomination proposal has been processed in accordance with the stipulations of the statutes by return mail. Any authorized person who receives a nomination proposal in person shall provide the person submitting the nomination proposal with such a certificate.

The person chairing the elections shall inform the affiliates of the list of received nominations by electronic mail within five (5) working days of the date of closing of the nomination period stipulated in <sup>first</sup> the line of paragraph b).

The person chairing the election shall announce the candidates to the General Congress in session and provide congress delegates with the complete list of candidates within two (2) hours of the commencement of the Congress. The Chairperson must then also announce, if need be, any new nominations or withdrawals.

- c) Withdrawal of a candidacy may be accepted until the call to vote.

## 7.14 Voting

Voting shall be held for all offices for which there is more than one candidacy. Voting shall be conducted by secret ballot in polling booths.

Only persons with official delegate status are entitled to vote. The members of the Elections Committee are entitled to vote if they are official Congress delegates.

The person chairing the elections shall transmit the results of each voting round to the Congress.

### **7.15 Conditions for Election to Office**

Subject to the following paragraphs, an absolute majority of votes must be obtained at balloting in order to be elected to office. The balloting shall proceed for as many rounds as are required to fill all the offices for which there is more than one candidacy.

- a) If there are only two (2) candidacies for an office and the vote is equally split, the greatest number of votes cast on the following round shall be sufficient to elect a candidate even if there is not an absolute majority. If the vote is again equally split on this round, the person chairing the elections shall have the casting vote.
- b) If there are more than two (2) candidacies and the office is not fulfilled on the first ballot, the candidacy with the least number of votes shall be eliminated; this also applies to the second round.

If, following a voting round, the vote is split among two or several candidacies for an office in such a way that it is not possible to identify the candidate to be eliminated on the next round, all candidates are maintained. If the outcome of the following round produces the same vote split for this office, the person chairing the elections shall have the casting vote.

On the third ballot, the greatest number of votes shall be sufficient to elect a candidate. If the vote is equally split, the person chairing the elections shall have the casting vote.

- c) When the balloting is completed, the person chairing the elections shall proclaim the candidates elected to each office, whether this has occurred by the acclamation of a single candidate or by the vote of the General Congress.

### **7.16 Elections Committee**

The Elections Committee is composed of five persons appointed by the General Council from among its members, including the designated Chairperson. Persons holding office as substitutes are not eligible, however. If a member of the Elections Committee is nominated for any of the offices of the Executive Council, the member must resign from the Elections Committee. In this case, the resigning member shall be replaced by one of the three substitutes designated by the General Council, in order of their nomination.

The Elections Committee shall cooperate in the organization of the General Congress, particularly with respect to delegation and the election campaign. It shall be responsible for conducting elections in accordance with these statutes, and shall supervise the tabulation of returns. It shall implement the appropriate organization of proceedings to promote electoral debate, facilitate the exercise of the right to vote, and ensure that the elections proceed in a timely and orderly manner.

Before and during the General Congress it shall conclusively resolve any dispute regarding the participation of delegated persons or substitutes and the exercise of the right to vote in the elections.

The Chairperson of the Elections Committee shall chair the elections.

### **7.17 Vacancy**

- a) A vacancy occurs within the Executive Council as a result of death, resignation, refusal to sit on the Council, dismissal, or when a member of the Executive Council ceases to be a member of an affiliated union or association. An Executive Council office shall also be considered to be vacant if the General Congress is unable to fill it. Subject to the deadline cited in paragraph b) of this section, such a vacancy shall be filled at the following General Council before the next General Congress meeting, unless the vacancy occurs within the ninety (90)-day period preceding the next General Congress. In this case, the vacancy shall be filled by the General Congress according to the regular procedure.
- b) When one or several vacant positions must be filled by the General Council, the Chairperson of the Elections Committee must notify the affiliates at least thirty (30) days preceding the date of the assembly at which the elections will be held, citing the vacant position or positions.
- c) To be eligible, a nominee must have been an official delegate at the last General Congress or be a member of the General Council.
- d) Nominations must be made using the nomination form provided for this purpose, indicating the name of the candidate, the candidate's address, the union of which the candidate is a member, the office for which he or she has been nominated if there is more than one vacant office; the form must bear the signature of the General Council member making the nomination and the signatures of two other General Council members; it must also bear the candidate's signature attesting to the candidate's consent to take office if elected.
- e) Nominations must be forwarded to the person chairing the elections or, in his or her absence, to the substitute, no later than fifteen (15) days preceding the commencement of the assembly during which the elections are held.

- f) Following the closing of nominations, the Chairperson of the Elections Committee shall inform the affiliates of the complete roster of candidates.
- g) If there are no candidates for one or several offices, nominations for such offices may be submitted up until one (1) hour before the elections are held.
- h) The electoral list shall be composed of delegated persons and substitutes, if the substitutes fulfill the conditions stipulated in Section 6.04 and if they are registered with the General Council forty-eight (48) hours before the elections are held.
- i) Withdrawals of candidacies shall be accepted until the call to vote for the office concerned.
- j) Sections 7.14 through 7.16 shall apply to elections called by the General Council to fill a vacant office, adapted as required.

### **7.18 Dismissal: Reasons**

Any member of the Executive Council may be dismissed from office for any of the following reasons:

- a) absence without a valid reason from more than three (3) regular meetings of the Executive Council within a period of twelve (12) months;
- b) refusal to implement the decisions of the decision-making bodies of the CSQ;
- c) refusal or inability to accomplish the duties and obligations of one's office;
- d) causing grave prejudice to the CSQ.

### **7.19 Dismissal: Decision**

Dismissal may be declared by the Executive Council or the General Council following a secret ballot among the majority of members registered with the Congress or the majority of members of the General Council.

In the case of absence from Executive Council meetings, the Congress or the General Council shall render a decision based on the recommendation of the Standing Conciliation Board stipulated in Section 11.01 as to the legitimacy of the reasons given for repeated absences on the part of an Executive Council member; the person occupying the office of Secretary-Treasurer of the CSQ must report all the absences of Executive Council members to the president of the Standing Conciliation Board.

### **7.20 Dismissal: Review Request**

An Executive Council member may request that a dismissal declared by the General Council be reviewed.

### **7.21 Notice of Dismissal**

Any member of the Executive Council subject to dismissal must be notified by registered mail at least two weeks preceding the assembly of the Congress or the General Council at which his or her dismissal is to be recommended.

## **Chapter 8 The Assemblies of the General Congress, the General Council and the Executive Council**

### **8.01**

Every official delegate of the General Congress is entitled to cast one vote; in the same way, every member of the Executive Council is entitled to cast one vote at the assemblies of the General Congress.

### **8.02 Extraordinary Assemblies**

Only matters cited in the convocation notice shall be discussed at extraordinary assemblies.

### **8.03 Adjournment**

The Chairperson of an assembly may, with the consent of the said assembly, adjourn the assembly proceedings from time to time, and here and there. On resuming the assembly, no item of business may be dealt with other than those on the agenda left unresolved or that could have or were supposed to have been addressed at the adjourned assembly.

### **8.04 Members of General Council Committees**

A member of a General Council committee may remain on the committee even if he or she ceases to be a member of the General Council.

## **Chapter 9 The Intersectoral Council**

### **9.01 Powers and Duties of the Intersectoral Council**

The Intersectoral Council shall exercise the following functions:

- a) contribute to the preparation of the action plan and budget proposal and recommend it for adoption at the General Council;
- b) advise the General Council on any proposed amendments to the Declaration of Principles originating with the Executive Council or with an affiliated organization;
- c) adopt implementation plan for the action plan;
- d) establish the development plan and recommend it for adoption at the General Council;
- e) adopt policy for the integration of new affiliates;
- f) coordinate the execution of the action plan;
- g) to establish policy for the coordination of external relations;
- h) allocate equalization payments; it may, however, delegate to the Executive Council the power of allocating sums from the Equalization Fund provided for the application of variable criteria to sectoral groups for which they are earmarked and require that it be consulted before any decision is rendered on this matter.

The Intersectoral Council shall establish its rules of operation. It may form committees composed of its members as well as task forces to study matters concerning any of the networks.

An affiliated organization may appeal a decision of the Intersectoral Council or of the Executive Council, where applicable, concerning the allocation of equalization payments or policy on the integration of new affiliates with the General Council.

## 9.02 Composition

The Intersectoral Council shall be composed of:

Executive Council members;

- b) persons delegated by sectoral groups according to the following scale:

10,000 members or fewer:	1
10,001 to 20,000:	2
20,001 to 40,000:	3
40,001 to 60,000:	4
60,001 and more:	5

However, the Categorical Units Group may delegate two persons to sit as members of the Intersectoral Council; one delegate shall have voice and vote, the other shall have voice without vote;

- c) a person delegated by the Association;
- d) a person delegated by a Sectoral Group or by the Association may be replaced by an other person at an assembly of the Intersectoral Council by submitting to the President a copy of the letter of credence signed by the President or Secretary of the delegating organization indicating the name of the replaced person and attesting that the substitution is authorized for this assembly of the Intersectoral Council.

### **9.03 Meetings**

The Intersectoral Council meets when convened by the president. The person occupying the office of president must convene a meeting following a written request by at least four members delegated by at least two sectoral groups.

### **9.04 Quorum**

The quorum of the Intersectoral Council shall be formed, on the one hand, by the majority of members and on the other hand, by a member of the Executive Council, a person designated by the sectoral group for school board teaching personnel and three persons designated by three other sectoral groups.

### **9.05 Decisions**

The decisions of the Intersectoral Council shall be taken by the majority of votes cast; however, for a decision to be taken, the votes constituting the majority must include the vote of a member of the Executive Council, the vote of a person designated by the sectoral group for school board teaching personnel, and the votes of three (3) persons designated by three (3) other sectoral groups.

## **Chapter 10 Public and Parapublic Negotiation Bodies**

### **10.01**

The negotiation of the public and parapublic sectors is under the control of the Executive Council and is coordinated by the Intersectoral Negotiations Council and by the General Negotiations Council.

### **10.02 Intersectoral Negotiations Council: Powers and Duties**

The Intersectoral Negotiations Council is under the control of the Executive Council, and its mission is to coordinate all negotiations in terms of strategy, content, information and action. As such, the Intersectoral Negotiations Council shall:

- a) see to the planning of the formulation of demands and to carrying out the process;
- b) ensure, through the delegation of sectoral groups, the negotiation of common matters;
- c) ensure cooperation with other union organizations;
- d) report on and submit all relevant matters and issues to the General Negotiations Council;

The Intersectoral Negotiations Council shall establish its rules of operation. It may form commissions composed of its members to study matters affecting only some sectoral groups or a network.

### **10.03 Intersectoral Negotiations Council: Composition**

The Intersectoral Negotiations Council shall be composed of:

- a) Executive Council members;
- b) persons designated by the sectoral groups or the categorial unit concerned to represent the following groups:
  - school board teaching personnel;
  - support staff of higher education institutions;
  - school board support personnel;
  - school board professional personnel;
  - CEGEP professional personnel;
  - CEGEP teaching personnel;

- personnel working in health and social services establishments except for nurses and professional personnel represented in another manner;
- nursing personnel working in the Quebec health and social services network;
- –professional personnel in health and social services establishments.

The number of persons representing these groups shall be calculated based on the number of members cited in the membership inventory statement provided in compliance with Section 12.03, according to the following scale:

10,000 or fewer:	1
10,001 to 20,000:	2
20,001 to 40,000:	3
40,001 to 60,000:	4
60,001 or more:	5

- c) the scale provided in paragraph b) shall apply, where relevant, to a federation of which a part or all of its members are targeted by public and parapublic negotiations, but who are not indicated in paragraph b);
  - d) the foregoing shall apply to a group that is affected by this negotiation and that is not included in the preceding paragraphs if it secures the consent of the General Council to this end;
  - e) notwithstanding the preceding, the General Council may decide to adopt a provision of a cartel agreement concerning representation between a CSQ-affiliated organization and one or several other groups. The representation to which such cartel is thereby entitled for all of its components is exclusively that stipulated in paragraph c) of this Section;
  - f) When a matter that is not of general interest to affiliated organizations directly affects any of the following groups: the unions of Télé-Québec, the Fédération du personnel des établissements privés d'enseignement, the Fédération du personnel professionnel des universités et de la recherche, each of the groups thus affected shall be entitled to delegate a person to participate in the deliberations and in deciding the matter.
- d) A person delegated by an organization to sit on the Intersectoral Negotiations Council may be replaced by another person at an assembly of the Intersectoral Negotiations Council by submitting to the President a copy of the letter of credence signed by the President or Secretary of the designating organization indicating the name of the replaced person and attesting that the substitution is authorized for this assembly of the Intersectoral Negotiations Council.

**10.04**

The Association or the sectoral groups that represent personnel who are not subject to the public and parapublic negotiation system may delegate a person to represent this personnel in the capacity of observer. Such a delegation is possible even if the sectoral group delegates one or several persons in accordance with Section 10.03. Persons thus delegated may take part in the deliberations but they are not entitled to vote.

A group described in paragraph f) of Section 10.03 that participates in deliberations and the deciding of a matter may not delegate an observer at the same time.

**10.05 Intersectoral Negotiations Council: Meetings**

The Intersectoral Negotiations Council shall meet as often as circumstances require upon the convocation of the president. The person holding the office of president must convene a meeting following a written request on the part of at least four members delegated by at least two components, whether from the sectoral group, the categorial unit or another type of group.

**10.06 Intersectoral Negotiations Council: Quorum**

The quorum for the Intersectoral Negotiations Council is formed by a majority of members who have a right to continuous representation and on the other hand, by a member of the Executive Council, a person delegated by the sectoral group for school board teaching personnel and three persons who have a right to represent in a continuous manner three other components, whether from the sectoral group, the categorial unit or another type of group.

**10.07 Intersectoral Negotiations Council: Decisions**

The Intersectoral Negotiations Council shall render decisions through the majority of votes cast; in order for a decision to be adopted, however, the votes making up the majority must include the vote of a member of the Executive Council, the vote of a person designated by the sectoral group for school board teaching personnel and the votes of three persons who have a right to represent in a continuous manner three other constituents, whether the sectoral group, the categorial unit or another type of group.

**10.08 General Negotiations Council: Powers**

The General Negotiations Council shall settle any matter submitted to it by the Intersectoral Negotiations Council and receive the report on such matters. In addition, the General Negotiations Council, upon notification by the Intersectoral Negotiations Council shall:

- a) advise on global strategy and matters related to action and mobilization;

- b) adopt the bargaining demand and the settlement on Intersectoral matters;
- c) establish its rules of operation;
- d) define the Common Table objectives.

#### **10.09 General Negotiations Council: Composition**

The General Negotiations Council shall be composed of:

- a) Executive Council members;
- b) members of the decision-making bodies of the sectoral groups, federations making up categorial units and groups covered by paragraph d) of Section 10.03 where relevant.

The persons who may attend meetings of the bodies covered by the first line of paragraph b) in a capacity other than that of member, may participate in the General Negotiations Council with this same status. In the same way, persons delegated to the Intersectoral Negotiations Council in the capacity of observer, in accordance with Section 10.04, may take part in the deliberations, but they shall not be entitled to vote.

#### **10.10 General Negotiations Council: Meetings**

The meetings of the General Negotiations Council shall be convened by the president on the decision of the Executive Council following notification by the Intersectoral Negotiations Council to this end.

#### **10.11 General Negotiations Council: Quorum**

The quorum of the General Negotiations Council shall be formed by the majority of its constituents having reached the quorum of their respective bodies and representing the majority of the total membership.

#### **10.12 General Negotiations Council: Decisions**

The Executive Council and the constituents are entitled to vote when they have reached the quorum.

In order for a proposal to be adopted by the General Negotiations Council, it must garner a majority vote among its constituents, representing the majority of the total membership. However, a proposal that gains the vote of a number of constituents representing the majority of the total membership and that would have secured the majority of constituents with one additional constituent may be adopted if the Executive Council voted in its favour and if it is not rejected by a majority of constituents.

## **Chapter 11 Conciliation Board and Inquiry Committees**

### **11.01 Standing Conciliation Board: Function**

Disputes between affiliated organizations or between the CSQ and one or more affiliated organizations shall be referred to the Standing Conciliation Board instituted by the General Council.

The Standing Conciliation Board's function is to bring parties to an agreement either on the content or on suitable procedures leading to a settlement.

### **11.02 Designation of Members of the Standing Conciliation Board**

The Standing Conciliation Board shall be composed of three (3) persons and of two (2) persons designated as substitutes, chosen by the General Council by a majority vote of two thirds (2/3) of the members in attendance.

If one of the chosen members is unable to act, specifically because he or she is associated with an affiliated organization in conflict of interest or because he or she is associated with the CSQ, should the CSQ is involved in the dispute, the member shall be replaced by one of the designated substitutes, following the order of appointment.

### **11.03 Dispute between one or more affiliated organizations and the CSQ**

In the event of a dispute between one or more affiliated organizations and the CSQ, the Standing Conciliation Board must report to the General Council on all facts relevant to the dispute, on the recommendations made to the parties, and on the agreement reached as the case may be. It may make recommendations to the General Council.

### **11.04 Dispute between affiliated organizations**

When the Executive Council is informed of a dispute between affiliated organizations, it must refer the dispute to the Standing Conciliation Board.

The Standing Conciliation Board must report to the Executive Council on the matters cited in the preceding Section.

If the parties agree to refer the dispute to an arbitration board, the Executive Council may institute such a board.

Should the attempted conciliation fail, the Standing Conciliation Board makes its recommendations to the Executive Council, which may make whatever decision it deems necessary under the circumstances. Any organization involved in the dispute may appeal the decision to the General Council.

### **11.05 Examination of Complaints Pertaining to Practices of Affiliates and Committees of Inquiry**

In the event that the Executive Council is informed of a complaint alleging insufficiently strict supervision of the financial management of a CSQ affiliate, a situation of conflict of interest with respect to financial management among persons occupying positions of responsibility, negligent delivery of services, or grave interference with the union life of an affiliate due to internal dispute, the Executive Council may inform the General Council, if the complaint cannot be or has not been adequately addressed by the affiliate and where the gravity of the allegations warrants it and if the allegations do not appear to be trivial and if the situation threatens to undermine the reputation of the CSQ and other affiliates, inform the General Council.

After having reviewed the Executive Council's report, the General Council may decide whether it would be advisable to form a committee of inquiry and to elect the members of such a committee by a vote of two-thirds (2/3) of the members in attendance.

The affiliate concerned must facilitate the work of the committee of inquiry and allow the committee to present its own findings to its larger policy-making body.

The committee of inquiry shall also present its findings to the General Council.

## **Chapter 12 Finances and Dues**

### **12.01 Dues**

#### **a) Regular Dues**

1. The dues of a union affiliated with the CSQ shall be assessed at 0.51% of the actual income earned by all due-paying union members.

A portion of this amount equivalent to 0.095% shall be paid to the sectoral group that represents the due-paying members at the basic due rate. However, the portion allocated to absorb the accumulated deficit at August 31, 1993 must be deducted from this sum.

A portion equivalent to 0.325% shall be paid to the General Administration Fund.

A portion equivalent to 0.075% shall be paid to the Equalization Fund and the remaining portion of 0.015%, to the Union Resistance Fund.

2. The annual dues of a federation affiliated with the CSQ shall be assessed at one hundred dollars (\$100.00).

3. The annual dues of the Association affiliated with the CSQ shall be assessed at one hundred dollars (\$100.00).
4. A union may name the CSQ as its union dues-collector through an annual letter of agreement.
5. Subject to the present Section, the General Council may, by by-law:
  - determine the dates for the payment of dues;
  - determine the interest rate applicable to late payments;
  - determine the documentation that must be provided;
  - specify the procedures to verify the accuracy of due payments made by the affiliates;

b) Special Dues

Special dues may be added to the regular dues for a specified period of time and subject to the same collection regulations.

## **12.02 Funds Objectives**

a) General Administration Fund

The General Administration Fund shall be used to finance all activities arising from the responsibilities of the CSQ, stemming either from the general mandate or the coordination mandate.

b) Equalization Fund

The Equalization Fund shall be used to:

1. increase the effectiveness of the union life of unions and sectoral groups, in particular to assume primary responsibilities defined as such by the General Congress with respect to the sharing of responsibilities;
2. promote participation in the decision-making bodies of the sectoral groups and those of the CSQ.

c) Union Resistance Fund

The Union Resistance Fund is used to increase the effectiveness of union action by ensuring support for defence or on those occasions where the defence of union members' rights is required.

### **12.03 Obligations of Affiliated Organizations**

All affiliated organizations shall be required to provide the general administration with a statement of its membership inventory in good standing and to certify its accuracy. The Executive Council may demand the verification of the membership inventory statement of an affiliated organization, when it deems necessary.

### **12.04 Finance Committee: Composition**

The Finance Committee shall be composed of five persons appointed by the General Council from among its members. General Council substitute members are not eligible, however.

The person holding the office of Secretary-Treasurer and a personnel member occupying a position of administrative responsibility designated to this end by the Executive Council are ex officio members without right to vote.

### **12.05 Duties Assigned to the Finance Committee**

The Finance Committee shall ensure the supervision and the inspection of the administrative mandate entrusted to the Executive Council and to management. It shall report its findings to the General Council. In particular, the Finance Committee:

- a) shall verify that the management of funds is carried out in accordance with the funds' objectives;
- b) shall examine budget balance management within the three-year cycle;
- c) shall examine the budget forecast to be submitted to the General Council;
- d) shall examine revenues and expenditures; shall verify that the CSQ's spending has remained within the established parameters;
- e) shall examine the financial statements prepared and attested to by the person designated to carry out the audit and make the appropriate comments or recommendations where necessary;
- f) shall respond to all particular requests on the part of the General Council, the Intersectoral Council and the Executive Council and the Secretary-Treasurer;
- g) may question and analyze administrative policies and procedures;
- h) may make any suitable suggestions or recommendations to improve the administration of the CSQ to the Executive Council.

### **12.06 Quorum for the Finance Committee**

The quorum of the Finance Committee shall be formed by three (3) voting members.

### **12.07 Obligations in the Event of Disaffiliation**

- a) In addition to the dues and personal commitments to the CSQ, the organization that disaffiliates must pay the CSQ an indemnity to compensate for contracted commitments. The indemnity to be paid shall be equivalent to the fraction of the cost for one year from the date of disaffiliation, of the contracted obligations in effect, calculated proportionately to the number of its members.

In the event that an agreement cannot be reached between the parties within thirty (30) days of the disaffiliation date, an arbitration board shall determine the amounts. This board shall be composed of a person designated by the disaffiliated group, a person designated by the CSQ and a third person impartially designated by both parties. If the two parties do not agree on the nomination of such an impartial person within a period of sixty (60) days after disaffiliation date, the arbitration board shall be presided by a person chosen by the General Council at the first assembly of each year.

The decision of the arbitration shall be final and binding on the parties.

- b) An expelled, suspended or disaffiliated organization shall relinquish all rights to assets constituting the assets of the CSQ. The suspended organization shall recover its rights at the time of reinstatement.

### **12.08 The Fiscal Year**

The fiscal year of the CSQ begins each year on September 1 and ends on August 31 of the following year.

### **12.09**

The term "dues-paying member" shall include persons who are union members and those who are not members but who pay an amount equivalent to union dues. It shall not, however, include persons who are not part of a certified unit held by this union.

For the purposes of these statutes, in order to be considered a member of a union or an association, a person must have been admitted by the organization and have never relinquished membership, and fulfilled all conditions in accordance with the statutes and by-laws of the organization involved.

## **Chapter 13 Adoption of Statutes and By-laws and the Declaration of Principles**

### **13.01 Adoption and Amendment of Statutes and By-Laws**

- a) The Statutes and By-Laws of the CSQ may only be adopted, amended or repealed by the CSQ in Congress;
- b) All proposed amendments to the Statutes and By-Laws or any abrogation motion or proposed new statutes or new by-laws must be forwarded to the secretariat of the CSQ at least sixty (60) days before the Congress convocation date. The General Council, the Executive Council and all affiliated organizations may make such proposals.

The president must notify the General Council, the Executive Council and the affiliated organizations and forward the text to them at least forty (40) days before the Congress convocation date.

When the last day of the period stipulated in this section falls on a Saturday or a statutory holiday, the proposals must be delivered on the following work day at the very latest.

- c) The Statutes and By-Laws are only adopted, amended or repealed by a favourable majority vote of persons officially registered at the Congress.

### **13.02 Statutes and By-Laws Committee: Composition**

The Statutes and By-Laws Committee shall be composed of seven (7) persons, five (5) of whom are designated by the General Council and two (2) of whom are designated by the Executive Council.

The General Council may not, however, designate a person sitting on the committee as a substitute.

### **13.03 Statutes and By-Laws Committee: Mandate**

The Statutes and By-Laws Committee must study all proposed amendments to statutes, all proposed by-laws, or amendments to or abrogation of by-laws and advise the General Council on such proposals.

It may also make recommendations concerning the Statutes and By-Laws to the General Council.

Notwithstanding the provisions of sections 5.01 and 6.01, it shall ensure that, in collaboration with organizations recognized for their expertise, the text of the Statutes and By-Laws complies with the spelling, grammar and syntax rules of the French language. It shall proceed with the necessary amendments, ensuring that they neither alter the meaning nor the scope of the provisions in the Statutes and By-Laws. It shall

report its work to the General Council, which will ultimately decide on the recommended amendments.

#### **13.04 Adoption of and Amendment to the Declaration of Principles**

The provisions of Section 13.01 with respect to the adoption and the amendment of the Statutes and By-Laws shall apply adapted as required to the Declaration of Principles.

The Intersectoral Council must study all proposed amendments forwarded by the Executive Council or by an affiliated organization and advise the General Council on such proposals.