



# **Union action at the SEU 800**

**Guide for the members of the  
Service Employees Union,  
Local 800**

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LOCAL 800**

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# INTRODUCTION

This guide aims to provide answers to questions frequently asked of delegates and members of the executive committees of base units. It also serves to empower them to enable them to respond effectively to certain situations.

It is easy to navigate and should provide quick help to those who use it. For more information, you should contact your union representative. The "[ues800.org](http://ues800.org)" website also contains a lot of useful information.

At the beginning of the guide, you can read a series of questions and answers for which references are found below. Also general topics, that complement your knowledge and facilitate your work in the union.

## WARNING

The following texts are not official. You should always refer to the laws, your collective agreement and the Articles of the Service Employees Union, Local 800 in force for a proper interpretation. For federal employees, certain changes to this guide will be needed so you should refer to the Canada Labour Code.

## NOTE

The masculine form has been systematically used in this book to facilitate reading. For purposes of interpretation, the masculine form includes both genders.

# FREQUENTLY ASKED QUESTIONS

## WHAT IS A TRADE UNION FOR?

Unionized workers collectively give themselves the ability to:

- negotiate their working conditions;
- improve their working conditions;
- defend their rights and interests;
- be respected.

For more information, see pages 13 and 14.

## WHAT ARE UNION DUES FOR?

Union dues help fund union services and activities, such as:

- support for a person acting as a "union representative"
- negotiations
- assistance and defence of Industrial Accident and occupational disease cases
- assistance and defence of grievances and arbitrations
- support and advice in labor relations
- union training
- legal support and advice
- recruiting
- pay equity
- strike fund

For more information on services offered by the Service Employees Union, Local 800, see pages 15 and 16.

## HOW DOES THE SEU 800 WORK?

The Service Employees Union, Local 800 is split into five (5) divisions. The broad scope of which is decided at its Congresses. Between Congresses, the union is governed by the General Council and between meetings of the General Council, the Executive Committee governs.

For more information, see pages 35 and 36.

## **WHAT MAKES THE BASE UNIT'S EXECUTIVE COMMITTEE EFFECTIVE?**

Solidarity  
Communication.  
Teamwork.

For more information on the base unit, see page 39.

## **WHAT IS THE ROLE OF A UNION REPRESENTATIVE?**

The union representative supports members and the base unit executive committees. He has an advisory role.

To learn more about the union representative, see page 15.

## **WHAT IS A GRIEVANCE?**

Any disagreement regarding the interpretation or application of a collective agreement.

## **WHAT IS THE PROCEDURE FOR FILING A GRIEVANCE?**

- Identify the problem.
- Start an investigation.
- Try to solve the problem.
- Otherwise, verify that the situation warrants filing a grievance under the collective agreement.
- Check the steps and deadlines (collective agreement).
- Know the editing rules.
- Ask the union representative.

To learn more about grievances, see pages 27 and 28.

## **WHAT TO DO IN CASE OF AN INDUSTRIAL ACCIDENT?**

The first thing to do in case of an Industrial Accident is to notify the immediate supervisor, receive first aid, and consult a doctor.

For more information, see page 17.

## **WHAT IS TEMPORARY ASSIGNMENT?**

The employer assigns you to a different job after you've suffered an employment injury, even if the injury has not yet fully healed. Temporary assignment must be approved by your doctor and be part of the rehabilitation process.

For more information on temporary assignment, see page 19.

## **WHAT TO DO IF I BELIEVE THAT WORK REQUIRED OF ME IS A HAZARD TO MY HEALTH AND SAFETY?**

Exercising my right of refusal by refusing to perform work when I reasonably believe that it constitutes a danger to my health and safety. This is an individual right.

For more information concerning the exercise a right of refusal, see pages 20 and 21.

## **HOW TO REACT TOPSYCHOLOGICAL HARASSMENT BY THE EMPLOYER OR A COLLEAGUE?**

- Take the complaint seriously.
- Speak calmly to the alleged victim.
- Listen to the victim.
- Ask for his story in writing if possible.
- Avoid subjecting the victim to an interrogation.
- Reassure the victim.
- Always remember to inform the union representative.
- Investigate while maintaining confidentiality.
- Know the union's policy in this matter.

For more information, see pages 23, 24 and 25.

## **CAN A STRIKE OR LOCKOUT BE CALLED AT ANY TIME?**

Strikes and lockouts are prohibited throughout the term of the collective agreement. To strike, you need a timely, majority vote of members present at a general assembly, with a minimum notice of 48 hours.

For more information, see pages 31-34

## WHAT TO DO IF

### The employer fires or suspends an employee

- do not panic;
- contact the employee;
- listen to the employee, reassure him;
- conduct an investigation;
- remind him that he has rights, that he can challenge the employer's decision.

## WHAT TO DO IF

### The employer calls you to attend an interview for disciplinary action regarding an employee

- listen;
- avoid arguments;
- take notes and the names of those present;
- Note the duration of the meeting;
- do not sign any immediate agreements;
- make a report for the union representative;
- follow the investigation and grievance process (pages 27-28);
- file a grievance if necessary.

## WHAT TO DO IF

### A lockout is triggered (pages 31-34):

- calm employees;
- establish a picket line;
- contact the union representative.

## WHAT TO DO IF

### Your employer fires or suspends you or retaliates for exercising union activities.

- Section 15 of the *Labour Code* allows you to challenge the employer's decision.
- This is an individual complaint. In other words, it is up to you to make a complaint. But if you do, you can be represented by the union at the hearing before the Administrative Labour Tribunal.

# UNIONIZATION

**A trade union is an association of workers with common interests and goals. The right to such an association is governed by the Quebec Labour Code and the Canadian Labour Code for employers under federal jurisdiction.**

## **A balance of power**

Power balance with the employer is important the moment unionization is on the table, that is to say when the workers come together to take action on their working conditions and their rights.

Once unionized, the balance of power remains important even if there is no conflict. A union that assumes its responsibilities and its role is a union that continually seeks to communicate with its members and listens- to be able to adequately represent them with employers. It is the solidarity between members that enables a true balance of power. Is it not true that unity is strength? So often, it is the employer's perception of strength that allows conflicts to be avoided. An employer will not hesitate to clash with his workers if he perceives them as weak and divided.

## **Recruitment**

Recruiting new members is important! The workers must join forces to protect their gains. The phrase "strength in numbers" makes more sense than ever.

Our collective agreements and jobs are at risk if the same work is done elsewhere by other non-union workers at lower wages. Hence we must recruit these exploited workers and, with them, build the standards of fair and equitable working conditions in our work sectors. We will do it together, for ourselves and our families.

## **Objectives**

- ◆ Recruit new members to increase union strength and to expand the range of services offered.
- ◆ Increase the percentage of unionized workers in order to more easily counter "cheap labor" subcontracting.
- ◆ Have greater representation in some sectors to establish standards for fair and equitable working condition.
- ◆ Protect our jobs.
- ◆ Be respected.

## Your involvement

Members of Local 800 are the best ambassadors to promote the benefits of the union. They are also the best people to explain that unionization protects jobs and improves working conditions.

The only involvement required is to put us in touch with the person who wants to improve their working conditions. To do this you can call 514 793-0800 or send an email to: [s.murray@ues800.org](mailto:s.murray@ues800.org).

If you later wish to live the experience of a unionization campaign, we will be happy to welcome you and to share this facet of union life with an experienced recruiter.

Your involvement could earn you the equivalent of a month of contributions received for any new unionized group.

Make a request to get our recruitment policy or visit our website [ues800.org](http://ues800.org).

## Conditions to unionize

- 50% plus one of the workers of the company must have personally signed their **SEU 800 membership card**
- each signee has personally paid the **first union contribution** of 2\$; it is required by law (5\$ for Federal employees)

Unionization is a right recognized by Quebec and Canadian laws (*Labour Code, Charter of Rights and Freedoms* and *Quebec Charter of Human Rights and Freedoms*) and by international laws.

# SERVICES OFFERED BY THE SEU 800

## **Support from a team of union representatives and an activity coordinator**

This team is present in all aspects of union life and assists you in defending your rights and working conditions. The main duties of union representatives are: the interpretation of the collective agreement, monitoring grievance and arbitration procedures, participating in general assemblies, managing strikes, providing service to members, negotiating collective agreements, and participating in various committees. The activity coordinator's mission is to supervise training, support different works, various programs, and projects, and act as a resource person for different activities.

## **Recruitment**

Promote unionization to improve workers' working conditions and increase the strength of your union.

## **Collective agreement**

Implementation and enforcement of the collective agreement. Interpretation of the collective agreement.

## **Negotiation**

Preparation, negotiation and conclusion of collective agreements.

## **Strike Fund**

Financial support in case of conflict.

## **Health and safety at work**

Assistance and defense of Industrial Accident and occupational disease cases before the CNESST, Administrative Labour Tribunal and support at workplace health and safety committees.

## **labor relations**

Support and counsel in labor relations, writing, production and defense of grievances.

## Legal Department

Technical and professional support to union representatives who are mandated to provide the service to members. The legal department also ensures the monitoring of all records pertaining to accreditations.

## Union training

Its objective is to provide tools for activists to improve the workplace through collective union action.

Visit our training program on the website: [ues800.org](http://ues800.org)

## pay equity and its maintenance

The service of a resource person for pay equity in your business and the monitoring necessary for its implementation and its maintenance.

## francization committee

## Training Committee

## Youth Committee

## Insurance Committee (building maintenance)

## Women in Action Committee

## Social Delegates Committee

## Health and Safety Committee

## Website: [ues800.org](http://ues800.org)

## Scholarships

Six (6) scholarships awarded annually by THE SEU 800.

# INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

In case of an accident or occupational disease, the employee must notify the employer or a representative of the employer before leaving the facility or as soon as otherwise possible (Article 265, AIAOD).

Article 2 of the Act says that an Industrial Accident is an injury or a disease arising out of or in connection with a workplace accident or an occupational disease, including a recurrence, relapse or aggravation.

## INDUSTRIAL ACCIDENT

**Definition: A sudden unexpected event attributable to any cause occurring to a person out of or in connection with his work and resulting in a workplace injury.**

1. If the accident does not result in loss of time, the employer is still required to record it in the first aid register. The employee must request a copy.
2. The employee must go to the doctor. He must choose his own doctor, not the employer.
3. For any absence over one day, the employee must provide the employer with a copy of a medical certificate completed by their doctor.
4. The employer will then fill out the "notice to the employer and reimbursement claim." The employee must describe the accident in his own words. It is important to check the specified salary; otherwise the benefits of CNESST could be wrong. Example: "I was at work and I suddenly fell. I twisted my ankle."
5. The employer must pay the employee the rest of the day of the accident at 100% of his salary. Thereafter, he has to pay him 90% of his net salary for every day that he would normally work within the **first 14 calendar days** of the day of the accident. Thereafter it is the CNESST that pays him 90% of his net income until his return to work. The income replacement indemnity reaches up to 50% for the payment of alimony, and is not entirely tax free.
6. If the employee is absent for **more than 14 days**, or to claim expenses (medication, transportation, etc.), he must complete the "worker's claim"

form as soon as possible and send it to the CNESST. He should consult the union as soon as he receives a letter from the CNESST.

## OCCUPATIONAL DISEASE

**Definition:** An occupational disease is defined as a disease contracted out of or in the course of work and characteristic of that work or directly related to the risks peculiar to that work (Article 2 AIAOD).

The circumstances must be linked to the nature of the works and the particular conditions under which the work is done:

1. in the performance of work;
2. having been exposed or subjected to one or more hazardous agents that pose risks to health;
3. the name of the disease, the affected organ or part of the body affected.

In most workplaces, there are occupational diseases. The CNESST recognizes many of them.

Visit [www.csst.qc.ca](http://www.csst.qc.ca) and click on *workers*.



- Temporary assignment must be part of the rehabilitation process. You are assigned to another job when you suffered an employment injury, even if the injury has not healed or strengthened.
- The objective of the temporary assignment is to promote the worker's reintegration.
- We must clarify some concepts. First, prior to a temporary assignment, **the employer must obtain permission from the doctor treating** the worker after meeting the following conditions.
  - The employer, before the placement, provides the worker and his doctor with a full description of the job post and tasks to be done. It should include workloads (posture, movements, weight of the objects to handle and frequency) (art.179 AIAOD).
  - The proposed work should be productive, normal and contribute directly to the company.
  - The treating physician determines if the following three conditions are satisfied with respect to the proposed work:
    - a) the worker is reasonably able to accomplish it;
    - b) the work poses no danger, in spite of the injury;
    - c) the work is conducive to rehabilitation.
  - It is important to provide the doctor with the letter informing him that his decision to refuse the assignment cannot be challenged (see letter to physician in the annex, page 48).
- If the employer deviates from the prescribed temporary assignment, the employee must notify his union and consult his physician.
- The rejection of the temporary assignment by the treating physician cannot be challenged by either the employer or the CNESST. Despite the opinion of his doctor, the worker may consider himself unable to perform the proposed work and contest. So he has no obligation to perform the work proposed. As long as a final decision has not been made, the income replacement indemnity continues to be paid. Under certain conditions, the allowance may be recoverable.

In all cases, the worker may consult his union representative.

## Who can exercise the right of refusal?

The worker may refuse to perform work if he believes that there exists a danger to his health and safety. It is an individual right. The union cannot do it on behalf of its members.

The right of refusal depends on the personal opinion of the person affected. For example, here are some reasonable factors to refuse to perform work.

These factors may be:

- materials (broken pieces of equipment, excessive noise, etc.);
- priors (previous personal accident, accidents to other employees);
- current (burns, dizziness, etc.);

related to the worker's particular situation (e.g.: assignment to a machine for which the employee has received no prior training).

## Steps in the right of refusal

If an employee believes that the work endangers his health, safety or that of another person, he must:

1. notify his immediate superior;
2. the supervisor must request the safety representative or a member of the health and work safety committee or somebody designated by the union to examine the situation;
3. the employer cannot make another employee perform the work until a binding decision has been made;

However, the employer may have the work performed by another employee after informing him that a right of refusal has been exercised;

4. the employee is deemed to be at work;
5. If the safety representative and the employer cannot agree, call the CNESST inspector.

If the inspector sides with the employee and orders the employer to correct the situation, three things can happen.

1. The employer may require the employee to remain at work and assign him temporarily to a task he is reasonably able to accomplish without any loss of pay.
2. If, according to the inspector, there is no danger justifying the refusal; he may order a return to work and still request corrections.
3. If the inspector's decision is not satisfactory, the employee may appeal within 10 days and request a review from the CNESST.

# HARASSMENT

You must know that:

- Harassment is neither wanted nor desired nor solicited. It can be expressed verbally or physically; it is generally restrictive and can occur once or repeatedly. Harassment includes actions, attitudes, motives and gestures that are offensive, unwelcome and immoral.

## Psychological harassment

To constitute psychological harassment, the allegations should contain the following elements:

- Vexatious conduct, i.e. offensive or abusive;
- Repeated conduct, although only one sufficiently serious act may suffice;
- Unwanted or hostile words, gestures or behavior;
- Violation of the dignity, psychological or physical integrity of the employee;
- A workplace that has become harmful.

***"It goes without saying that the concept of psychological harassment cannot be extended to just any situation in which the employer becomes involved under its management rights. We must distinguish between harassment and legitimate employer management that may involve imposing disciplinary measures.***

***We must not assume psychological harassment too quickly"***

(Excerpt from an article in the Journal of the SEU 800 published in June 2004)

## **Steps to denounce alleged harassment**

Anyone who feels harassed and feels that they need help to make it stop should address a member of his unit's Executive Committee, confidentially, so that an investigation can begin. The good faith of anyone who requests the intervention of the union is presumed. The procedure should not however be abused or used maliciously or with the intention to harm anyone.

### **Role and duty of the Executive Committee member who receives a complaint**

The Executive Committee member who receives a complaint must immediately inform the union representative of the SEU 800 assigned to that unit's member services.

### **Union intervention and investigation**

The Executive Committee member that receives the complaint, together with the union representative, investigate the allegations with discretion in order to resolve it. They require the confidentiality of all people who, in one way or another, are involved in the investigation and the resolution of the situation.

### **The mandate of the investigators**

- To collect all the information from the person requesting union intervention.
- Evaluate with this person, the best way to rectify the situation.
- Meet with witnesses individually and get their version.
- Meet "the alleged harasser" and get his version.
- Assess the merits of the complaint.
- Write a report to those responsible for the implementation of the policy with recommendations such as:
  - harassment awareness for the "alleged harasser," of some or of all members of the unit concerned;
  - mediation between the 'alleged victim' and 'alleged harasser' accompanied by a person of their choice and that, after obtaining their consent;
  - filing a grievance;
  - filing a complaint with the CNESST in the event of work stoppage of the victim

After submitting the report to those responsible, inform the "alleged victim" of the recommendations regarding the complaint and the follow-up given to it.

Filing a grievance on behalf of the "alleged victim" implies that the SEU 800 is reasonably convinced, following the union intervention and investigation, that the gestures or words in question constitute harassment and that they were actually made and/or said.

Consequently, a grievance to contest measures that would subsequently be imposed by the employer on the "alleged harasser" (which is also an employee), will not be filed by the SEU 800 if it considers that the measure imposed is inappropriate (type of measure) or disproportionate (severity of the measure). A person representing the Union, other than the one who completed the intervention and investigation, is then mandated to represent the member in the treatment of his complaint and subsequently, in arbitration.



# GRIEVANCES

## 1. What is a grievance?

The definition of grievance usually appears in the collective agreement. If this is not the case, you can refer to the Quebec Labour Code, Article 1 (f) which read as follows:

"any disagreement respecting the interpretation or application of a collective agreement".

## 2. Who can file a grievance?

Generally, the union has the power to file a grievance, whether in its own name or that of the employees it represents. By union, we mean a union representative, a member of the executive committee or a delegate. Some collective agreements allow the filing of a grievance by an employee.

## 3. What is the procedure for filing a grievance?

- Identify the problem.
- Investigate.
- Check the steps **and deadlines** (collective agreement).
- Evaluate our action to try to resolve the problem before filing the complaint.

**Attention** The union representative must always be warned and receive a copy of any grievance before filing. A procedural error could disqualify a grievance.

#### 4. After finding the problem, we need to investigate

(Survey Form attached)

Who? Who is involved, who are the witnesses.

What? What is the problem, case history, facts, witnesses.

When? When did the incident occur (date, time).

Where? Where did events occur.

Why? Why did the problem arise.

Are there any documents to attach to the file?

Examples:

- Disciplinary letter
- Seniority List
- Employer memo
- pay stub.

#### 5. Writing the grievance

(Preferably use an SEU 800 grievance form - example attached)

Sample wording:

**We challenge** the disciplinary notice dated \_\_\_\_\_.

**We demand** the annulment of the disciplinary notice and its removal from the file.

Writing a complaint is not always easy. It is best to know the editing rules and other requirements by attending union training.

We must also remember to always **inform the union representative**.

# MOBILIZATION IN THE WORKPLACE

The strength of a union is largely based on mobilization in the workplace. To promote solidarity, you should educate members on union and labor issues.

## How?

- First introduce yourself, then take the time to encourage members to ask questions.
- Take the time to talk with members, listen to them.
- Your attention helps strengthen the morale of the workers. It helps to increase their confidence in the union and to increase their participation.
- Rally leaders, encourage members to talk to each other.
- Find ways to stay in touch with members, send them news, and keep them informed.
- Update the union's notice board.
- Emphasize the small victories.
- Create activities that allow members to have fun and get to know each other.
- Meet the new members or at least welcome them in writing or with a kind word. Check if they have signed their membership card and give them a copy of the collective agreement and an SEU 800 welcome kit.
- Make a journal.
- Get your members interested in the life of their unit.
- Remember that the union belongs to its members.

It is important to negotiate clauses in the collective agreement that facilitate communication with members, like time to welcome new members, time to investigate grievances, and time for union activities.

# STRIKES AND LOCKOUTS

A strike is an ultimate, last resort to protect or improve our rights and working conditions. It is never a goal.

**The decision to go on strike belongs to the Members.**

A lockout is the closure of the workplace by the employer to break a strike or to respond to the demands of workers.

According to the Labour Code:

(Art 58) **[Right to strike or lockout]** The right to strike or to a lock-out shall be acquired 90 days after reception, by the person to whom it is addressed, of the notice served on him or transmitted to him in accordance with section 52.1 or that he is deemed to have received in accordance with section 52.2, unless a collective agreement has been reached between the parties or unless, by mutual consent, they decide to submit their dispute to an arbitrator. (See also Art.52.1 and 52.2 CTQ)

The Labour Code imposes certain obligations:

1. hold a secret ballot and obtain a majority mandate before calling a strike;
2. inform the members at least 48 hours in advance of a strike vote or for the ratification of the collective agreement.

It is important to explain the reasons for the strike, its consequences, but above all to have the support of the members.

## The police

In case of a strike or lockout, there are attitudes to avoid in our interactions with the police:

Do not believe that we can subdue the police, do not think that the police is on our side.

We could meet with police and explain that we intend to lawfully picket and we do not want any unpleasant incidents.

On the picket line, appoint someone in charge of parley, to talk to the police.  
**Avoid provocation.**

If the police intervene, do not resist. Circulate and demand to see a lawyer if arrested. **Keep cool!**

## **Security officers**

Companies often use security guards to protect their property and control access to their property. This is their right.

There is no need to provoke or insult the security agents. They have a job to do and it's best to ignore them. It is recommended, however, to identify the company they work for and pass the information to your union representative.

Security officers are not police officers. As long as the picketers remain on public property, they cannot be given orders, be shoved or arrested by the security agents.

If a security agent threatens, insults or shoves a picketer, avoid confrontation, record the facts (words, gestures, witnesses, places, etc.) and make a complaint to the Police as soon as possible. Do not fall into the trap of provocation. Contact your representative; if these agents are unionized, contact with their union could calm things down.

## **Organize the picketing**

Picketing is meant to raise public awareness, mobilize troops and disrupt business operations.

The structure of the picket line should aim to get everyone involved. Members are divided into teams who take turns to ensure effective presence when required. Each team has a leader, manager or strike captain. It is not necessary to have the same number of picketers at all times.

Picketing should be concentrated at times when it hurts the employer most.

You should not hesitate to change the schedule to be more efficient or get more participation.

## Everyone is in on it

Having picketers from all departments of the workplace is helpful. It aids in the identification of scabs and allows effective intervention by investigators responsible for enforcing the Law following a union complaint. Bringing picketers together will also effectively create additional links within the union.

You can also make contacts with other groups on strike and exchange picketers.

Relations with other unionized groups called to cross our picket lines– other units, delivery men, customers or suppliers, construction or service workers like gas, Hydro-Québec, Bell, the municipality, etc. – should be handled with tact. We must avoid being against each other. Sometimes circumstances make it impossible for a group to support us the way we would like.

Unless they are performing other tasks agreed upon with the union, everyone should understand that they cannot stay outside of the picket line.

The limits imposed by laws often make picketing symbolic but not useless. By lawful definition, the right to picket is the right to gather on public roads and provide information to those who approach.

A striker has no more or less rights than citizens in this regard. Consequently, picketing can be done on public roads anywhere, anytime, and by anyone.

## SEU 800 policy regarding the right to strike pay

Striking members who are present for the entire required daily picketing time are entitled to benefits.

As of the start of a continuous strike or any day of a discontinuous strike:

\$ 30.00 / day, up to \$ 150 for the same week.

As of 2nd Sunday of continuous strike or the 6th day of a discontinuous strike:

\$ 60.00 / day, up to \$ 300 for the same week.

As of the fourth week of a continuous strike or the 20th day of a discontinuous strike:

\$ 80.00 / day, up to \$ 400 for the same week.

These provisions also apply to a lockout.

The SEU 800 can implement this policy in different ways under exceptional circumstances or for specific base units when its full implementation would make it reasonably impossible to exercise certain rights or activities necessary to maintain union life in the base unit, or be contrary to the interests of the Union.

Participation in picketing must be confirmed by signing the attendance sheet or by any other means specified by the Union.

### Payment of Benefits

Striking members receive strike pay for their first week of striking during the 2<sup>nd</sup> week of the strike and so on.

In case of a dispute (strike or lockout), do not hesitate to get the QFL guide entitled "***To win we must organize***" from the Service Employees Union, Local 800.

You can find excellent information on mobilization, picketing, relations with the police and strategies.

# STRUCTURE OF THE SEU 800

## DIVISIONS

A division is the grouping of base unit members working in similar sectors. Currently there are four divisions:

- ✚ Building Maintenance
- ✚ Industry
- ✚ Service, Retail, Financial Institutions and Transport
- ✚ Education Support
- ✚ Clothing, Textile and Hospitality

## THE CONGRESS

The Congress of the SEU 800 (which takes place every four years) is the equivalent of a base unit's general assembly. It is the supreme authority of the Union, that is to say that it is the Congress that decides the general direction of the Union, the amount of union dues, changes to the Constitution and the election of those who will lead the Union until the next Congress.

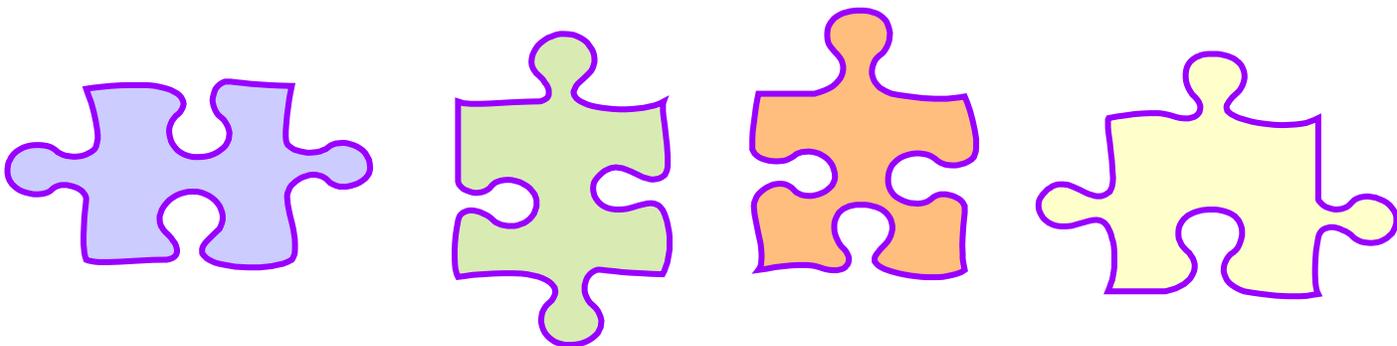
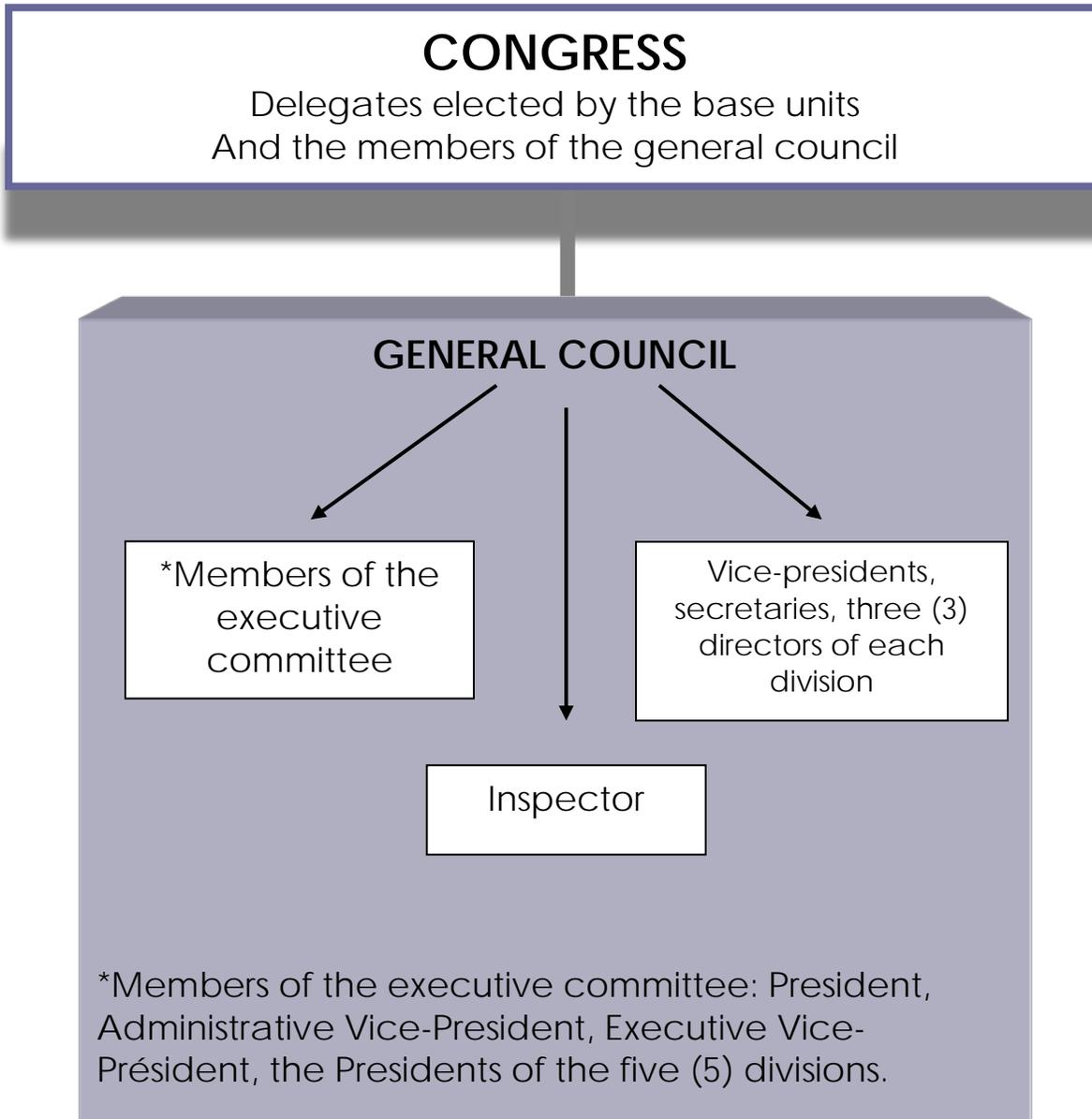
## THE GENERAL COUNCIL

The Union's General Council is the governing body of the union between Congresses. It meets regularly– every three months– to establish the principles of action and the overall direction of the activities of the Union based on decisions taken at the Congress. The members of the General Council have a four-year term.

## THE EXECUTIVE COMMITTEE

The Executive Committee is the governing body of the Union between meetings of the General Council. It consists of the elected positions of President, Administrative Vice President, Executive Vice President and the President of each division.

# Organizational chart



# The base unit

The base unit is the base structure of union movement. It is this unit that brings workers together, so it has a greater ability to identify their specific needs, interests and problems they face.

The operation of the base unit must reflect this reality and thus enable members to express themselves freely and democratically, and that, through the General Assembly.

## **First union involvement**

The workers of the base unit should choose the executive committee members, who are elected in general meetings or in the manner provided in the Union's Constitution. You decide to get involved, you are elected and you become a member of the executive committee. Before getting involved, it would be helpful to review the organizational structure of the base unit and the structure of the SEU 800 to learn more about where you stand, your role and responsibilities.

## The executive committee of the base unit: a team

The Executive Committee is generally composed of the persons holding the positions of president, vice president, and secretary-treasurer. The Union's Constitution provides for the possibility of adding others. You need to manage and coordinate the activities of the base unit according to the mandates received at the General Assembly, in accordance with the Constitution of the Service Employees Union, Local 800. Although the Constitution of the SEU 800 provide that the executive committee of the base unit consist of five (5) members, your unit might decide to operate with only 2 or 3 people.

### Teamwork

The first step after the election is to arrange a first meeting of all elected members to determine each one's role, define responsibilities, identify priority issues, establish an action plan and determine the frequency of meetings.

Remember that everyone's responsibility should complement that of other members of the executive committee. The Executive Committee is a cohesive team responsible for their base unit. The first concern of the executive committee is the members of their base unit.

When members encounter difficulties in their work environment, they want the help and support of this team. They must therefore be able to reach the Executive Committee members easily. To this end, it is recommended to make contact information available (page 41). All Executive Committee members, regardless of their title, may have to take care of:

- ❖ union life in the base unit;
- ❖ what goes on in the workplace;
- ❖ upcoming activities
  - negotiation,
  - grievance follow-ups,
  - problem resolution,
  - pressure tactics,
  - General Meetings,
  - Delegates meetings
  - Health and safety, etc.

The work of the executive committee will be effective only if the team consistently works together.

# Operation of the base unit

For the base unit to work well, it requires:

- everyone to perform the tasks related to the position to which they were elected
- that the members' money be well spent, in accordance with the constitution and policies of the Union and the policies of the base unit
- that the membership lists are kept up to date
- that decisions are taken by consensus
- that everyone endorses and defends the decisions taken.

You can count on the support and expertise of a union resource person: the union representative assigned to your base unit.

## Executive committee meetings

For executive committee meetings to be successful, it is important that all members attend and express their opinion. To avoid time wasting and confusion, an agenda should be written and followed.

## The union belongs to its members

The union belongs to its members. It is therefore quite normal that the workers of the base unit make decisions about the union. They must also decide their working conditions and approve the solutions to problems that occur in their own workplace. To make these decisions democratically, the workers of the base unit hold a general assembly.

The general assembly is made up of all "members" in good standing. This assembly is sovereign and its decisions bind all the members of the base unit.

## **The General Assembly is the decision-making body of the base unit.**

It has authority over all matters within its jurisdiction. It can:

- adopt, amend or repeal the base unit operating rules, all in accordance with the Constitution of the SEU Local 800;
- elect the Executive Committee;
- decide on the creation of a social activities fund and determine its functioning;
- adopt any policy governing the expenditures of the base unit;
- approve financial statements;
- elect delegates to the Congress of the SEU Local 800 in accordance with the Constitution of the Union;
- decide on the acceptance or rejection of the employer's proposals and the collective agreement; if necessary, propose pressure tactics to exercise power with the employer;
- solve other problems in the base unit;
- vote on any proposal or report submitted to it;
- vote by secret ballot for the exercise of the right to strike.

The frequency of general meetings is determined by the needs of the base unit while considering the decisions required for all workers. However, a general meeting must be convened at least once a year.

The convening of a regular general meeting must be done with at least a seven (7) day advance written notice to that effect. The notice can be posted or sent to each member and must include the agenda of the meeting. A special or emergency general assembly may be convened within a 48 hour period.

## Procedural rules of a general meeting

Before allowing an employee to attend a general assembly, you must check that he has signed his membership card to ensure that he is in good standing. If necessary, he must sign his card on the spot to attend the assembly. To this end, an attendance list of members that have signed their membership card is required.

To ensure that the General Assembly is democratic and to allow all members to participate actively, we need two things:

- ◆ to know and respect the current assembly procedural rules
- ◆ to allow everyone to express their opinion.

These two points are equally important, as it serves no purpose to have an encyclopedic knowledge of the procedural rules if you are unable to give your opinion, and it is useless to be a good orator if you do not know when you can speak and on what topic.

We must know not only the procedural rules of the assembly, but also the Constitution of the Union. The "**Constitution**" of the SEU 800 is the written articles of the union, which legally sets its objectives, means and rules of operation.

Members of a base unit, through its executive committee, cannot go against the Constitution of the SEU Local 800. The base unit should establish its operating rules always referring to the Constitution.

You can purchase the book of Statutes at the union office or on the website. The book of Statutes should be part of your "tool box".

The secretary must write an account of the General Meeting (minutes) to keep track of the decisions made and to have them adopted at the next general assembly. When the base unit has a union fund, it must present a report to the General Assembly.

# Policy on union dues

In force since June 15th 2003.

## 1. Scope

- 1.1. This policy applies to any employee employed by an employer in an establishment covered by an accreditation certificate issued to the Service Employees Union, Local 800.
- 1.2. It applies as soon as the certificate of accreditation to the Union is issued and, later, to any new employee on his first day of employment.
- 1.3. It also applies until the end of the employee's employment.

## 2. Policy

- 2.1 The employee will pay, weekly, 1.75% of his salary, up to a maximum of \$ 13.75 per week.
- 2.2 Union dues at the rate of 1.75% apply in all cases where the employee receives a salary from the employer, including, but not limited to, the following cases:
  - the payment of sick days;
  - the payment by the employer of income replacement benefits under the Act respecting industrial accidents and occupational diseases and the Act respecting occupational health and safety;
  - vacation pay;
  - payment of social or special leave of any kind whatsoever;
  - payment of floating holidays;
  - the payment of any amount related to a maternity or paternity leave;
  - any amount received in settlement of a grievance;
  - any amount received for an award or decision by the Labour Relations Commission;
  - generally, the salary paid during any absence;
  - any amount of retroactive, indexed or lump sum payment made following the signing of a collective agreement to a person who is no longer employed at the time of payment.

2.3 The fee also applies during an absence resulting from an Industrial Accident or occupational disease, recognized by the CNESST, based on the salary the employee would normally have received from the employer were it not for this absence; the fee for the absence period is payable upon the return to work of the employee, minus the portion paid during the absence.

2.4 Despite the rule in paragraph 2.2, no contribution is payable in the following cases:

- the payment of overtime;
- the payment of the cash value portion of unused sick days;
- the payment of the cash value portion of unused floating holidays;
- bonuses of any kind;
- any amount of retroactive, indexed or lump sum payments made following the signing of a collective agreement to an employee who is employed at the time of payment;
- disability insurance benefits advanced by the employer.

# YOU'RE WORK TOOLS

To help you do your job well you will have:

- your membership card
- a copy of your collective agreement
- a seniority list
- a copy of the Constitution of the Service Employees Union, Local 800
- Claim Forms for Industrial Accidents
- copies of declarations in the accidents log
- Grievance forms
- Grievance investigation forms
- the web address of the SEU 800
- any other information that could serve the needs of members of your unit (policies of base unit, minutes of meetings).

Most of these documents are available at all SEU 800 offices.

**SERVICE EMPLOYEES UNION, LOCAL 800**

WEBSITE: [ues800.org](http://ues800.org)

***Head Office***

**MONTREAL**      Phone:      514 385-1717      Fax:      514 385-9888  
                          Toll free:      1 800 361-2486

***Regional Offices***

**QUEBEC**      Phone:      418 627-8800      Fax:      418 627-5617  
                          Toll free:      1 800 565-2800

**TROIS-RIVIERES**      Phone:      819 376-2800      Fax:      819 376-6372

**GATINEAU**      Phone:      819 771-2800      Fax:      819 771-4254

**SAGUENAY**      Phone:      418 699-0180  
                          Toll free:      1 800 465-0180      Fax:      418 699-7272

**ACTON-VALE**      Phone:      450 546-3293      Fax:      450 546-7179

**QFL REGIONAL COUNCILS**

METROPOLITAN MONTREAL      Phone:      514 385-3666

QUEBEC-CHAUDIÈRE-APPALACHES      Phone:      418 623-8713

OUTAOUAIS      Phone:      819 777-5441

SAGUENAY LAC-ST-JEAN      Phone:      418 699-0199

QUEBEC CENTRE (Mauricie)      Phone:      819 378-4049

ESTRIE      Phone:      819 562-3922

LAURENTIDES LANAUDIÈRE      Phone:      450 438-8281

**CNESST**

Information      Toll-free:      1 844 838-0808

**BUILDING MAINTENANCE JOINT COMMITTEE**

Joint Committee (Public Building Services)      Montreal      514 384-6640

Joint Committee (Public Building Services)      Québec      418 667-3551

## Quick Reference

(To be completed for your base unit)

Name	Telephone and Email
President	
Union Representative	
Office of the SEU, Local 800	
QFL Regional Council	
Commission des normes du travail de l'équité, de la santé et sécurité du travail (CNESST)	Toll-free number 1 844-838-0808
Division President <ul style="list-style-type: none"> <li>– Building Maintenance</li> <li>– Industries</li> <li>– Services, Retail, Financial Institutions and Transport</li> <li>– support Education</li> <li>– Clothing, Textile and Hospitality</li> </ul>	
ues800.org website	

# GLOSSARY

<b>TAT</b>	Administrative Labour Tribunal (Tribunal administratif du travail)
<b>Executive Committee of the SEU Local 800</b>	The executive committee of the Union consists of the positions of President, Vice President of Administration, Executive Vice President and a number of positions equal to the number of divisions.
<b>SEU Local 800 Congress</b>	Meeting for delegates of basic units which is the supreme authority of decisions taken within the SEU Local 800.
<b>Canadian Labour Congress (CLC)</b>	Gathering of provincial federations at the national level.
<b>General Council of the SEU Local 800</b>	All congress members elected who sees monitoring of policies determined at the Congress and governs the Union between conventions.
<b>QFLRC</b>	Quebec Federation of Labour Regional Councils
<b>CNESST</b>	Commission on standards, equity, health and safety at work (Commission des normes, de l'équité, de la santé et sécurité du travail)
<b>Decree</b>	Legal extension of a collective agreement in a sector of activity. There is one in housekeeping.
<b>Division</b>	Grouping of members of base units working in similar sectors.
<b>QFL</b>	Quebec Federation of Labour
<b>AIAOD</b>	Act respecting industrial accidents and occupational diseases
<b>LSST</b>	Act respecting occupational health and safety
<b>Attending Physician</b>	Health professional chosen by the worker (art.192 AIAOD)

<b>Member in good standing</b>	Any employee contributing to the Service Employees Union Local 800 who signed his union membership card in accordance with the Statutes of the SEU 800.
<b>Union representative</b>	Employee appointed by the Service Employees Union, Local 800 to act on its behalf under the Labour Code in the different base units.
<b>SEU LOCAL 800</b>	Grouping of different base units. The Service Employees union, Local 800 is affiliated with the largest trade union federation in Quebec, the QFL (Quebec Federation of Labour). The SEU Local 800 originated from the international union, "Service Employees International Union" and is governed by a charter.
<b>SEIU</b>	The International Union of Service industry employees (Service Employees International Union) has over two million members.
<b>Base unit</b>	Grouping of workers working for the same employer and covered by an accreditation.

# FORMS

## UNION MEMBERSHIP CARD (STÉPHANE MURRAY)

 Membership card for new member

 Membership card for new employee

## COMPLAINT FORM

## INVESTIGATION COMPLAINT FORM

## ACCIDENT - LETTER TO PHYSICIAN

# Membership card for new member

NOM : \_\_\_\_\_  
EN LETTRE MOULÉES S.V.P.

ADRESSE : \_\_\_\_\_  
\_\_\_\_\_

CODE POSTAL : \_\_\_\_\_

TÉL : \_\_\_\_\_

\_\_\_\_\_

ADRESSE COURRIEL

\_\_\_\_\_

DATE DE L'ADHÉSION

**2,00\$**  
PAIEMENT

J'adhère à l'Union des Employés et Employées de service section locale 800 et paie la cotisation tel qu'exigée par la loi.

\_\_\_\_\_

**SIGNATURE**

\_\_\_\_\_

TÉMOIN



# Membership card for new employee



Union des employés et employées de service  
SECTION LOCALE 800  
Service Employee's Union  
LOCAL 800



920, rue de Port-Royal Est / Port-Royal Street East  
Montréal (Québec) H2C 2B3  
Tél. : (514) 385-1717  
1-800-361-2486

*Je soussigné-e, demande par la présente à devenir membre de l'Union susmentionnée, et autorise ladite Union à me représenter et conclure une convention collective de travail.*

*I, the undersigned, hereby apply for membership in the above named Union, and authorize said Union to represent me, to negotiate and conclude a collective agreement.*

## LETTRES MOULÉES - BLOCK LETTERS

Nom de famille  
Family name \_\_\_\_\_

Adresse  
Address \_\_\_\_\_

Ville  
City \_\_\_\_\_

Numéro d'assurance sociale  
Social Insurance number \_\_\_\_\_

Langue : Français  Anglais   
Language: French English

Titre d'emploi  
Job title \_\_\_\_\_

Nom de l'employeur  
Employer's name \_\_\_\_\_

Date \_\_\_\_\_

Prénom  
First name \_\_\_\_\_

Nom de fille  
Maiden name \_\_\_\_\_

Code postal  
Postal code \_\_\_\_\_

Téléphone  
Telephone ( ) \_\_\_\_\_

Sexe : F  H   
Gender: W  M

Date de naissance  
Date of birth \_\_\_\_\_

Courriel  
Email \_\_\_\_\_

Signature \_\_\_\_\_



(voir au verso) (see reverse side)

# Complaint form

UNION DES EMPLOYÉS ET EMPLOYÉES DE  
SERVICE  
SECTION LOCALE 800  
FORMULE 804 (MAI 2010)



**GRIEF**

Nom du Syndicat		<b>UNION DES EMPLOYÉS ET EMPLOYÉES DE SERVICE, SECTION LOCALE 800</b>	
Nom du (de la) représentant (e) syndical(e)			
Nom de l'employé (e)			
Employeur			
Lieu de travail			
Titre d'emploi			
<b>Nature du grief</b> (Description de la mésentente et remède recherché)			
Signature du (de la) plaignante(e)		Date	
Signature du (de la) représentant(e) syndical(e) (le cas échéant)		Date	
Clauses invoquées : <b>La convention collective et ses articles, toute autre disposition pertinente</b>			
Télécopieur :		À l'attention de :	
Reçu par		Date	
<b>Disposition du grief (si réglé et comment)</b>			
Signature de l'employeur ou de son représentant		Date	
Signature du (de la)		date	

# Investigation complaint form

<b>SERVICE EMPLOYEES UNION LOCAL 800</b>  FORM 803 (APRIL 2013)	 <b>INVESTIGATION REPORT</b> (very important)
Base unit number :	Date :
<b>EMPLOYER :</b>	
Union representative	
Date of the meeting	
Name of complainant	
Address	
Phone number	
Job title and description of the functions of the complainant	
Seniority	
Immediate superior	
Nature of the incident	
Complainant's version (Add sheet (803-2) if not enough space and have the complainant sign it)	
Complainant's signature (Reverse)	

Name of the witnesses to the event (if necessary)

1	Name	
	Address	
	Phone number	
2	Name	
	Address	
	Phone number	
3	Name	
	Address	
	Phone number	
Obtained documents		
Documents to be obtained		
Pertinent clauses within the collective agreement		
Grievance number (if filed)		Date
Union representative's signature		

Form 803 / 2013/04/15 cc

(Form 803-2)

Complainant's version (cont'd) :

Complainant's signature

# Industrial Accident

## Temporary assignment - Letter to attending physician

Subject: Temporary assignment under the Act respecting industrial accidents and occupational diseases

Your patient gave you a form that he (she) is required to make you complete. The employer may temporarily assign an injured worker to a light task, even if the employment injury is not healed. Your role is to determine whether the tasks proposed by the employer can be completed safely, that they do not pose a risk to your patient and, above all, that the worker's return to work on temporary assignment is in itself a helpful measure on the road to rehabilitation.

We wish to inform you that if you believe the worker is unfit for any work under the law, your decision may not be challenged by either the employer's doctors nor by CNESST doctors.

Thank you for your attention.