



Constitution and Bylaws

- Fédération interprofessionnelle de la santé du Québec–FIQ

JUNE 2021

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The FIQ adheres to the Regroupement
des FIQ–RFIQ Statement of Principles
including its preamble.

CHAPTER I - NAME - PURPOSE - HEAD OFFICE

ARTICLE 1 - INCORPORATION

This organization is governed by the *Professional Syndicates Act*.

ARTICLE 2 - NAME

The name of the federation is: Fédération interprofessionnelle de la santé du Québec–FIQ.

ARTICLE 3 - PURPOSE

The Federation's purpose is to:

- 1) represent, at the provincial level, employees assigned to nursing and cardiorespiratory care, whose job titles are listed in Schedule 1 of the *Act respecting bargaining units in the social affairs sector*, except for the private and private subsidized institutions;
- 2) study, safeguard, defend and develop the economic, professional and social interests of its members;
- 3) ensure the representation of its members;
- 4) ensure services for its affiliated unions, particularly the negotiation and application of the collective agreements;
- 5) help form new unions (local, regional or sectional);
- 6) fight against all forms of discrimination and violence, whether perpetrated against its members or by its members;
- 7) foster relationships between the unions to create and maintain unity and harmony within the organization;
- 8) implement a union code of ethics and ensure that it is followed by the affiliated unions.

ARTICLE 4 - HEAD OFFICE

The head office of the Federation is in Montréal.

ARTICLE 5 - SCOPE

The scope of the Federation extends to the unions representing employees assigned to nursing and cardiorespiratory care, whose job titles are listed in Schedule 1 of the *Act respecting bargaining units in the social affairs sector*, except for the private and private subsidized institutions. It also extends to the Regroupement interprofessionnel des intervenants retraités des services de santé (RIIRS).

CHAPTER II - REGROUPEMENT DES FIQ-RFIQ

The FIQ forms a group with the Fédération interprofessionnelle de la santé du Québec | Secteur privé-FIQP. The FIQ ensures that all the services that they offer to their affiliated unions are offered to FIQP's affiliated unions. The FIQP must pay the FIQ the annual dues set by the FIQ Convention by a 2/3 vote for all dues-paying members of their affiliated unions, unless the FIQ and FIQP Federal Councils decide otherwise.

These dues are payable in 12 payments due on the first of every month.

CHAPTER III – AFFILIATION

ARTICLE 1

The Fédération interprofessionnelle de la santé du Québec—FIQ may affiliate with a central labour body.

ARTICLE 2

A motion for affiliation must be brought before the Convention and must be adopted by two-thirds (2/3) of the delegates in order to be submitted to affiliated unions.

ARTICLE 3

If the Convention votes in favour of such an affiliation, it will then require that a referendum be held on the question with all members of its affiliated unions.

ARTICLE 4

The Federation may request an affiliation if two-thirds (2/3) of the voting members of the affiliated unions vote in favour of it.

CHAPTER IV – ADMISSION – DISAFFILIATION – REMOVAL FROM THE ROLL

ARTICLE 1 – ELIGIBILITY

A union, whether or not it is constituted under the *Professional Syndicates Act*, may join the Federation by sending a written request to the FIQ Executive Committee and meeting the eligibility requirements stipulated hereafter, as well as any other condition determined by the Federal Council:

- 1) Must not belong to any other association, federation or confederation whose principles, leanings or spirit are not compatible with those of the Federation;
- 2) Must subscribe to the Federation's Constitution and Bylaws;
- 3) Must agree to promote and respect the orientations of the Federation and to adopt bylaws which are compatible with those of the Federation;
- 4) Must send the following documents to the Federation:
 - two (2) copies of its constitution and bylaws;
 - two (2) copies of its collective agreement;
 - a list of its union representatives' names and addresses;
 - a list of its members' names and addresses;
 - a copy of its latest financial statement;
 - a list of the organizations it works with;
 - a certified copy of the motion, passed by the general assembly of delegates or the general assembly of members, in which the union requests membership;
 - a cheque covering the affiliation fees required by the Federation.

ARTICLE 2 – ADMISSION OF UNIONS

The Federal Council votes on the admission of unions.

ARTICLE 3 – AUTONOMY OF UNIONS

Each union maintains its autonomy when joining the Federation, as long as it acts in compliance with the spirit and limits set out in the Federation's bylaws.

The Federation alone has the right to represent affiliated unions with provincial organizations.

The union must amend its constitution and bylaws to make them compatible with those of the Federation.

The union must inform the FIQ Executive Committee of any amendments that it wishes to make to its constitution and bylaws.

ARTICLE 4 – DISAFFILIATION PROCEDURE

A union wishing to disaffiliate from the Federation agrees to respect the following disaffiliation procedure and must:

- 1) Submit a written notice of motion to the members of the union. This notice of motion must indicate the reasons for the motion to disaffiliate and be mailed to each member at least thirty (30) days before the motion is discussed in a meeting of delegates or an equivalent body;
- 2) Send the president of the Federation a written copy of the notice of motion, a copy of the motion recommending disaffiliation as well as a written notice at least thirty (30) days before the date of the meeting of delegates or an equivalent union body to discuss this motion;
- 3) Hold a meeting of delegates or an equivalent body to study the motion of disaffiliation. To be adopted, the motion of disaffiliation must be supported by two-thirds (2/3) of the delegates present at the meeting or of the members present at an equivalent body;
- 4) Allow a maximum of five (5) representatives of the Federation to attend any meeting on the disaffiliation and to present the positions of the Federation;
- 5) Submit the motion of disaffiliation passed by the assembly of delegates or the equivalent body to the union members in each certification unit for referendum and obtain the approval of the majority of the members of the union concerned;
- 6) Post in the usual places and send the president of the Federation the voting procedure and list of members who can exercise their right to vote in the referendum;
- 7) Allow the representatives appointed by the Federation to observe the referendum process in each voting station and attend the opening of the ballots and count of the vote;
- 8) Send the president of the Federation the results of the referendum and a copy of the resolution authorizing the disaffiliation;
- 9) Pay its dues to the Federation for the three (3) months following the disaffiliation in order to pay certain obligations of the Federation; this amount is paid in equal monthly instalments over a period of three (3) months following the disaffiliation;
- 10) Pay any dues decreed before the date the disaffiliation goes into effect;

- 11) Fully reimburse any amount such as a debt, loan, advance, late payment of dues, etc., in the three (3) months following the disaffiliation.

The constitution and bylaws of affiliated unions are deemed to include the preceding provisions.

A disaffiliated union loses any and all rights it might have to any of the Federation's assets.

ARTICLE 5 – SUSPENSION - REMOVAL FROM THE ROLL

- 1) Any union is liable to be suspended by the Federal Council and may be proposed for removal from the roll by the Convention:
 - whose action clearly strays from the present constitution and bylaws;
 - which has violated the provisions of Chapter IV, Article 3, paragraph 3;
 - which has made modifications to its constitution and bylaws that are not acceptable to the Federal Council;
 - whose action could inflict serious damage on the Federation or on one of its affiliated unions;
 - which has not paid its dues to the Federation for three (3) months unless an agreement is made with the FIQ Executive Committee;
 - which has made a fraudulent declaration concerning its number of union members;
 - which has committed the Federation without the consent of the Federal Council;
 - which has refused to comply with the decisions of the Convention.
- 2) The union concerned must receive at least thirty (30) days' notice before the date of the Federal Council meeting at which the suspension will be discussed.
- 3) The union liable to suspension has the right to be heard by the Federal Council before a decision is made. The suspension, once approved by the Federal Council, becomes effective immediately.
- 4) A suspended union can appeal the decision and present its position to the Convention which will affirm or rescind the decision.
- 5) The union concerned must receive at least thirty (30) days' notice before the date of the Convention meeting at which the removal from the roll will be discussed.
- 6) A union liable to removal from the roll has the right to be heard by the Convention before a decision is made. The removal from the roll, once approved by the Convention goes into effect immediately.
- 7) A union removed from the roll loses any rights it may have to the assets of the Federation.
- 8) The members of a suspended union may not sit on a body or committee of the Federation.

- 9) Dues are payable during the entire period of a suspension or, if applicable, until the union is removed from the roll. The union continues to be entitled to the services of union consultants until the decision to remove the union from the roll has been made by the Convention.
- 10) The Federal Council may end a suspension imposed on a union.
- 11) A member who is suspended or who is not a member in good standing of an affiliated union or who has refused to settle a debt with one or several affiliated unions may not sit on a body of the Federation and is struck off any committee of the Federation for the rest of her term.

CHAPTER V - FIQ CONVENTION

ARTICLE 1 - POWERS

The Convention is the supreme body of the Federation. It adopts the political and union orientations and priorities. All unions ensure that the decisions of the Convention are enforced while preserving their operational autonomy.

The Convention has the following powers:

- 1) To determine the orientations and action priorities;
- 2) To elect the FIQ Executive Committee every four (4) years, except for the president who is elected by the RFIQ Provincial Convention;
- 3) To elect the members of the Internal Audit Committee;
- 4) To set up the committees that it deems necessary and elect the members;
- 5) To set the regular dues of the Federation and any special dues;
- 6) To adopt and amend the Federation's Constitution and Bylaws;
- 7) To receive and adopt the reports on all the Federation's activities, including those of the committees;
- 8) To recommend all affiliations of the Federation;
- 9) To remove a union from the roll.

ARTICLE 2 - SITTING OF THE CONVENTION OR SPECIAL CONVENTION

- 1) A statutory meeting of the Convention is held every four (4) years, in the spring, usually contiguously with the RFIQ Provincial Convention. However, a Special Convention may be called as needed. The FIQ Executive Committee sets the time and the place of the Convention.

The agenda of the Convention is determined by the Federal Council and is sent to the delegates, along with the documents necessary for the debates, at least forty-five (45) days before the scheduled date of the Convention.

In the event of force majeure, the Federal Council can decide to hold the Convention at another time than in the spring. However, the Federal Council cannot postpone the Convention longer than six (6) months past the spring.

- 2) A Special Convention may be called by the general secretary at the request of the Convention, Federal Council or FIQ Executive Committee. The Special Convention must be held between the 45th and 90th day following the decision, unless the Convention, Federal Council or Executive Committee sets a later date.

The agenda of the Special Convention is set by the decision-making body which decided to hold it and sent to delegates at least thirty (30) days before the date of the Special Convention. However, in the event of an emergency, a Special Convention may be held between the 15th and 45th day following the decision. In such a case, delegates are notified at least ten (10) days in advance that a Special Convention will be held as well as the subjects that will be discussed.

- 3) Delegates may send the motions to be discussed at the Convention to the general secretary of the Federation, at least three (3) weeks before the official opening of the Convention. The book of these motions is given to the delegates one week before the beginning of the meeting. No new motion may be tabled unless authorized by a majority vote of Convention delegates. These provisions do not apply however, when a Special Convention is called for an emergency situation.

ARTICLE 3 - COMPOSITION

The Convention is composed of:

- 1) delegates from each local union and delegates from each certification held by a regional or sectional union in the following ratios:

| <u>Number of members</u> | <u>Number of delegates</u> |
|--------------------------|----------------------------|
| 0001 to 0050 | 1 |
| 0051 to 0100 | 2 |
| 0101 to 0150 | 3 |
| 0151 to 0250 | 4 |
| 0251 to 0350 | 5 |
| 0351 to 0500 | 6 |
| 0501 to 0800 | 7 |
| 0801 to 1100 | 8 |
| 1101 to 1400 | 9 |

| | |
|---------------|----|
| 1401 to 1700 | 10 |
| 1701 to 2000 | 11 |
| 2001 to 2300 | 12 |
| 2301 to 2600 | 13 |
| 2601 to 3000 | 14 |
| 3001 to 3400 | 15 |
| 3401 to 3800 | 16 |
| 3801 to 4200 | 17 |
| 4201 to 4600 | 18 |
| 4601 to 5000 | 19 |
| 5001 and more | 20 |

Add two (2) delegates to this per former CSSS or institution with more than 400 members or from a transfer of more than 400 members that was not a CSSS for every CISSS and CIUSSS;

When the number of delegates so permits, each union certified to represent the various class 1 professional groups (nursing and cardiorespiratory personnel) will ensure, for each certification it holds, that its delegation is representative of at least three (3) of the groups it represents;

When the number of delegates so permits, each union certified to represent employees who work in acute-care (CH), community health care (CLSC) and residential and long-term care (CHSLD) missions will ensure, for each certification that it holds, that its delegation is representative of the missions it represents;

- 2) members of the FIQ Executive Committee;
- 3) the president of a regional or sectional union or her replacement;
- 4) two (2) delegates from the RIIRS.

ARTICLE 4 - DELEGATION

The general secretary of the Federation determines the number of delegates to which each local union and each certification of a regional or sectional union is entitled, at the beginning of each fiscal year or at the time of affiliation of a union based on the list of employees for the previous year, to be provided by the employer on April 1, as stipulated in the collective agreement. Each union sends a copy of said list of employees to the general secretary of the Federation within sixty (60) days of receiving it.

ARTICLE 5 - QUORUM

The quorum is 50% of the registered delegates who hold 50% of the votes.

ARTICLE 6 - RIGHT TO VOTE

An official delegate who is a member in good standing of her union and who is present at the meeting is entitled to a number of votes established according to the following rules:

- 1) The number of votes to which she is entitled is proportional to the number of members in her certification determined according to the list stipulated in Article 4 of this chapter;
- 2) This proportion is one (1) vote for fifty (50) members. A total of fifty (50) more members must be reached to be entitled to an additional vote;
- 3) The number of votes thus determined is divided by the number of official delegates stipulated in Article 3 of this chapter.

Notwithstanding the foregoing, the total number of votes may be divided among the delegates registered within the deadline, providing the number of registered delegates represents a minimum of 70% of their total delegation;

- 4) Notwithstanding the foregoing, the delegates from a certification of more than fifty (50) members, but less than one hundred (100) are entitled to one (1) vote each;
- 5) The members of the FIQ Executive Committee, the president of a regional or sectional union or her replacement and the two (2) delegates from the RIIRS are each entitled to one (1) vote.

Unless otherwise stipulated in this constitution and bylaws or in the rules of order used, Convention decisions are made by majority vote.

ARTICLE 7 - LOSS OF THE STATUS OF OFFICAL DELEGATE

An official delegate whose union is more than thirty (30) days late in the payment of the dues to the Federation automatically becomes a fraternal delegate, unless an agreement has been made with the FIQ Executive Committee.

CHAPTER VI - FEDERAL COUNCIL

ARTICLE 1 - POWERS

The Federal Council is the supreme body between Conventions. The Federal Council plays an important political role between Conventions. It is responsible for making decisions that are in line with the orientations of the Convention and serve the collective interests of the members. It is a preferred forum for debates and union consensus-building. All unions ensure that the decisions of the Federal Council are enforced while preserving their operational autonomy.

The Federal Council has the following powers:

- 1) To adopt the action plan and financial forecast based on the orientations of the Convention;
- 2) To accept the financial statement and appoint the auditors;
- 3) To receive and adopt the activity reports from the FIQ Executive Committee and committees;
- 4) To fill the vacancies on the FIQ Executive Committee and other committees;
- 5) To set up the ad hoc committees that it deems necessary, elect the members of these committees and adopt the reports;
- 6) To make recommendations to the Convention;
- 7) To convene a Special Federal Council or Special Convention;
- 8) To mediate conflicts between two (2) or several unions affiliated with the Federation;
- 9) To admit or suspend a union;
- 10) To ratify the service agreement made between the FIQ and FIQP;
- 11) To come to a conclusion on a service agreement between the FIQ and a group of workers not covered by CHAPTER 1.

ARTICLE 2 - SITTING OF THE FEDERAL COUNCIL OR SPECIAL FEDERAL COUNCIL

1) Federal Council

The Federal Council meets at least twice (2) a year, usually contiguously with the RFIQ Provincial Council. The FIQ Executive Committee sets the time and place of the Federal Council meetings.

The agenda for the Federal Council is set by the FIQ Executive Committee and, except in the case of a Special Federal Council, is sent to the delegates at least thirty (30) days before the Federal Council meeting.

2) Special Federal Council

The FIQ Executive Committee or the Federal Council may, at any time, decide to hold a Special Federal Council. The delegates are notified of a Special Federal Council and the subjects that will be discussed at least three (3) days in advance.

At the written request of 10% of the delegates of the Federal Council, the general secretary must convene a Special Federal Council to be held in the thirty (30) days following receipt of the request.

This request must be sent to the general secretary and specify the purpose and objectives of this Special Federal Council.

ARTICLE 3 - COMPOSITION

The Federal Council is composed of:

- 1) delegates from each local union and the delegates from each certification held by a regional or sectional union in the following ratios:

| <u>Number of members</u> | <u>Number of delegates</u> |
|--------------------------|----------------------------|
| 0001 to 0050 | 1 |
| 0051 to 0150 | 2 |
| 0151 to 0400 | 3 |
| 0401 to 0700 | 4 |
| 0701 to 1000 | 5 |
| 1001 to 1300 | 6 |
| 1301 to 1600 | 7 |
| 1601 to 1900 | 8 |
| 1901 to 2200 | 9 |
| 2201 to 2500 | 10 |
| 2501 to 3000 | 11 |
| 3001 to 3500 | 12 |
| 3501 to 4000 | 13 |
| 4001 to 4500 | 14 |
| 4501 to 5000 | 15 |
| 5001 and more | 16 |

Add one (1) delegate to this per former CSSS or an institution with more than 400 members or the transfer of more than 400 members that was not a CSSS for every CISSS and CIUSSS;

The partial transfer of a certification to another employer, as a result of the application of Section 45 of the Labour Code, does not give the right to an additional delegation as long as there is a legal link with the initial certification;

Notwithstanding the foregoing, if there is a partial transfer of a certification to an institution where there is no union affiliated to the Federation, this part of the initial certification is entitled to a delegation as stipulated in this article;

When the number of delegates so permits, each union certified to represent the various class 1 professional groups (nursing and cardiorespiratory personnel) will ensure, for each certification it holds, that its delegation is representative of at least two (2) of the groups it represents;

When the number of delegates so permits, each union certified to represent employees who work in acute-care (CH), community health care (CLSC) and residential and long-term care (CHSLD) missions will ensure, for each certification that it holds, that its delegation is representative of the missions it represents;

- 2) the members of the FIQ Executive Committee;
- 3) the president of a regional or sectional union, or her replacement;
- 4) the two (2) delegates from the RIIRS.

ARTICLE 4 - DELEGATION

The general secretary of the Federation determines the number of delegates to which each local union and each certification of a regional or sectional union is entitled at the beginning of each fiscal year or at the time of affiliation of a union based on the list of employees for the previous year, to be provided by the employer on April 1, as stipulated in the collective agreement. Each union sends a copy of said list of employees to the general secretary of the Federation within sixty (60) days of receiving it.

ARTICLE 5 - QUORUM

The quorum is 50% of the registered delegates who hold 50% of the votes.

ARTICLE 6 - RIGHT TO VOTE

An official delegate who is a member in good standing of her union and who is present at the meeting is entitled to a number of votes determined according to the following rules:

- 1) The number of votes to which she is entitled is proportional to the number of members in her certification determined according to the list stipulated in Article 4 of this chapter;
- 2) This proportion is one (1) vote for fifty (50) members. A total of fifty (50) more members must be reached to be entitled to an additional vote;
- 3) The number of votes thus determined is divided by the number of official delegates stipulated in Article 3 of this chapter. Notwithstanding the foregoing, the total number of votes may be divided among the delegates registered within the deadline, providing that the number of registered delegates represents a minimum of 70% of their total delegation;
- 4) Notwithstanding the foregoing, the delegates from a certification with more than fifty (50) members, but less than one hundred (100) are entitled to one (1) vote each;

- 5) The members of the FIQ Executive Committee, the president of a regional or sectional union, or her replacement and the two (2) delegates from the RIIRS are each entitled to one (1) vote.

Unless otherwise stipulated in this constitution and bylaws or in the rules of order used, Federal Council decisions are made by majority vote.

ARTICLE 7 - LOSS OF THE STATUS OF OFFICIAL DELEGATE

An official delegate whose union is more than thirty (30) days late in the payment of the dues to her federation automatically becomes a fraternal delegate, unless an agreement has been made with the FIQ Executive Committee.

CHAPTER VII - FIQ EXECUTIVE COMMITTEE

ARTICLE 1 - POWERS

The FIQ Executive Committee is responsible for the planning, organization, leadership and control of the Federation. It follows up on debates, activities and mandates. It takes stands on all questions in line with the orientations of the organization, in the best interest of all.

The FIQ Executive Committee has the following powers:

- 1) To execute the decisions of the Convention and Federal Council;
- 2) To administer the Federation;
- 3) To ensure the political representations of the Federation;
- 4) To prepare the action plans based on the orientations of the Convention;
- 5) To prepare the financial forecasts;
- 6) To make recommendations to the Convention, Federal Council and Provincial Executive Committee of the Regroupement des FIQ;
- 7) To set up the committees that it deems necessary and appoint the members;
- 8) To ensure that the bylaws are respected;
- 9) To determine the general policies and submit them to the Federal Council;
- 10) To hire personnel;
- 11) To determine the working conditions of the employees of the Federation;
- 12) To decide to hold a meeting of the Federal Council, Special Federal Council, Convention or Special Convention;
- 13) To administer and lead the FIQ Association immobilière corporation.

ARTICLE 2 - COMPOSITION

The FIQ Executive Committee is composed of nine (9) people:

- a president;
- six vice-presidents including:
 - a nurse vice-president,
 - a licensed practical nurse vice-president,
 - a respiratory therapist vice-president;
- a general secretary;
- a treasurer.

ARTICLE 3 - SITTING OF THE EXECUTIVE COMMITTEE

The FIQ Executive Committee meets at least six (6) times a year.

The meetings of the FIQ Executive Committee are convened by the general secretary at the request of the president or three (3) of its members, by notice at least ten (10) days in advance. This notice must specify the agenda for the meeting, whenever possible.

The agenda of the FIQ Executive Committee meeting is prepared by the general secretary.

In the event of an emergency, the notice can be sent by email, telephone or fax at least twenty-four (24) hours before the meeting, such a notice being sufficient in these circumstances.

A member of the FIQ Executive Committee can waive the previously mentioned notice at any time.

ARTICLE 4 - QUORUM

The quorum is five (5) people.

ARTICLE 5 - VOTE

Each member of the FIQ Executive Committee has one vote. In the case of a tie vote, the president has the deciding vote.

CHAPTER VIII – DUTIES AND POWERS OF ELECTED OFFICERS

ARTICLE 1 - PRESIDENT

The president of the FIQ is by right the president of the RFIQ.

The president's responsibilities are:

- 1) To be the official spokesperson of the Federation;
- 2) To chair the meetings of the Executive Committee, Federal Council and Convention. She may name another chairperson for the meeting with the consent of the body concerned;
- 3) To monitor the general activities of the Federation under the authority of the Executive Committee;
- 4) To be a member of all the committees by right;
- 5) To fulfill all the duties that ensue from her office and those that are assigned to her by the Convention, Federal Council or Executive Committee;
- 6) To sign the documents prepared or issued on behalf of the Federation, notably official documents, cheques and bills of exchange;
- 7) To present her candidacy for the position of president at the annual election of directors and leaders of FIQ Association immobilière.

ARTICLE 2 - VICE-PRESIDENTS

The vice-presidents' responsibilities are:

- 1) To assist the president in the performance of her duties;
- 2) To replace the president, when absent, with the same powers and duties according to the established order of precedence;
- 3) To carry out all the mandates entrusted to them by the FIQ Executive Committee;
- 4) To exercise political responsibility for one (1) or several sectors or services of the Federation;
- 5) To present their candidacy for the position of vice-president at the annual election of directors and leaders of FIQ Association immobilière.

ARTICLE 3 - GENERAL SECRETARY

The general secretary of the FIQ Executive Committee has the same duties and powers for the RFIQ as for the FIQ.

The general secretary's responsibilities are:

- 1) To be the general secretary of the FIQ Executive Committee, Federal Council and Convention by right. She can appoint another meeting secretary with the consent

of the body concerned;

- 2) To keep a register of the minutes of the meetings of the FIQ Executive Committee, the regular and Special Federal Council, the regular and Special Convention, and to co-sign them with the president;
- 3) To send the minutes of the last meeting of the FIQ Executive Committee to the members of the latter, at least four (4) days before the next meeting;
- 4) To be responsible for the records and official documents of the Federation;
- 5) To convene the meetings and prepare the agendas;
- 6) To write official correspondence;
- 7) To certify the copies or excerpts of the minutes and the correspondence;
- 8) To keep a register of the unions affiliated with the Federation;
- 9) To fulfill all other duties assigned to her by the various bodies of the Federation;
- 10) To exercise political responsibility for one or several sectors or services of the Federation;
- 11) To pass on all the documents and other goods belonging to the Federation to her successor;
- 12) To present her candidacy for the position of general secretary at the annual election of directors and leaders of FIQ Association immobilière.

ARTICLE 4 - TREASURER

The treasurer of the FIQ Executive Committee has the same duties and powers for the RFIQ as for the FIQ.

The treasurer's responsibilities are:

- 1) To manage the budget and all other special funds of the Federation;
- 2) To prepare, at least once (1) a year, a complete and detailed financial statement and budget which will first be presented to the FIQ Executive Committee. The date of these reports must coincide with the fiscal year of the Federation;
- 3) To collect the affiliation fees, dues, outstanding amounts and any other revenue of the Federation;
- 4) To receive and deposit without delay, all sums of money remitted to her and belonging to the Federation, in a banking institution selected by the FIQ Executive Committee;
- 5) To keep an up-to-date inventory of the assets of the Federation;

- 6) To see that all payments are made in compliance with the policies and decisions of the FIQ Executive Committee, Federal Council and Convention and to sign all cheques and other bills of exchange for the Federation;
- 7) To keep a register of the members of unions affiliated with the Federation;
- 8) To ensure that the financial statement is verified by the auditors;
- 9) To pass on all the documents and other goods belonging to the Federation to her successor;
- 10) To exercise political responsibility for one or several sectors or services of the Federation;
- 11) To present her candidacy for the position of treasurer at the annual election of directors and leaders of FIQ Association immobilière.

CHAPTER IX – FIQ COMMITTEES

ARTICLE 1

The FIQ committees are assigned their mandate by either the Convention, Federal Council or FIQ Executive Committee.

ARTICLE 2

The FIQ committees report on their activities to the FIQ Executive Committee and Convention. They can also submit progress reports and recommendations to the Federal Council.

ARTICLE 3

The FIQ committees are composed of:

- statutory committees;
- ad hoc committees.

Statutory committees are those stipulated in the Federation's Constitution and Bylaws. The Convention elects the members as well as their substitutes and the Federal Council sees to their replacement when there is a vacancy.

Ad hoc committees are formed by either the Convention, Federal Council or FIQ Executive Committee. The body that forms the committee determines its mandate and elects or appoints its members.

ARTICLE 4

A committee meets within the limits of its mandate and budget.

CHAPTER X - ELECTIONS

The RFIQ Election Committee is responsible for the organization and supervision of the FIQ elections.

PART I - ELECTION RULES

ARTICLE 1

Except for the president, the members of the FIQ Executive Committee and FIQ committees are elected by the Convention or Federal Council when a position becomes vacant.

ARTICLE 2 - ELIGIBILITY

Every member in good standing of a union affiliated with the Federation is eligible for positions on the FIQ Executive Committee and FIQ committees.

ARTICLE 3 - ELECTION NOTICE

The president of the elections sends the election notice for the positions on the FIQ Executive Committee and committees to every member, at least sixty (60) days before the date of the Convention. This notice must list the positions up for election.

If there is a vacancy on the Executive Committee or on a federal committee, the president of elections must send the election notice to all official delegates at least thirty (30) days before the date set for the federal council. The notice must list all the positions up for election.

ARTICLE 4 - NOMINATION

- 1) A candidate running for a position on the FIQ Executive Committee or committees must send her candidacy to the head office of the Federation, to the attention of the President of the Election Committee or hand it to the President of the Election Committee in person;

Any candidacy must be seconded by two (2) members in good standing of a union affiliated with the Federation, and the form provided for this purpose must be signed by the candidate, as proof of her consent. The candidate must also specify the position for which she is running;

- 2) Candidacies may be submitted once the election notice has been issued and until the time set for the beginning of the meeting found on the notice of meeting sent

out by the general secretary;

- 3) At the end of the president's opening message at the meeting where the election is held, the President of the Election Committee declares all the candidates where the number of candidates is equal to or less than the number of position(s) to be filled, elected by acclamation;
- 4) A list of the names of the candidates elected and names of the candidates for the positions up for election is posted in a location accessible to all delegates. This list is updated following each extension of the nomination period;
- 5) If there are no candidates for one (1) or several positions, the president of the elections opens an additional nomination period of four (4) hours;
- 6) If the number of candidates remains insufficient, the nomination period is extended by four (4)-hour periods;
- 7) During the last extension of the period for submitting candidacies, the reserved vice-president positions become accessible to all professional categories.

ARTICLE 5 - ELECTIONS

- 1) The Election Committee is responsible for all elections. The committee may use scrutineers. The members of the Election Committee are fraternal delegates at the body at which the elections are held.
- 2) The President of the Election Committee informs the delegates of the list of candidates' names when the vote begins for each position.
- 3) Elections are held by secret ballot. For a position on the FIQ Executive Committee, the vote is held in voting stations.
- 4) Each official delegate indicates her choices on the official ballot provided by the Election Committee.
- 5) The Election Committee is responsible for counting the ballots and informs the delegates of the result.
- 6) Candidates who obtain an absolute majority are elected for each position on the FIQ Executive Committee. Voided ballots do not count in the calculation of the absolute majority. When there are more than two (2) candidates and no candidate obtains the absolute majority, another vote is held, eliminating at each turn the candidate who obtains the least votes.
- 7) For the other committees, the candidates who obtain the most votes are declared elected. If there are vacant substitute positions, they are given to those who have received the greatest number of votes in decreasing order. If no candidate obtains an absolute majority of votes, the vote is held again, eliminating at each turn the candidate who obtains the least votes in the previous round.
- 8) Elections are held simultaneously for all the positions on the FIQ Executive Committee, as a candidate cannot run for more than one position.
- 9) If there is only one candidate for a position, the candidate is declared elected.

ARTICLE 6 - BEGINNING OF TERM AND MANDATE

The members of the FIQ Executive Committee begin their term of office at the end of the Convention, or, in the case of a vacancy, immediately following their election. The members elected to the FIQ committees begin their terms of office at the end of the meeting at which they were elected.

ARTICLE 7 - VACANCY ON THE FIQ EXECUTIVE COMMITTEE AND COMMITTEES

- 1) A position on the FIQ Executive Committee or one of the committees is considered vacant at the time of the resignation, death, incapacity to act or dismissal of the incumbent and, for FIQ committees, when there are no more substitutes to fill the position.

The Federal Council ensures that the vacancy is filled, as per the conditions in this chapter. However, a member of a committee may be replaced temporarily by an elected substitute to pursue the mandate of a member on the committee who will be absent for more than one (1) year.

- 2) However, only the official delegates of the Federal Council receive the election notice and are eligible for the vacant position.

ARTICLE 8 - DISMISSAL FROM THE FIQ EXECUTIVE COMMITTEE AND COMMITTEES

A member of the FIQ Executive Committee or a committee may be dismissed for any of the following reasons:

- 1) Causing serious harm to the Federation;
- 2) Being absent from more than three (3) meetings of the FIQ Executive Committee or other committees without valid reason;
- 3) Refusing or being incapable of accomplishing the duties and obligations related to her position.

A member of the FIQ Executive Committee or other committees subject to dismissal must be notified by registered mail at least two (2) weeks before the Federal Council meeting at which her dismissal will be proposed. The member subject to dismissal has the right to be heard by the Federal Council before the decision is rendered.

The Federal Council sanctions the dismissal following a vote by secret ballot; an absolute majority of votes is required. Voided ballots do not count in the calculation of the absolute majority.

In the event that a member of the FIQ Executive Committee is dismissed, she is considered to have resigned from the Provincial Executive Committee.

CHAPTER XI – FINANCIAL PROVISIONS

ARTICLE 1 – FISCAL YEAR

The fiscal year of the Federation is from January 1 to December 31.

ARTICLE 2 – AFFILIATION FEES

Every union requesting affiliation must pay \$10.

ARTICLE 3 – DUES

Each affiliated union must pay to the Federation the annual dues set by the Convention by a two-thirds (2/3) majority vote. These dues are 1.24% of the sixth (6th) echelon of the licensed practical nurse salary scale (36.25-hour scale), the ninth (9th) echelon of the nurse salary scale (36.25-hour scale) as of April 2, 2018 and 1.24% of the sixth (6th), echelon of the respiratory therapist salary scale (35-hour scale) for each dues-paying member. This rate for union dues goes into effect on July 1, 2007.

Clinical perfusionists are considered to be included in the nurse salary scale and baby and child nurses and employees working in a job in the private non-profit care settings from social economy are considered to be included in the licensed practical nurse salary scale for purposes of union dues.

For the purpose of this article, "dues-paying member" refers to any member of an affiliated union who receives money from her employer in the form of pay, benefits or compensation, with the exception of nursing externs.

These dues are payable to the Federation in twelve (12) equal payments on the first of every month.

The number of dues-paying members of an affiliated union is based on the average of this number over a period of twelve (12) months ending on August 31 of the previous fiscal year. This number of dues-paying members determines the amount of the dues payable to the Federation beginning on the first month of the new fiscal year. If the number of certifications held by a union changes, the dues payable to the Federation are readjusted according to the new number of members no later than sixty (60) days after the change. The FIQ Executive Committee is authorized to conduct a verification with each affiliated union.

When a change in an institution affects the union's number of dues-paying members in a permanent, measurable and verifiable way, the latter must notify the treasurer of the Federation of the rise or drop in the number of their dues-paying members.

If this change affects in a permanent, measurable and verifiable way the number of dues-paying members in other institutions, the unions concerned must notify the

treasurer of the Federation of the rise or drop in the number of their dues-paying members.

The treasurer then readjusts the number of dues-paying members, retroactively to the date of the change, even outside of the period of verification stipulated here.

When the number of dues-paying members changes, the general secretary then readjusts the number of delegates and the number of votes they hold, if need be.

As stipulated in Article 5 “Union dues checkoff” in the 2016-2020 collective agreement, each affiliated union electronically sends to the Federation the detailed statement provided by the Employer at the time of the periodic remittance of union dues. Expenses related to the electronic transfer, provided it is available at the institution, are paid for by the Federation.

ARTICLE 3.1 - SPECIFIC PROVISION

If a member must pay a special assessment more than once because she belongs to more than one certification unit in one or more affiliated unions, one of the following mechanisms will apply, depending on the situation:

- when the Rand Formula is in effect, the Federation reimburses this member the amount paid in excess of the amount of the special assessment set by the Convention;
- when the Rand Formula is not in effect, this member only has to pay the special assessment set by the Convention once. The treasurer of the Federation then makes the necessary adjustments with the affiliated union or unions who do not have to collect the amount for the special assessment from this member.

The amount of the special assessment is increased to account for this specific provision.

ARTICLE 4 - CONTRACTS

All deeds, negotiable papers, transfers, contracts, commitments, obligations and other documents requiring the signature of the Federation must be signed by the president and the treasurer. The FIQ Executive Committee may at any time authorize, by way of a resolution, other persons to sign in the name of the Federation. This authorization may be general or limited to a specific case. Except as previously stated and except for any contrary provision in the Federation’s Constitution and Bylaws, elected officers, representatives and employees have neither the power nor the authorization to bind the Federation by contract or otherwise, or to use its credit.

ARTICLE 5 - CHEQUES AND BILLS

All cheques, bills of exchange and other papers, bills or letters of credit issued, accepted or endorsed in the name of the Federation must be signed by the treasurer or one or more of the members of the FIQ Executive Committee or one or more of the representatives of the Federation, determined by a FIQ Executive Committee resolution and in the manner chosen by the FIQ Executive Committee. Any of these people may endorse the promissory notes and the bills for collection alone in the name of the Federation by way of its bankers. They may endorse the bills and cheques for deposit to the credit of the Federation at the financial institution chosen by the Federation.

These documents may also be endorsed "for collection" or "for deposit" at the financial institution chosen by the Federation with a rubber stamp for this purpose. Any of these officers or representatives may adjust, settle, verify and certify the books and accounts between the Federation and its bankers, receive the cheques and the supporting documents and sign the balance statements, as well as invoices or auditing slips of the financial institution.

ARTICLE 6 - LOANS

The Convention and Federal Council may authorize the representatives of the Federation to do the following:

- 1) Make loans and obtain advances on the credit of the Federation with any financial institution, corporation, firm, association, or person, on such terms, agreements and conditions, at such times, for such amounts and in such a way and manner that the FIQ Executive Committee may, at its discretion, deem suitable;
- 2) Limit or increase the amount to borrow;
- 3) Notwithstanding the provisions of the Québec Civil Code, to mortgage, secure, leave as security and pledge, yield and transfer the property, undertakings and assets, real or personal, real estate or moveable property, present or future of the Federation, and create the mortgage, collateral security or pawning or charge or sell-off and conveyance mentioned above, by deed of trust, in conformity with Québec laws or by any other means;
- 4) Mortgage or secure the buildings or give as security or otherwise the moveable assets of the Federation or give these various guarantees to assure the payment of loans, as well as the payment or carrying out of other debts, contracts, and commitments of the Federation;
- 5) As a guarantee for all discounts, deficits, loans, credits, advances or other debts, obligations or commitments or liabilities of the Federation in favour of any bank, corporation, union, firm, association, or person, including the interest, to mortgage, secure, leave as a security and give to any financial institution,

corporation, firm, association or person all or any of the Federation's assets, real or personal, real estate or moveable property or mixed, present or future, and to give the relevant guarantees and to renew, modify, vary or substitute these securities at one time or another;

- 6) Obtain and help obtain the funds and capital and help either by bonus, loan, promise, endorsement, guarantee or otherwise, any other union with whom the Federation may undertake labour relations and guarantee the carrying out or the performance of all contracts or all obligations of each one of the said unions or all persons with whom the Federation may undertake labour relations.

Notwithstanding any other provision in these bylaws, the FIQ Executive Committee may, by resolution, contract loans on behalf of the Federation by means of a promissory note or bill of exchange, drawn, accepted, or endorsed by two (2) members of the Executive Committee in the name of the Federation with any Caisse populaire, credit union, institution or organization dealing with the Federation.

The loans that the FIQ Executive Committee has the power to authorize within the terms of the preceding paragraph cannot exceed three hundred thousand (\$300,000) dollars per fiscal year. Subsequent loans must be authorized by the Federal Council.

ARTICLE 7 - POSSESSION OF SECURITIES

The members of the FIQ Executive Committee are hereby authorized, in the pursuit of the objectives of the Federation, to use the Federation's funds to buy or otherwise acquire securities of any company at a price and with conditions they deem suitable and to dispose of these securities at a price and with conditions that they deem suitable.

CHAPTER XII – INTERNAL AUDIT COMMITTEE

ARTICLE 1 – COMPOSITION

The Internal Audit Committee is composed of three (3) members. The members and some substitutes are elected by the Convention.

ARTICLE 2 - ELIGIBILITY

Any member in good standing of a union affiliated with the Federation is eligible, with the exception of members of the FIQ Executive Committee.

ARTICLE 3 - MANDATE

The mandate of the committee is to ensure that the FIQ and RFIQ income and expenses comply with the decisions and budgets adopted by the respective bodies and inform the members.

The committee must also analyze important differences in the budget, examine existing policies and administrative procedures and suggest any mechanism deemed relevant for maintaining the financial health of the FIQ and RFIQ.

The committee submits a written report on its work to the appropriate bodies.

ARTICLE 4 - MEETINGS OF THE COMMITTEE

The Committee meets at least twice (2) a year.

ARTICLE 5 - QUORUM

The quorum is two (2) members.

CHAPTER XIII – REGROUPEMENT INTERPROFESSIONNEL DES INTERVENANTS RETRAITÉS DES SERVICES DE SANTÉ (RIIRS)

ARTICLE 1 - SCOPE

The Federation's Constitution and Bylaws apply to the RIIRS to the extent stipulated in this section.

ARTICLE 2 - JURISDICTION

The jurisdiction of the Federation also extends to the RIIRS.

ARTICLE 3 - CONDITIONS FOR AFFILIATION

The RIIRS may remain affiliated with the Federation by meeting the eligibility requirements stipulated hereafter, as well as any other condition which may be determined by the Federal Council or Convention:

- 1) subscribe to the bylaws of the Federation;
- 2) adopt bylaws which are compatible with those of the Federation and inform the FIQ Executive Committee of any subsequent modification to its bylaws.

ARTICLE 4 - DISAFFILIATION - REMOVAL FROM THE ROLL

The RIIRS may disaffiliate from the Federation at any time, in accordance with the provisions of Chapter III, Article 4, by making the necessary adjustments.

The RIIRS may be suspended by the Federal Council or proposed for removal from the roll by the Convention, in accordance with the provisions of Chapter III, Article 5, by making the necessary adjustments.

ARTICLE 5 - RIIRS DELEGATION

The RIIRS is entitled to two (2) delegates at the Federal Council and Convention of the Federation.

ARTICLE 6 - RIGHT TO VOTE

Each of the two (2) delegates from the RIIRS has the right to one (1) vote at a Federal Council and Convention meeting.

ARTICLE 7 - ELECTIONS

The two (2) delegates from the RIIRS are not eligible for positions on the FIQ committees.

ARTICLE 8 - DUES

The RIIRS must pay annual dues of one hundred dollars (\$100) to the Federation.

CHAPTER XIV - MODIFICATIONS OF THE CONSTITUTION AND BYLAWS

ARTICLE 1 - AMENDMENTS

The Constitution and Bylaws may be adopted, amended or repealed by a two-thirds (2/3) majority vote of the Convention.

The general secretary of the Federation notifies the delegates in writing, at least forty-five (45) days before the Convention, of any new bylaws, amendments or repeals of the Constitution and Bylaws.

A motion to amend the Constitution and Bylaws must be presented no later than at the Federal Council that adopts the agenda of the Convention. This motion must be included on the agenda of the Convention.

Notwithstanding the foregoing, the Federal Council may adopt amendments to the Constitution and Bylaws that cover the alignments with the RFIQ's Constitution and Bylaws.

CHAPTER XV - MISCELLANEOUS PROVISIONS

ARTICLE 1 - PROCEDURES AT MEETINGS

Unless otherwise stated in these bylaws, the decision-making meetings of the Federation are governed by the procedures for meetings described in Victor Morin, Procedures at Deliberative Assemblies or by any other rules of order adopted by the meeting in question.

ARTICLE 2 - UNION REPRESENTATIVES ON DISABILITY

A union representative on disability who is entitled to a benefit must cease all union activities during this period.

ARTICLE 3 - EXCEPTIONAL MEASURE

The Executive Committee may modify, postpone or cancel meetings, forums, commissions, assemblies or any other meeting stipulated in the Constitution and Bylaws or that stems from the adoption of a resolution in a decision-making meeting, if justified by a health emergency declared by government authorities or a similar emergency declaration.

It may also extend the time limits set out in the Constitution and Bylaws under the same conditions.

The Executive Committee reports on the reasons justifying the application of this article to the appropriate body following the decision.

Any cancelation or modification of the holding of provincial councils or conventions must be adopted by the delegation.