



FIQ | SECTEUR PRIVÉ

Constitution and Bylaws

- Fédération interprofessionnelle de la santé du Québec | Secteur privé–FIQP

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The FIQP 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 | Secteur privé–FIQP.

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 An Act respecting bargaining units in the social affairs sector, working in private subsidized institutions and private institutions;
- 2) represent, at the provincial level, technicians and professionals in health and social services, whose job titles are listed in Schedule 4 of An Act respecting bargaining units in the social affairs sector, working in private subsidized institutions and private institutions;
- 3) represent, at the provincial level, all employees working in the private non-profit care settings from social economy;
- 4) represent, at the provincial level, employees working in prehospital emergency care;
- 5) represent, at the provincial level, members of an association or a professional order working in health and social services;
- 6) study, safeguard, defend and develop the economic, professional and social interests of its members;
- 7) ensure the representation of its members;
- 8) ensure services to affiliated unions, particularly the negotiation and application of collective agreements;
- 9) help form new unions (local, regional or sectional);

- 10) fight against all forms of discrimination and violence, whether perpetrated against its members or by its members;
- 11) foster relationships between unions to create and maintain unity and harmony within the organization;
- 12) 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 Montreal, or at a location determined by the Federal Council.

ARTICLE 5 - SCOPE

The scope of the Federation extends to unions representing employees working in private subsidized institutions and private institutions in health and social services, namely:

- 1) employees working in nursing and cardiorespiratory care whose job titles are listed in Schedule 1 of *An Act respecting bargaining units in the social affairs sector*;
- 2) technicians and professionals in health and social services whose job titles are listed in Schedule 4 of *An Act respecting bargaining units in the social affairs sector*;

It also extends to unions or associations representing:

- 3) employees working in the private non-profit settings from social economy;
- 4) employees working in prehospital emergency care;
- 5) members of a professional order working in health and social services.

CHAPTER II - GROUP OF FEDERATIONS

The FIQP forms a group with the Fédération interprofessionnelle de la santé du Québec–FIQ. 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.

In the event of a services agreement between a group of employees and the FIQP, the FIQ ensures the required services.

The FIQP sends the detailed electronic statements provided by the employer with the periodic remittance of union dues to the FIQ for each of its affiliated unions. The expenses related to such a computer system, when they are available at the institution, are paid by the Federation.

CHAPTER III - AFFILIATION

ARTICLE 1

The Fédération interprofessionnelle de la santé du Québec | Secteur privé–FIQP 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 affiliation if two-thirds (2/3) of the voting members of affiliated unions vote in favour of it.

CHAPTER IV - ELIGIBILITY - 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 FIQP 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 adopt a constitution and bylaws 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, subject to respecting the spirit and limits set by the Federation's Constitution and Bylaws.

The Federation alone has the right to represent affiliated unions with provincial or international organizations, or to mandate the FIQP to do so.

The union must amend its constitution and bylaws to make them compatible with the FIQP Constitution and Bylaws.

The union must inform the FIQP 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 proposal 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 three (3) 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 an 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 course of the referendum 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 special 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 on 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 amendments to its constitution and bylaws that are not acceptable for the Federal Council;
 - whose actions could inflict serious damage on the Federation or 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 FIQP Executive Committee;
 - which has made a fraudulent declaration on the 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, takes effect 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 all 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 - FIQP 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 Executive Committee every four (4) years;
- 3) To elect the members of the Internal Audit Committee;
- 4) To set up committees it deems necessary and elect the members;

- 5) To set the regular dues and any additional assessment payable to the Federation;
- 6) To adopt and amend the Constitution and Bylaws of the Federation;
- 7) To receive and adopt the reports of all the activities of the Federation, 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 FIQP Executive Committee sets the time and 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 for more than six (6) months past the spring.

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

The agenda of the Special Convention is set by the decision-making body which has decided that it would be held and sent to delegates at least thirty (30) days before the date of the Special Convention. However, if there is an emergency, a Special Convention can 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 and are informed of the subjects which will be discussed.

- 3) Delegates may send to the general secretary of the Federation the motions to be presented for discussion at least three (3) weeks before the official opening of the Convention. The book of these motions is submitted to delegates one week before the beginning of the Convention. No new motion can be tabled unless authorized by a majority vote of Convention delegates. These provisions do not apply 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 and more	7

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 different employee groups will ensure, for each certification it holds, that its delegation is representative of at least two (2) of the job titles that it represents;

- 2) members of the FIQP Executive Committee;
- 3) the president of a regional or sectional union or her replacement.

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

The 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 the number of registered delegates represents a minimum of 70% of its total delegation;
- 4) Notwithstanding the foregoing, the delegates who come from a certification of more than fifty (50) but fewer than one hundred (100) are entitled to one vote each;
- 5) The members of the FIQP Executive Committee and the president of a regional or sectional union or her substitute are entitled to one (1) vote each.

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 OFFICIAL 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 FIQP Executive Committee.

CHAPTER VI - FEDERAL COUNCIL

ARTICLE 1 - POWERS

The Federal Council is the supreme body between Conventions. It plays an important political role between Conventions. It has the duty to make decisions that comply with the orientations set by the Convention and serve the collective interest of members. It is a preferred forum for debate and union consensus-building. All unions must 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 set by the Convention;
- 2) To accept the financial statement and appoint the auditors;
- 3) To receive and adopt the activity reports of the FIQP Executive Committee and committees;
- 4) To fill vacancies on the FIQP 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 their reports;
- 6) To make recommendations to the Convention;
- 7) To convene a Special Federal Council or a 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 services agreement made between the FIQ and FIQP;
- 11) To conclude a services agreement between the FIQP 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 FIQP Executive Committee determines the time and place of the Federal Council meetings.

The agenda for the Federal Council is set by the FIQP 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 FIQP Executive Committee or the Federal Council may, at any time, decide to hold a Special Federal Council meeting. 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 25% of Federal Council delegates, the general secretary must call 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 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 0600	4
0601 and more	5

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 different groups of employees will ensure, for each certification it holds, that its delegation is representative of at least two (2) of the job titles it represents;

- 2) members of the FIQP Executive Committee;
- 3) the president of a regional or sectional union or her replacement.

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 the number of registered delegates represents a minimum of 70% of its total delegation;

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

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 dues to the Federation automatically becomes a fraternal delegate, unless an agreement has been made with the FIQP Executive Committee.

CHAPTER VII - FIQP EXECUTIVE COMMITTEE

ARTICLE 1 - POWERS

The FIQP 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 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 it deems necessary and appoint the members;
- 8) To ensure that the Constitution and 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 determine the second person sitting on the Regroupement des FIQ Provincial Executive Committee.

ARTICLE 2 - COMPOSITION

The Executive Committee is composed of five (5) people:

- a president;
- a nurse vice-president;
- a licensed practical nurse vice-president;
- a general secretary;
- a treasurer.

ARTICLE 3 - SITTING OF THE EXECUTIVE COMMITTEE

The FIQP Executive Committee meets at least five (5) times a year.

The meetings of the Executive Committee are convened by the general secretary, at the request of the president or two (2) of its members by notice at least ten (10) days in advance. This notice must specify the meeting agenda whenever possible.

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

In the event of an emergency, the notice may be given by email, telephone or fax at least twenty-four (24) hours before the meeting, and such notice is sufficient in these circumstances.

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

ARTICLE 4 - QUORUM

The quorum is three (3) people.

ARTICLE 5 - VOTE

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

ARTICLE 6 - WORKING CONDITIONS

The working conditions of the members of the Executive Committee are ratified by the Federal Council or Convention.

CHAPTER VIII - DUTIES AND POWERS OF THE MEMBERS OF THE FIQP EXECUTIVE COMMITTEE

ARTICLE 1 - PRESIDENT

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 with the approval 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 committees by right;
- 5) To fulfil all the duties that ensue from her office and 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 sit as vice-president on the Regroupement des FIQ Provincial Executive Committee.

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 order of precedence set;
- 3) To carry out all the mandates entrusted to them by the Executive Committee.

ARTICLE 3 - GENERAL SECRETARY

The general secretary's responsibilities are:

- 1) To be the general secretary of the Executive Committee, Federal Council and Convention by right. She can name another meeting secretary with the consent of the body concerned;
- 2) To keep a register of the minutes of the meetings of the Executive Committee, the regular and special Federal Council meetings, and the regular and special Conventions and to co-sign them with the president;
- 3) To send the minutes of the last meeting of the Executive Committee to the members of said committee 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 correspondence;
- 8) To keep a register of the unions affiliated with the Federation;
- 9) To fulfil all other duties assigned to her by the various bodies of the Federation;
- 10) To pass on all the documents and other goods belonging to the Federation to her successor;

ARTICLE 4 - TREASURER

The treasurer's responsibilities are:

- 1) To manage the budget and any 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 Executive Committee. The date of these reports must coincide with the fiscal year of the Federation;
- 3) To collect the affiliation fees, additional 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 FIQP 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 of the 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.

CHAPTER IX - FIQP COMMITTEES

ARTICLE 1

The FIQP committees are assigned their mandates by either the Convention, Federal Council or Executive Committee, depending on the case.

ARTICLE 2

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

ARTICLE 3

The committees of the Federation are composed of:

- statutory committees;
- ad hoc committees.

Statutory committees are those stipulated in the FIQP 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 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

PART I - ELECTION RULES

ARTICLE 1

The RFIQ Election Committee is responsible for organizing and supervising the elections.

The members of the FIQP Executive Committee and 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 FIQP Executive Committee and committees.

ARTICLE 3 - ELECTION NOTICE

The president of the elections sends the election notice for the positions on the FIQP 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 FIQP 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 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.

This 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 candidacies 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 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 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, these are granted to candidates who obtained the greatest number of votes by decreasing order of votes.
- 8) Elections are held simultaneously for all the positions on the Executive Committee. Hence, 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 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 of the committees begin their terms of office at the end of the meeting at which they were elected.

ARTICLE 7 - VACANCY ON THE FIQP EXECUTIVE COMMITTEE OR COMMITTEES

- 1) A position on the 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 in the case of committees when there are no more substitutes to fill the position. The Federal Council ensures that the vacancy is filled, according to the conditions in this chapter. However, a member of a committee may be replaced temporarily by an elected substitute to pursue the mandate of the member on the committee who must be absent for a period of 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 FIQP EXECUTIVE COMMITTEE AND COMMITTEES

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

- 1) Causing serious harm to the Federation;
- 2) Being absent for more than three (3) meetings of the 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 FIQP 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 FIQP Executive Committee is dismissed, she is considered to have resigned from the Provincial Executive Committee if she sat on it.

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.

The dues are set by the Convention. These dues are payable in 12 instalments on the first of every month.

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.

The number of dues-paying members of an affiliated union is based on the average 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. If there is a modification in the number of certifications held by a union, the dues payable to the Federation are readjusted according to the new number of members, no later than sixty (60) days after the modification. The Executive Committee is authorized to conduct such a verification with each affiliated union.

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

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

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 Executive Committee of the Federation 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, one or more members of the Executive Committee of the Federation or by one or more representatives of the Federation, determined by the Executive Committee of the Federation by resolution and in the manner chosen by the Executive Committee of the Federation. Any of these officers or representatives 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 the 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 people may adjust, settle, verify, and certify the books and accounts between the Federation and its bankers, receive the paid 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 time, for such an amount, in such a way and manner that the 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, to secure, to leave as security and pledge, to 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, the collateral security or the pawning or charge or sell-off and the conveyance mentioned above, by deed of trust in conformity with Québec laws or by any other means;
- 4) Mortgage or to secure the buildings or to give as security or otherwise the moveable assets of the Federation or to give these various guarantees to assure the payment of loans, as well as the payment or the 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 to obtain the funds and capital and to help either by bonus, loan, promise, endorsement, guarantee or otherwise, any other union with whom the Federation may undertake labour relations and to guarantee the carrying out or the performance of all contracts or of all obligations of each one of the said unions or of all persons with whom the Federation may undertake labour relations.

Notwithstanding any other provision of the present document, the FIQP 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 of the Federation in the name of the Federation with any Caisse populaire, credit union, institution or organization dealing with the Federation.

The loans that the FIQP Executive Committee has the power to authorize within the terms of the preceding paragraph cannot exceed fifty thousand (\$50,000) dollars per fiscal year. Subsequent loans must be authorized by the Federal Council.

ARTICLE 7 - POSSESSION OF SECURITIES

The members of the 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 the conditions they deem suitable and to dispose of these securities at a price and with the 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

A member in good standing of a union affiliated to the Federation is eligible, with the exception of members of the FIQP Executive Committee.

ARTICLE 3 - MANDATE

The mandate of the committee is to ensure that the income and expenses of the Federation comply with the decisions and the budgets adopted by the Federal Council or Convention and to 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 Federation.

The committee submits a written report on its work to the Executive Committee, Federal Council and Convention.

ARTICLE 4 - MEETINGS OF THE COMMITTEE

The Committee meets at least once (1) a year.

ARTICLE 5 - QUORUM

The quorum is two (2) members.

CHAPTER XIII - 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 XIV - MISCELLANEOUS PROVISIONS

ARTICLE 1 - PROCEDURES AT MEETINGS

Unless otherwise stated in this Constitution and 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 FIQP 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 FIQP Executive Committee reports on the reasons justifying the application of this article to the appropriate body following the decision.