

THE ABC'S OF UNIONISM

Fact sheets



*Centralisons
nos forces*



WHAT IS A UNION?

The Québec Labour Code grants employees the right to associate and form a group called a union.

Once the Administrative Labour Tribunal grants a union accreditation, the union can act as the sole representative for employees to negotiate and enforce an employment contract with the employer.

What is a union:

- ✓ A permanent association of employees
- ✓ A legal tool recognized by the Labour Code
- ✓ A democratic organization
- ✓ A tool for social change

What is the purpose of a union:

- ✓ To fight against employer arbitrariness
- ✓ To improve the employment conditions and lives of its members
- ✓ To defend the professional interests of its members
- ✓ To work towards a more just and democratic society



UNDERSTANDING THE RIGHT OF ASSOCIATION

What is the right of association?

- ✓ The Québec Labour Code states that every employee has the right to belong to the employee association of their choice and participate in its activities (section 3). It provides those who would like to use them with tools to practice the right of association in the workplace.

How is this right protected?

- ✓ The right of association is protected against any obstacle, penalty, or reprimand that could occur.

Can this right be challenged?

- ✓ No. The right of association is a fundamental right in Québec guaranteed under both the Canadian and Québec charters of rights and freedoms. This confers upon it a superior character since no Québec law nor action can challenge this right, except in the case of legislative override or within reasonable limits.

What if my right is violated?

- ✓ Anyone who believes they are being penalized for belonging to a union should contact their union and respect the 30-day response time.



UNDERSTANDING THE RAND FORMULA

What is the Rand formula?

- ✓ It refers to the legal obligation an employer has to withhold union dues from a unionized employee's pay and transfer the payment to the union.

Is the payment of these dues mandatory?

- ✓ Yes. Every unionized employee is required to pay union dues. This obligation has been in the Québec Labour Code since 1977. It should be noted that union dues are tax deductible.

Why is it an obligation?

- ✓ Every unionized employee benefits from the rights and advantages provided for in their collective agreement. Without this obligation, some employees may be inclined not to pay the dues while continuing to benefit from the services of the union and the advantages it provides. This situation would create inequity among unionized employees, as well as putting the union in a precarious financial situation, which could hinder its obligation to represent its members.
- ✓ Mandatory dues safeguard the union's financial stability so that it can fulfill its duty to represent all employees included in the collective agreement. This duty of representation is also provided for in the Labour Code.

How are the union dues used?

- ✓ They ensure members are represented vis-à-vis the employer.
- ✓ They allow negotiation of a collective agreement and ensure it is respected.
- ✓ They provide the means to take legal action, if needed.
- ✓ They supply the strike fund.
- ✓ They contribute to our Centrale's participation in political and social actions, etc.

To learn more: formulerand.lacsq.org/presentation/.



The Honourable Ivan Cleveland Rand

UNION DUES: A FAIR SHARING

CSQ contribution rates are among the most in Québec.

- ✓ The contribution rate is decided by the union, which, in turn, pays the CSQ .054%.
- ✓ The portion of the contribution that remains for the union is greater than for other union organizations. This allows:
 - real autonomy for the unions;
 - an active union life, which is directly linked with our vision of unionism and the importance of experiencing it locally.
- ✓ The CSQ also has special funds to meet different needs, such as an equalization fund to assist smaller unions, unions in remote areas, and federations to participate in the democratic life of our Centrale.



THE ADVANTAGES OF BEING A UNION MEMBER

The employer contributes to a pension plan.

Non-unionized employees = **43 %**

Unionized employees = **85 %**

INSTITUT DE LA STATISTIQUE DU QUÉBEC (2010). *Flash Info*, Travail et rémunération, [Online], vol. 11, n° 1 (February). [stat.gouv.qc.ca/statistiques/travail-remuneration/bulletins/flash-info-201002.pdf].

Average salary at a glance

	Unionized employees	Non-unionized employees	Gap
Professional personnel – writing and communications	\$74,564	\$62,133	-17%
Teaching personnel at the college and vocational training level	\$67,401	\$66,222	-2%
Administrative assistants	\$53,253	\$51,490	-3%
Cooks	\$45,891	\$31,311	-32%
Office personnel	\$47,549	\$38,792	-18%
Health support personnel	\$37,706	\$26,640	-29%
Customer service personnel	\$43,593	\$38,639	-11%

INSTITUT DE LA STATISTIQUE DU QUÉBEC (2016). *Résultat de l'enquête sur la rémunération globale au Québec*, Travail et rémunération, [Online], 193 p. [stat.gouv.qc.ca/statistiques/travail-remuneration/resultats-erg-2016.pdf].

Average number of vacation days in the private sector

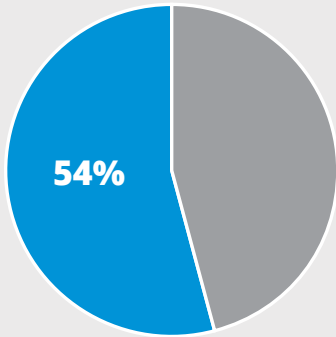
Non-unionized employees = **3,5 weeks**

Unionized employees = **4,5 weeks**

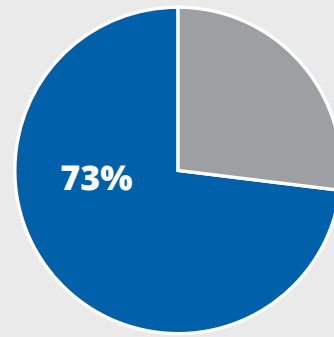


INSTITUT DE LA STATISTIQUE DU QUÉBEC (2017). *Rémunération des salariés : état et évolution comparés*, Travail et rémunération, p. 66. [stat.gouv.qc.ca/statistiques/travail-remuneration/remuneration-salaries-annexe-b.xlsx].

Access to sick leave



● Non-unionized employees = 54%



● Unionized employees = 73%

INSTITUT NATIONAL DE SANTÉ PUBLIQUE DU QUÉBEC, INSTITUT DE LA STATISTIQUE DU QUÉBEC, INSTITUT DE RECHERCHE ROBERT-SAUVÉ EN SANTÉ ET EN SÉCURITÉ DU TRAVAIL (2011). *Enquête québécoise sur des conditions de travail, d'emploi et de santé et de sécurité du travail (EQCOTESST)*, [Online] (September). [cnt.gouv.qc.ca/fileadmin/pdf/enquetes-et-recherches/EQCOTESST.pdf].

Democracy in the workplace

Non-unionized employees = Lucky to be consulted

Unionized employees = General Assembly, joint committees, and negotiations between equals

WHAT DOES MY UNION DO BETWEEN NEGOTIATIONS?

The primary mission of a union is to defend the following rights of its members:

- ✓ **professional**, by addressing the challenges members face in the exercise of their various professions;
- ✓ **financial**, by ensuring negotiations and the enforcement of the collective agreement;
- ✓ **social**, by defending the rights of its members as citizens and demanding workplace conditions that safeguard their physical and psychological wellbeing.

On a daily basis, union governance consists of:

- ✓ Representing all members vis-à-vis the employer and defending their rights, notably:
 - labour relations
 - labour relations committee
 - development committee
 - grievances



- ✓ Managing and administering the union's affairs:
 - administrative issues (finances, purchases, etc.)
 - manage union dues
 - prepare and present a budget and financial statements
- ✓ Ensuring union life in the workplace:
 - inform and promote awareness among members to guarantee their engagement
 - organize consultations
 - ensure a political presence within different points of service
 - prepare an activities report to present at delegate and general assemblies
- ✓ Taking charge of affiliations with the Fédération and the CSQ.
- ✓ Participating in Fédération and CSQ bodies (according to its means and capacities) to share the concerns and interests of its members.



Every union has its own rules and regulations that contain a detailed list of its responsibilities. To consult these documents, contact your union.

THE SIX STAGES OF A DEBATE

STAGE 1 – Introducing the topic

- Approximately one third of the time is allotted to addressing of the topic.

STAGE 2 – Question and discussion period

- Comments are general in nature.
- This period allows clarifying some points.
- Response time is two minutes, with priority given to the first round of speakers. Two rounds are allotted. The time is predetermined by the chairperson.

If the topic is one of exchange, it is closed.

If the topic needs a decision: the following steps are required.

STAGE 3 – Announcing and presenting proposals

- Proposals are presented. This must be completed in two steps and be supported to be accepted.
- Proposals made during the presentation are considered the main ones. It is suggested that they be presented to the chairperson in writing.

STAGE 4 – Period of deliberation

- Participants can respond by speaking for or against the proposals up for debate.
- Response time is two minutes, with priority given to the first round of speakers. Two rounds are allotted. The time is predetermined by the chairperson.

STAGE 5 – Last right to speak

- Anyone who makes one or several proposals has a last right to speak for a period of two minutes in the order in which the proposals will be voted (except for the main proposal, which is always last).

STAGE 6 – Vote

- No responses are allowed before the end of the vote.
- Proposals are voted on in a specific order determined according to the type of proposal.

Summary table

TYPES OF PROPOSALS

What?		Why?	How?			
			SUPPORT	POTENTIAL AMENDMENT	DEBATE	DECISION
BEFORE THE DEBATE	1 Agenda and time: new topic	To introduce a new topic to the agenda or adopt a new time during adoption	✓		✓	50% + 1
	2 Change to the agenda or the time	To change the order of discussion for topics on the agenda (after their adoption) or change the time	✓ (or by the chairperson)		✓	2/3
	3 Change topic for discussion to a topic for decision	To change the note accompanying a topic on the agenda	✓		✓	50% + 1
	4 Reconsideration	To retake a vote or any question during a same assembly	✓		✓	2/3
THE DEBATE	5 Main proposal	To settle what is discussed during the assembly	✓	✓	✓	50% + 1
	6 Amendment	To modify, remove, add or replace the main proposal	✓	✓	✓	50% + 1
	7 Sub-amendment	To modify, remove, add or replace an amendment	✓	✓		50% + 1
	8 Counter-proposal	To adopt a position contrary to the one expressed in the main proposal	✓	✓	✓	50% + 1 voted after main
	9 Reference	To stop the discussion, reference for study, defer the decision, or refer the topic to another body	✓	✓	✓	50% + 1
	10 Reschedule to a fixed date	To stop the discussion and reschedule the decision to a set time	✓	✓	✓	50% + 1
	11 Table	To stop the discussion (eliminate definitively)	✓	✓		50% + 1
	12 Request period of consultation (low voice)	To allow time for discussion, consultation, or adoption		Granted by the chairperson		no vote

What?		Why?	How?			
			SUPPORT	POTENTIAL AMENDMENT	DEBATE	DECISION
13	Object to a question	To challenge the admissibility of a proposal or amendment	✓		Chairperson first (10 min)	50% + 1
14	Withdraw a proposal	By the assembly, not to the member who proposes it				50% + 1
15	Appeal the decision of the chairperson	To reverse the decision of the chairperson		✓ Chairperson and member		50% + 1
16	Question of privilege	Right of members when a member is directly addressed in an insulting way or when the comments are unwarranted or the question is material				Chairperson
17	Point of order	To point out a breach of order to the chairperson				Chairperson
18	Demand a vote	To end discussion and put it to a vote				2/3
19	Quorum call	If in doubt or a vote is indicative				Chairperson
20	Set adjournment	Set the time to resume a session or another session within the same assembly, or another session within the same assembly, or set the time to resume the assembly	✓	✓	✓	50% + 1
21	Adjournment	To end the assembly without setting a time to resume it	✓		✓ 10 mins	50% + 1
22	Close of assembly	To end the assembly	✓			50% + 1
23	Suspension of the rules	Temporarily suspend the rules of procedure	✓		✓ 10 mins	2/3

What?		Why?	How?			
			SUPPORT	POTENTIAL AMENDMENT	DEBATE	DECISION
END OF THE DEBATE	24 Count	If in doubt, immediately verify a count by show of hands				Chairperson
	25 Recount	To demand an immediate recount of a previously counted vote				Chairperson
	26 Secret ballot	To proceed with a secret ballot; can be requested during the deliberative assembly	✓ 25 members			
	27 Vote by roll call	To vote by roll call				50% + 1



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