



Service Employees Union, Local 800

CONSTITUTION



ADOPTED AT THE
11TH CONVENTION
SEPTEMBER 15TH, 16TH AND 17TH, 2023

Note : *modifications adopted at the 11th Convention are indicated by a line in the margin and bold text.*

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CHAPTER I– GENERAL DISPOSITIONS

ARTICLE 1 – DEFINITION OF TERMS

- 1.1 **Union** : refers to the Service Employees Union, Local 800.
- 1.2 **International Union**: refers to the Service Employees International Union (SEIU).
- 1.3 **Constitution**: text setting the functioning rules of an association or society.
- 1.4 **Vacancy** :
- 1) Resignation of an incumbent
 - 2) Death of an incumbent
 - 3) Voluntary departure of an incumbent
 - 4) The incumbent works in a division other than the one he was elected for
 - 5) Dismissal of the incumbent
- 1.5 **Salaried employee** :
- includes any person, salaried, worker, employee or resource.

ARTICLE 2 – NAME AND JUDICIAL FOUNDATION

- 2.1 The Union is a group of salaried employees formed in a union for the purpose of evaluating, protecting and developing the economic, social and educational interests of its members and particularly negotiates and implements the collective agreements.
- 2.2 The Union acts and is known as l'Union des employés et employées de service, section locale 800 and in English as Service Employees Union, Local 800.

ARTICLE 3 – AFFILIATION

- 3.1 The Union is affiliated to the Quebec Federation of Labour (QFL) and to the CLC (Canadian Labour Congress)
- 3.2 The affiliation of the Union to Regional Councils where it represents any group of members and any other workers group is decided by the Union General Council.
- 3.3 The merger of a union with the Union is decided in conformity to the present constitution.

ARTICLE 4 – JURISDICTION

The Union has jurisdiction over all salaried employees working in Quebec, especially those working in schools, high schools, colleges, universities, cities, counties, institutions or agencies, hospitals, retirement homes and other health services, factories, financial institutions, garment and textile companies, insurance companies or societies, commercial establishments, hotels, restaurants, gathering places, amusement, leisure, recreation, sport centers, federal agencies, private and public development services on all grounds, buildings and surroundings as well as every field determined by the Union.

ARTICLE 5 – PURPOSE

The Union proposes the following means and actions to:

- a) Promote its members' professional interests and work towards their social, economic, cultural and political promotion.
- b) Defend the free Union principle.
- c) Work towards the expansion of the Union to benefit an increasing number of workers through either recruiting, raiding, or merging.
- d) Combat all discrimination related to race, color, sex, pregnancy, sexual orientation, civil status, age, religion, political beliefs, language, ethnic background or nationality, social condition, disability or the use of any means to compensate for it.

- e) Work towards implementing a social justice system, human dignity and democratic freedom in Quebec.
- f) Defend freedom of information and encourage Union press as well as any other means to ensure its members' information and education.
- g) Practice Union activities that assert and adopt the particularities and aspirations of Quebec workers while remaining implacably attached to the workers' international solidarity principle.
- h) Encourage its members participation in political life in any form and ensure their dominating presence everywhere decisions are made in their name by perfecting, on one hand, their social, political and economical development and by encouraging them, on the other hand, to participate in popular gatherings or even political parties that may create, by their action, a radical change in our society's organization in the interest of the workers.
- i) The Union does not pronounce on the sovereignty of Quebec. The Union however may publicly support a political party, if the General Council of the Union, by way of an adopted resolution within a 2/3 proportion of votes, judges it is necessary and/or appropriate in the interests of its' members.

ARTICLE 6 – HEAD OFFICE

The Union head office is located in the city or in the Montreal area, at the civic address determined by the Union Executive Committee.

CHAPTER II – UNION STRUCTURES

– SECTION 1 – GENERAL DISPOSITIONS

ARTICLE 7 – UNION GROUPS

- 7.1 The Union consists of Base Units, Divisions, a General Council and an Executive Committee.
- 7.2 The regular assemblies of the members of these organizations must be convened at least seven (7) days in advance, indicating the date, hour, place and use of video conferencing, if available, for the general assembly by means of a written notice to those concerned members, stating the reasons of the convening. Video conferencing **may** be used during voting, **on a secure platform**, for the renewal of a collective agreement, **according to the choice of the union representative and with the agreement of the base unit executive committee, when there is one.**

In all cases where it becomes necessary to convene a special assembly, a minimal delay of 48 hours must be respected.

- 7.3 The adopted resolutions of these groups must be voted by the majority of members present at the meetings according to the dispositions regarding quorum, applicable to each of these groups.
- 7.4 When a replacement or a vacancy is filled according to the present Constitution, it is substituted to the rights and obligations of the person holding this title.

ARTICLE 8 – MEMBER STATUS

8.1 **Eligibility**

To be a member of the Union, a salaried person must have been targeted by a recruitment campaign or by an accreditation by the Union at the time of his joining and have been accepted under this title by the Executive Committee of the Union;

8.2 **Membership**

A. Membership during a recruiting campaign, a raiding period or a merger:

- a) An eligible salaried employee wishing to become a member of the Union must sign the membership request form and, if need be, pay the Union dues according to the amount fixed by law or the pertaining rule.
- b) In general, these Union dues are the only amount a salaried employee must pay the Union during the period between the signing of his/her request and the issuance of the Union certification towards the salaried employees group he/she is part of.
- c) The Union Executive Committee can suspend the obligation of the Base Unit members to pay the Union dues during the period between the Union certification issuance and the implementation of the collective agreement.

B. Membership at another time

- a) An eligible salaried employee wishing to become a Union member at another time must sign his/her membership form and pay the Union initiation fees according to the amount fixed by the Union Executive Committee. This person becomes a member of the Union as soon the Union Executive Committee accepts him/her as such.
- b) The President, the Vice President of administration and the Executive Vice President are full Union members while exercising their mandate.

8.3 **Denunciation**

a) The denunciation procedure may be used against a member of the Union, by another member of the Union, for one or another of the following motives:

- 1. The alleged violation of the Constitution.

2. Conduct unworthy of a Union member.
 3. Gross negligence or ineffectiveness endangering the Unions' interests.
 4. Negligence or carelessness in administering the Union or the Base Unit funds.
 5. Alleged corruption schemes or practices contrary to Unions' ethics.
 6. Activities aiming at harming the Union or aimed at changing the Union allegiance.
 7. Damaging in any way the assets or property of the Union.
 8. Participating in activities as a strike breaker.
 9. The denunciation of a Union member without reasonable motives and in a malicious manner.
- b) The written notice of denunciation must include the supporting motives and be transmitted to the Executive Committee of the Union and to the member or members being denounced.
- c) Upon reception of the notice of denunciation, the Executive Committee of the Union must decide on the validity of the denunciation and inform the concerned parties on the treatment of this denunciation, if necessary.
- The Executive Committee of the Union may have recourse to one or another of the following measures:
1. Mandate a person to investigate and provide a report;
 2. Mandate a person for to intervene, by attempting to conciliate the parties and provide a report;
 3. Convene the parties and other useful witness to a hearing.
- d) The Executive Committee of the Union must render a motivated and written decision within a reasonable delay following the reception of the report or the hearing and transmit a copy to the concerned parties.

- e) The Executive Committee of the Union has the power to accept or reject a denunciation, to suspend, exclude, dismiss and/or impose any other sanction upon a member of the Union.
- f) The decision of the Executive Committee who receives the denunciation is subject to appeal by one or all members being denounced in front of the General Council of the Union.
- g) The decision of the Executive Committee relative to a denunciation, for one reason or another that hose foreseen in 8.3 a) 4), becomes executed only upon the expiration delay of the appeal to the General Council. Furthermore, the appeal of the decision of the Executive Committee at the General Council in the other cases suspends the execution of this decision.
- h) The appeal is formed by the transmission, to the person in the position of the President of the Union, by way of written appeal notice to the General Council within the ten (10) days of learning of the decision.
- i) The General Council must convene the person requesting the appeal of the decision rendered by the Executive Committee to hear their representation. They may convene the person or persons who formulated the denunciation but they do not hear from witnesses.
- j) The General Council of the Union must render their motivated and written decision within a reasonable delay following the hearing.
- k) When the person being denounced and/or the person formulating the denunciation is a member of the General Council of the Union, they may be present at the hearing but they do not have the right to vote.
- l) A request for revision of the decision imposing a sanction may be presented to the General Council of the Union after twelve (12) months of the decision taking effect. The General Council shall study the demand upon its merit and render a decision in writing.

8.4 **Honorary member**

The General Council may nominate as « honorary member » a person who was useful in any way to the Union. The honorary member has no voting right in any proceedings provided in the present Constitution and is not eligible for any function.

ARTICLE 9 – UNION DUES

9.1 **Modification of Union dues**

A modification of Union dues must be approved by the majority of the Union Convention delegates having voted on a Union Executive Committee proposal previously submitted to the Union General Council.

9.2 **Payment of Union dues**

Union dues must be paid to the Union within fifteen (15) days following the expiry month in which it is owed. Payment of the mentioned dues is the individual responsibility of the Union members. The Union member must notify of any change of address or civil status. A member not paying the Union dues at term leads to his suspension as a member and the loss of the rights provided in the present Constitution. Payment of the owed Union dues lifts the suspension.

9.3 **Retired member**

Exceptionally, a retired member may remain a Union member by paying an amount of \$ 1.50 per week. However, he has no right to vote in any proceedings provided for in the present Constitution and is not eligible for any function.

– SECTION 2 – BASE UNITS

ARTICLE 10 – DEFINITION AND RESPONSIBILITIES

- 10.1 The Base Unit designates a group of salaried employees working for a given employer inside a territorial area fixed by the Union Executive Committee.
- 10.2 The amounts returned by the Union to the Base Unit or that are part, on its request, of the amounts of which the Union requires the deduction by the employer on the salary of the persons that compose it, belong exclusively to the Base Unit.
- 10.3 The Base Unit fully, entirely and exclusively controls the amounts of money and by its general meeting's decision, adopts functioning rules for managing, administrating and the use of these amounts by the Base Unit Executive Committee.
- 10.4 The Base Unit Executive Committee must report during a regular general assembly of its members how the monies that are received by way of the union adjustments or the welfare fund is spent.
- 10.5 The Executive Committee of a Base Unit must submit in writing, at least once a year, a financial statement which must be approved during a general assembly and a copy given to the Union representative assigned Base unit.
- 10.6 The rules of functioning may be adopted by each of the base units as long as they are compatible and in conformity with the present constitution. Failing this, the rules are null and the constitution prevails.

ARTICLE 11 – EXECUTIVE COMMITTEE

11.1 Composition

The Base Unit Executive Committee is composed of five (5) members at the most and normally includes one President, one Vice-President, a Secretary Treasurer, a Corresponding Secretary and a Counsellor. If the Base Unit members wish to add one or two Counsellors, they make a resolution to this effect, adopt it during a meeting duly called and send it to the Executive Committee.

11.2 Election

- a) The salaried employees, members of the Union, part of the Base Unit, elect the members of the Base Unit Executive Committee.
- b) The procedure of this election is determined in chapter 4 of the present Constitution.
- c) During a merger of a Union to the Union, the procedure stipulated in article 11.2 a) and b) does not apply to the union being merged once the mandate of their executive committee has terminated.
- d) When base units are grouped together by the same employer and that a merger was conducted at the Administrative Labor Tribunal, a new Executive Committee for the base unit will be elected, unless agreement between the concerned executives on the establishment of the new Executive Committee.

11.3 Eligibility

The eligibility requirements for office application in the Base Unit Executive Committee are as follows. The salaried employee must:

- 1. be a continuous member of the Union during the twelve- (12) months which precede the election date. However, if a salaried employee has been part of a group of salaried employees members of the Union for less than twelve (12) months, he/she must have been a member of the Union on a continuous basis for at least half the time period between the deposit of the request for accreditation and the date of the election;

2. be a Canadian citizen, received immigrant **or holder of a valid work permit**;
3. be free of any conviction for a criminal act incompatible with his/her office and for which pardon was not granted;
4. be employed by an employer exercising activities covered by Union jurisdiction as described in article 4 at the time of nomination.

However, the salaried employee dismissed and for whom the dismissal is subjected to a grievance for which a final decision has not been rendered, remains eligible.

11.4 **Duration of the mandate**

The length of the mandate of the Executive Committee from a base unit is four (4) years.

The mandate of the members of the base unit Executive Committee ends upon the occasion of the subsequent elections on the date in which they were elected, which must be held during the fourth calendar year of their election, and within the forty-five (45) days that precede or that follow the date in which they were elected.

Exceptionally, this mandate may be extended, by majority vote to this effect during a general assembly of the Base Unit, until the date of the signing of a new labour collective agreement.

During his/her mandate, the elected member of a Base Unit Executive Committee must retain the eligibility requirements described in paragraph 11.3. If this is not the case, his/her replacement proceeds according to the procedure provided in article 26.2 of the present Constitution.

If for any reason, a vacancy is created within a Base Unit Executive Committee, the Union representative or any other person mandated by the Union Executive Committee must implement the election procedure mentioned in Chapter IV in order to ensure succession to the position in question without delay for the remaining length of the mandate.

The Executive Committee of a base unit may decide, in the case of incapacity to act of one of their members, for a temporary period, to name a replacement person for the period of the incapacity.

11.5 Powers and responsibilities

- a) In general, the functions and responsibilities of the Base Unit Executive Committee consist of asserting the intentions and requirements of the members it represents to the other levels or authorities of the Union, sending the decisions taken by these groups to the members and, if the case arises, participating in implementing these decisions.

Likewise, the Base Unit Executive Committee must assert the intentions and interests of the members it represents to the employer and see to the respect of the collective agreement.

- b) In particular, the Base Unit Executive Committee is responsible for **consulting the members and submitting to them** for approval the draft collective agreements regulating their working conditions, in collaboration with the union representative designated by the Union or, in his or her absence, with a person duly mandated by the Union Executive Committee. It must also see to the respect of the frequency of the general meetings of the Base Unit members decreed in the present Constitution.

The executive of a base unit and the union representative will do everything in their power, considering their negotiating strategy, to inform members of proposed changes to a collective agreement and to communicate them to members as soon as possible prior to a vote.

Likewise, the Base Unit Executive Committee must encourage the greatest participation possible of the members it represents in activities and decisions of the Union different groups by regularly providing them with the pertinent information.

To this end, the Executive Committee of a base unit, may elect members as delegates for a mandate of three (3) years who's role consists of asserting the rights of the members in their base unit, ensure the collective agreement is respected or to participate on the different committees.

- c) The Base Unit Executive Committee must manage, administer and use the amounts of money belonging to the Base Unit according to the functioning rules agreed on by the general assembly.
- d) Upon the expiration of their mandate or due to a vacancy within the Executive Committee of a base unit, the concerned member or members must transmit to the person or persons who succeed the monies and assets of the Union within their possession.

11.6 **Frequency of the meetings**

The Base Unit Executive Committee may hold, once a month, a meeting of the members it represents in order to inform them of the various activities and decisions of the Union and make, if needed, the necessary decisions to safeguard their interests. However, it must call and hold such a meeting at least once a year. Furthermore, it must hold such a meeting at the request of members in a number respecting the quorum rules and this, in a reasonable delay.

The delay of convening these assemblies is foreseen in article 7.2 of the Constitution.

11.7 **Quorum**

- a) In the case of a Base Unit of seven (7) members and less, the presence of the majority of the members constitutes quorum.
- b) In the case of a Base Unit of more than seven (7) members and less than fifty (50), the presence of five (5) members constitutes quorum.
- c) In the case of a Base Unit of fifty (50) members and more, the presence of ten percent (10%) of the members constitutes quorum.
- d) If quorum has not been attained and the notice of general assembly contained all the propositions to be debated and voted on, the people present thirty (30) minutes following the official start of the meeting constitutes a quorum and the decisions taken are validly decided.

– SECTION 3 – DIVISIONS

ARTICLE 12 – DEFINITION

A Division designates the group of salaried employees, part of Base Units and that work for given employers in one or many activity areas.

ARTICLE 13 – NUMBER OF DIVISIONS

The General Council establishes the number of Divisions and the composition of each one.

If the General Council modifies the number of divisions, the members of the Executive Committee of a division, elected at the Convention of the Union, must remain in function and that other members may be nominated, if necessary, up to a concurrence of the number of positions foreseen in article 14.1 of the Constitution. The members of the Executive Committee of a division named by the General Council remain in function until the Convention of the Union is held following their nomination.

The merger of a union with the Union may cause the creation of a new division following a resolution from the General Council. Such a division can only be created if the merged union to the Union has more than one accreditation or is merged with other base units from the same sector of activity.

When a new division is thereby created by the General Council following a merger, the General Council names the Executive Committee of that division, the members of the Executive Committee from the merged union and this, up to a concurrence of the number of positions foreseen in article 14.1 of the Constitution.

ARTICLE 14 –DIVISION EXECUTIVE COMMITTEE

14.1 Composition and election

The Division Executive Committee includes a President, Vice-President, secretary and three (3) directors. It is elected during the Union Convention according to the procedure established in chapter 4 of the present Constitution.

14.2 Eligibility

The eligibility requirements regarding a candidacy to a position in the Executive Committee of a Division are as follows. The salaried employee must:

1. be a member of the Union on a continuous basis during the twelve (12) months that precede the election date;
2. be a Canadian citizen, a received immigrant **or holder of a valid work permit**;
3. be free of any conviction for a criminal act incompatible with his/her office and for which pardon was not granted;
4. be employed by an employer exercising activities covered by Union jurisdiction as described in article 4 at the time of nomination.

However, the salaried employee dismissed and for whom the dismissal is subjected to a grievance for which a final decision has not been rendered remains eligible.

5. be a delegate at the Union Convention;
6. during a merger of a Union to the Union, the respect in regards to the delay foreseen in paragraph 1 is verified in regards to the situation that existed before the merger.

14.3 **Duration of the mandate**

The mandate of the members of the Executive Committee of a division ends at the time the elections of the Convention that follows the one of their election.

During his/her mandate, the elected member of a Division Executive Committee must retain the eligibility requirements described in paragraphs 1 and 4 of article 14.2. If this is not the case, he/she is dismissed of his/her functions and his/her replacement must proceed, in which case the procedure provided for in paragraph e) of the present Constitution applies.

When a member occupies an elected position on the Division Executive Committee and effects a temporary replacement within the base personnel and the office personnel, he cannot occupy an elective function. The position is considered as being absent of its incumbent and paragraph g) or i) of the article 18.3 applies. At the end of the temporary replacement, he returns to his elected position within the Union.

14.4 **Powers and responsibilities**

a) In general, the functions and responsibilities of a Division Executive Committee consist of asserting the intentions and requirements of the members of the Division it represents to the Union General Council and Executive Committee and to send the decisions made by these groups to its members.

Likewise, it must collaborate with the Base Units of the Executive Committees in achieving of the functions and responsibilities entrusted to this Committee.

b) In particular, it must collaborate to implement the Union General Council and Executive Committee's rules and decisions.

14.5 **Meetings of the members of a Division's Base Unit Executives Committees.**

a) An Executive Committee of a division, accompanied if it wishes of one or more Union representatives working in this Division, may hold, if it is required in the best interest of the division's members, a meeting of the Base Unit Executive Committee's members part of the Division in question in order to inform them of Union activities and decisions regarding their activity area and to take, if needed, the necessary decisions to safeguard the interest of the Division members.

b) Because of the relative lack of concentration of the members of a Division on the territory, the Union Executive Committee may divide into sections the territory of this Division and consider the general meetings of the members constituted at the level of these sections in accordance to the present Constitution's requirements.

– SECTION 4 – GENERAL COUNCIL

ARTICLE 15 – COMPOSITION AND DURATION OF THE MANDATE

- 15.1 The General Council is composed of the members of the Union Executive Committee and of members of the Executive Committees of Divisions.
- 15.2 The General Council is the group that governs the Union in between the Union Conventions.
- 15.3 The mandate of the members of the General Council ends at the time of the elections at the Convention that follows the one of their election.

ARTICLE 16 – POWERS AND RESPONSIBILITIES

16.1 Powers and responsibilities

- a) In general, the functions and responsibilities of the General Council consist of establishing the action principles and the general orientation of the Union activity.

Likewise, this group acts in the cases provided for in the present Constitution, as the appeal instances of the decisions taken by the Union Executive Committee.
- b) In particular, the General Council approves the Union budget before the beginning of the fiscal year. The important amendments that become necessary during the fiscal year must in the same way be subjected to approval.
- c) The General Council may also submit to the direct approval of the Union members any question judge sufficiently important.
- d) The General Council has the power to undertake all projects regarding merging one union with the Union and this, upon recommendation of the Executive Committee of the Union.
- e) If, for any reason, a vacancy is created in the Union offices of President, Vice President of administration, Executive Vice President or Controller, the General Council nominates a replacement that will fill this office until the end of the mandate. This replacement must meet the conditions of eligibility described in paragraphs 1 to 4 of article 14.2, 18.1 or in paragraphs 1 to 4 of article 20.2 of the Constitution.

- f) If, for any reason, a vacancy is created in a Division of the Executive Committee's members, the Executive Committee of this Division chooses a candidate to fill the vacancy until the term of the mandate and then submits the candidate to the Union General Council for approval. This replacement must meet the conditions of eligibility described in paragraphs 1 to 4 of article 14.2 of the Constitution.
- g) Upon the expiration of their mandate or due to a vacancy within the General Council of the Union, the concerned member or members must transmit to the person or persons who succeed the monies and assets of the Union within their possession.

16.2 Frequency of the meetings

- a) Upon the Executive Committee convocation, the General Council must meet regularly, at least once every three (3) months.
- b) The Union Executive Committee may with reason convene a special meeting of the General Council. The Unions Executive Committee must, following a written request of seven (7) members from the General Council, call a special meeting of the General Council.

16.3 Quorum

The presence of seven (7) members of the General Council, amongst which at least one person representing each of the Divisions, constitutes quorum.

– SECTION 5 – UNION EXECUTIVE COMMITTEE

ARTICLE 17 – COMPOSITION AND DURATION OF THE MANDATE

- 17.1 The Union Executive Committee includes a President, Vice President of administration, Executive Vice President and a number of Vice-Presidents equal to the number of Divisions.
- 17.2 The Union Executive Committee is the group that governs the Union in between the General Council meetings.
- 17.3 The mandate of the members of the Executive Committee ends at the time of the elections at the Convention that follows the one of their election.

During their mandate, these persons must retain the eligibility requirements described in paragraphs 1 to 4 of article 14.2. If they are dismissed of their functions, their replacement must proceed according to the procedure provided for, according to the case, in paragraph e) or f) of article 16.1 of the present Constitution.

ARTICLE 18

18.1 Eligibility

Notwithstanding paragraphs 1 and 4 of article 14.2, a person part of the basic personnel of the Union may, if having completed two (2) years of service, position his/her candidacy for President, Vice President of administration and Executive Vice President.

18.2 Election

- a) The candidates for President, Vice President of administration and Executive Vice President are elected at the Union Convention according to the procedure established in chapter 4 of the present Constitution.
- b) As for the candidates for Vice-Presidents, those elected as President of each of the Divisions rightfully act as Union Vice-Presidents.

18.3 Powers and responsibilities

The Union Executive Committee must notably fulfil the following responsibilities:

- a) It must see to the respect of the present Constitution.
- b) It must see to the interpretation of the present Constitution.
- c) It must authorise every Union expense, and such expense must necessarily appear in the budget that was approved by the General Council.
- d) Notwithstanding the preceding paragraph, it must decide of a supplementary credit request related to a budget item already approved by the General Council but must submit such decision for approval by this group at its next meeting.
- e) It must manage and administer the buildings and other assets of the Union.
- f) It must see, in case of absence or incapacity to act of the President, Vice President of administration or Executive Vice President that the replacement is made as follows:
 - the President is replaced by the Vice President of administration;
 - the Vice President of administration is replaced by the Executive Vice President
 - the Executive Vice President is replaced by the person then nominated by the Executive Committee.
- g) It must see, in case of absence or incapacity to act of the Union Vice-President that he/she is replaced through official channels in the concerned Division.
- h) It must decide, in case of absence or incapacity to act of the Controller, of the choice of the replacement during the period in question.

- i) It must decide, in case of absence or incapacity to act of the Division Vice-President, Secretary, Director, to nominate or not a replacement during the period in question.
- j) It must approve the hiring of basic and office personnel.
- k) It determines the Conventions, symposiums or demonstrations of the workers movement to which the delegates from the Union will participate; if the case arises, it must constitute the Union respecting as much as possible the repartition of the members from within each of the Divisions.
- l) It can create any committee judged necessary for the good fulfilment of its entrusted responsibilities, or pursue the Union ends, according to the present Constitution.
- m) It must see to the execution of any mandate that may be entrusted to it by the General Council or the majority of the members it represents.

18.4 **Frequency of the meetings**

The Union Executive Committee meets at least once a month. The President may, for cause, and must, upon written request from two (2) Union Executive Committee members, call a special meeting of the Committee.

In an emergency, notably in the following cases:

- I. for the admission of new members;
- II. to authorise the registration of a certification request and all related procedures.

The Union Executive Committee can adopt resolutions without calling a formal meeting. However, for such a resolution to be valid, it must be sent verbally or otherwise to each Executive Committee member that may be reasonably reached and must receive the approval of the majority of the members.

The Union Executive Committee may with reason convene a special meeting of the General Council. The Union Executive Committee must, following a written notice from seven (7) members from the General Council, convene a special meeting of the General Council.

18.5 **Quorum**

The presence of the majority of the Executive Committee members constitutes quorum.

ARTICLE 19 – Functions of the members of the Union Executive Committee

19.1 **President**

In general, the incumbent of the position of Union President is the principal leader of the Union representing said and spokesperson of policies decided by the Union. This person has the responsibility of the good running of Union activities. He/she holds the authority and power from the whole of the members and the Union Executive Committee, and must regularly report his/her activities to this organism. In particular, the Union President must fulfil the following functions:

- a) He/She presides over the Union General Council and Executive Committee meetings and has in such circumstances a casting vote in case of equality of votes concerning a proposal.
- b) He/She authenticates the documents that officially bind the Union by his/her signature.
- c) He/She signs, jointly with the Union Vice President of administration, or in the absence or incapacity to act of the latter, with the Executive Vice-President, the Union cheques as payment for expenses already authorised by the Union Executive Committee and provided for in the approved budget by the General Council.
- d) He/She is rightfully part of every Committee created by the Executive Committee.

- e) He/She submits to the Executive Committee of the Union for approval, the hiring of personnel under his responsibility and must assume their supervision.
- f) He/She submits to the Vice President of administration or the Executive Vice President of the Union the mandates he judges appropriate for the good running of the activities of the Union and resolves all controversies relative to the hiring or to the supervision of the personnel under their responsibility.
- g) He/She devotes all his/her working time to exercise his/her functions of President.

19.2 **The Vice President of administration**

Under the authority of the President, the incumbent of the position of Vice President of administration of the Union constitutes the principal person in charge of the execution of the different administrative tasks coming from the activities of the Union and must report regularly to the Executive Committee of the Union. In particular the Vice President of administration must fulfil the following functions:

- a) He/She must regularly keep up to date the financial statements determined by the Union Executive Committee in order to be able to provide the Union members with the information they might require.
- b) He/She is responsible for the collection and deposit of all Union monies in an account in the Union name in a financial institution designated by the Union Executive Committee.
- c) He/She must fully collaborate with the Controller for the execution of the functions entrusted to the latter in accordance with the present Constitution.
- d) He/She must see to the preparation of the Union yearly budget, which must be presented to the General Council during the last month of the current fiscal year.
- e) He/She must see to the full respect of the budget approved by the General Council and prepare, at the end of the fiscal year, the different documents or financial statements required by the Union, along with relevant documents.

- f) He/She must also submit to the Executive Committee of the Union the hiring of personnel under his responsibility for whom he assumes their supervision.
- g) He/She jointly signs with the Union President, and in case of his/her absence or incapacity to act of the latter, with the Executive Vice President, the Union cheques for payment of expenses already authorised by the Union Executive Committee and provided for in the budget approved by the General Council.
- h) He/She must assist the Union President in the execution of the functions entrusted to the latter within the Constitution and executes all mandates that the President, the Union Executive Committee or General Council might entrust to him/her.
- i) He/She devotes all his/her working time to exercise his/her functions of Vice President of administration.
- j) He/She sends the Union financial statements yearly to all Union members.
- k) He/She sees to the update of the entire list of the Union members.

19.3 **Executive Vice President**

Under the authority of the President, in general, the Executive Vice President of the Union constitutes the principal person responsible for the execution of various tasks related to assemblies of the Executive Committee of the Union and the General Council of the Union and to the conservation of the documents of the Union and must report regularly his activities to the Executive Committee of the Union. In particular, the Executive Vice President must fulfil the following functions:

- a) He/She sees to send the notification to attend the Union Executive Committee and General Council's meetings as requested by the Union President and he/she must join to this notification an agenda of the meeting.

- b) He/She is responsible for keeping the minutes of Union Executive Committee and General Council meetings up to date.
- c) He/She safeguards records, books of accounts and all other assets that belong to the Union and notably, he/she must ensure that records and relevant documents are kept regarding the income and expenses of the Union for a period of five (5) years.
- d) He/She jointly signs with the President Union cheques for payment of expenses already authorised by the Union Executive Committee and provided for in the budget approved by the General Council, in case of the absence or incapacity to act of the Vice President of administration. He/She does the same with the Vice President of administration in case of the absence of the incapacity to act of the President.
- e) He/She must assist the President in executing his/her functions entrusted by the present Constitution and execute every mandate the Union President, Executive Committee or General Council might entrust to him/her.
- f) He/She submits to the Executive Committee of the Union, for approval, the hiring of personnel under his/her responsibility and for whom he/she assumes supervision.
- g) He/She devotes all his/her working time to exercise his/her functions of the Executive Vice President.

19.4 **Vice-Presidents**

- a) In general, Union Vice-Presidents must assist the President in the execution of his/her functions entrusted according to the present Constitution and this, upon his/her request.
- b) In particular, Union Vice-Presidents must fulfil all the functions entrusted to them by the Union Executive Committee or the General Council.

– SECTION 6 – CONTROLLER OF THE UNION

ARTICLE 20

20.1 **Duration of the mandate**

The mandate of the incumbent of the position of controller ends at the time of the elections at the Convention that follows the one of his/her election;

During his/her functions, the Controller must retain the eligibility requirements described in paragraphs 1 to 4 of article 20.2. If such is not the case, his/her replacement proceeds according to the procedure provided for in paragraph e) of article 16.1 of the present Constitution.

When a member occupies the elected position of Controller effects a temporary replacement within the base personnel and the office personnel, he/she cannot occupy an elective function. The position is considered as being absent of its incumbent and paragraph h) of article 18.3 applies. At the end of the temporary replacement, he returns to his/her elected position within the Union.

20.2 **Eligibility**

Eligibility requirements concerning the candidacy for Controller are the following:

1. be a member of the Union on a continuous basis during the twelve (12) months that precede the election date;
2. to be a Canadian citizen, received immigrant **or holder of a valid work permit**;
3. be free of any conviction for a criminal act incompatible with his/her office and for which pardon was not granted;
4. be employed by an employer exercising activities covered by Union jurisdiction as described in article 4 at the time of nomination;

However, the salaried employee dismissed and for whom the dismissal is subjected to a grievance for which a final decision has not been rendered remains eligible;

5. be a delegate at the Union Convention.

20.3 **Election**

The Controller is elected during the Union Convention according to the procedure determined in chapter IV of the present Constitution.

20.4 **Powers and responsibilities**

In general, the Controller has the following responsibilities:

- a) He/She must regularly examine, at least once a month, Union books and records in the responsibility of the Union Vice President of administration and submit a written report of his/her observations and, if needed, of his/her recommendations at the following meeting of the Union Executive Committee and General Council.
- b) He/She must see to the preparation by the Union Vice President of administration of the different usual financial statements at the end of a fiscal year in order to properly inform the Union members interested in such a matter.
- c) He/She attends the General Council meetings with the right of speech but without the right of vote.
- d) Upon expiration of his/her mandate or if the position becomes vacant, he or she must transmit the monies and assets of the Union within his/her possession to the person who succeeds.

– SECTION 7 – UNION CONVENTION

ARTICLE 21

21.1 **Definition**

The Union Convention is the ultimate decision group within the Union. The decisions made are according to the majority of votes unless provided for otherwise by the present Constitution.

21.2 **Date**

- a) The Convention of the Union is held every four (4) years, at a date determined by the Executive Committee of the Union;
- b) De même, le Conseil général peut convoquer, à la date qu'il fixe, tout Congrès spécial de l'Union qu'il juge nécessaire.

21.3 **Number of delegates**

- a) The Base Unit consisting of **ten (10)** people or more who pay dues is entitled to a number of delegates in the Union Convention, according to the following scale:

10 to 99 members 1 delegate

100 to 199 members 2 delegates

200 to 299 members 3 delegates

300 to 399 members 4 delegates

400 to 499 members 5 delegates

500 to 599 members 6 delegates

600 to 699 members 7 delegates

700 to 799 members 8 delegates

and so on.

- b) The Base Units consisting of **nine (9)** people or less who pay dues must be regrouped geographically in divisions in the manner resolved by the Union Executive Committee in order to determine the number of delegates who will represent the members, so regrouped at the Union Convention, on the basis of the terms of the preceding paragraph.

c) The number of contributors is determined by the average number of employees appearing on the list of union dues of a given base unit during the year preceding the Convention. The number of contributors from the base units for which the Union is accredited during the year of the Convention is determined by the average number of salaried employees for the months during which the union dues were deducted at least thirty (30) days prior to the opening of the Convention. The Union Executive Committee may determine a particular rule, at a Base Unit's written request if:

1. the motives invoked to support the request justify it;
2. the delay in which the request is made does not harm the good running of the organization of the Convention to come.

Notwithstanding the preceding, the months of June and July preceding the Convention are used to determine the average number of members who pay their dues in a unit whose operations take place during the summer period. The months of December and January preceding the Convention are used for those whose operations are done during the winter season.

A base unit on strike or in a lock-out has the right to one delegate or more depending on the average number of members appearing on the list of union dues during the last two months preceding the start of the strike or the lock-out.

d) All the new Units who have the right to one delegate or more are eligible if union dues have been deducted according to the policy of the Union at least thirty (30) days prior to the opening of the Convention received this Base Unit's Union dues prior to the Convention.

e) All the new Units who, according to the number of contributors, have the right to be part of a grouping must meet the following conditions:

1. that the Union dues are received before the Convention holding;
2. that the assembly of the Units, part of the grouping, did not already take place.

21.4 **Credentials**

At least fifteen (15) days prior to the opening of the Convention, the Union Executive Committee must send each elected delegate or appointed delegate credentials attesting his/her status of delegate at the Convention, with copy of the proposals received by the Executive Vice President of the Union in accordance with paragraph 2 of article 21.6 and paragraph 2 of article 21.7 of the Constitution.

21.5 **Election President**

- a) The General Council at the last assembly of this group, preceding the Union Convention nominates the Election President.
- b) He/She is responsible for applying the election procedure provided for in the present Constitution, in regards to the Union Executive Committee, a Division Executive Committee and the Controller.
- c) He/She holds all the necessary power to solve any problem or question that may be submitted at the Union Convention within the mandate entrusted to him/her.
- d) He/She may appoint as many official representatives he/she judges necessary for the orderly course of the elections. The Union Executive Committee and General Council retiring from office must however approve the choice of these representatives.
- e) He/She has, towards his/her official representatives, an exclusive authority, sufficient to ensure the orderly course of the elections.

- f) The Election President and his/her representatives and official representatives are not eligible for any of the offices for which they must supervise the election.
- g) He/She has no right of vote.
- h) In case of incapacity to act of the Election President, the Union Executive Committee and the General Council retiring from office then choose the replacing person.

21.6 **Union Convention proposal**

A proposal not aiming to amend the Union Constitution must follow these steps in order to be submitted to the Union Convention:

1. It must be submitted for resolution and adopted during a meeting according to the present Constitution by the Union Executive Committee, General Council, the Executive Committee of a Division, a general assembly of members of a Union Base Unit **or a regrouped base units members assembly**.
2. In the case of a resolution adopted by a general assembly of members of a Union Base Unit, **a regrouped base units members assembly** or by an Executive Committee of a Division, copy of the resolution in question must be sent to the Executive Vice President at least sixty (60) days before the Union Convention opening date.
3. The resolution from one of the specified instances is submitted to the appreciation of the delegates at the Convention in accordance with the agenda. To be adopted it must receive approval of a simple majority of the expressed votes.

21.7 Constitution amendments proposal

All proposals aiming to amend an article of the present Constitution must follow these steps:

1. It must be submitted for resolutions and adopted during a meeting according to the present Constitution by the Union Committee of a division, a general assembly of members of a Union Base Unit or **a regrouped base units members assembly**.
2. In the case of a resolution adopted by a general assembly of members of a Union Base Unit, **a regrouped base units members assembly** or by an Executive Committee of a division, copy of the resolution in question must be sent to the Executive Vice President at least sixty (60) days before the Union Convention opening date.
3. The Convention delegates submit resolution of one of the pre-mentioned instances for assessment according to the agenda. In order to be adopted, it must be approved by the majority in a proportion of two thirds (2/3) of the expressed votes. When adopted, it is immediately in force unless otherwise stipulated.

CHAPTER III – UNION OPERATIONS

I – SECTION 1 – PERSONNEL

ARTICLE 22 BASIC PERSONNEL

22.1 Definition

- a) Any person the Union Executive Committee judges necessary for carrying out the Union activities, notably the different phases of recruiting new members, negotiating, concluding and implementing collective agreements as well as any function the Union Executive Committee may determine.
- b) The basic personnel includes an organiser, a Union representative, a judicial Counsellor and any other position the Union Executive Committee may determine.

22.2 Powers and responsibilities

In particular, the Union representatives must sign, in the Union's name, in conjunction with the members of the Base Unit mandated to this effect, the labour collective agreements approved by the members concerned. In the absence of the Union representative, a Union Executive Committee member or any other person mandated by this Committee may, in the same way, sign these documents. The Union representatives, along with the members of the base units mandate to that effect, must also see to the settlement, in the best interest of members, of the grievance said members submit to them.

22.3 Elective mandate

Every person, member of the basic personnel having been elected or is elected to an elective position within the Union and who is no longer part of the basic personnel after this election, is reintegrated to his/her functions within the Union basic personnel as soon as his elective mandate comes to term.

ARTICLE 23 – OFFICE PERSONNEL

Any person the Union Executive Committee judges necessary for carrying out the Union activities.

I – SECTION 2 – INCOME AND EXPENSES

ARTICLE 24 – INCOME

In general, the Union receives income from members' dues. In particular, its income derives from member initiation fees, monthly dues paid by members and those who are otherwise held to it, statutory or occasional contributions from union groups and other amounts of money received freely or otherwise.

ARTICLE 25 – EXPENSES

- 25.1 In general, any Union expense must first appear as an item of the budget approved by the General Council, reservation being made for the special powers given to the Union Executive Committee according to the Constitution under paragraph d) of article 18.3.
- 25.2 Union monies must be spent for necessary and useful activities according to the requirements stated in the present Constitution.

CHAPTER IV – ELECTION PROCEDURE

ARTICLE 26 – BASE UNIT EXECUTIVE COMMITTEE'S ELECTION

26.1 Election

Within the briefest delays of the certification request regarding a Base Unit, members of this unit must elect their Executive Committee.

26.2 Election methods

The election of one or more members of the Base Unit Executive Committee **shall be carried out in the following methods:**

- a) **in person** during a general assembly;

b) by voting poll(s);

c) by mail;

d) **at a virtual general assembly by electronic voting on a secure platform.**

The **in-person** general assembly method of election is preferred when the characteristics of the base unit allow for it and is the only one where nominations for more than one position are possible.

A base unit may adopt operating rules providing for early voting procedures to be adopted at a general meeting

The choice of election method is made by the person acting as union representative, with the agreement of the base unit's Executive Committee, where one exists.

26.3 **Election during a general assembly**

The Union representative or this Unit's Executive Committee President must send a written notice to the salaried employees concerned at least seven (7) days prior to the date, time and place of the general assembly.

The nomination of the candidates to different positions of the Base Unit of the Executive Committee occurs during the aforementioned general assembly; if only one candidate is nominated for any position and he/she accepts, he/she is then formally declared elected to this position.

If more than one candidate is nominated to any position, and they are in agreement, the election then occurs by secret vote under the presidency of the Union representative or any other person mandated by the Union Executive Committee. After compiling the voting results, in the presence of the candidates or representatives, the election President proclaims the candidates elected to the positions in question.

When the election of a person to a position on the Base Unit Executive Committee creates a vacancy in another position of this committee, the election of this position is done at the same meeting as long as it has been mentioned on the notice of meeting and the agenda.

26.4 Election by voting polls

The Union representative or any other person mandated by the Union Executive Committee of this unit must send a written notice to the salaried employees concerned at least thirty (30) days prior to the date, time and place of the vote and candidacy submittals.

The written nomination(s) of the candidates to different positions of the Union Base Unit Executive Committee must be received by the Union representative or the person mandated by the Executive Committee at least fifteen (15) days prior to the date of vote. If only one person is nominated for any position and he/she is in agreement, he/she is then formally declared elected to this position.

If more than one candidate is nominated to any position, and if they are in agreement, these names are written down on the ballots and the election then proceeds by secret vote under the presidency of the Union representative or any other person mandated by the Union Executive Committee. After compiling the voting results, in the presence of the candidates or representatives, the election President proclaims the candidates elected to the positions in question.

26.5 Election by mail

The Union representative or any other person mandated by the Union's Executive Committee or the President of the Base Unit Executive Committee must transmit a written notice to the concerned salaried employees at least forty-five (45) days prior to the date, hour and place where the ballots will be opened and the delay in which to submit candidatures.

The written nominations of the candidates to the different positions of the Base Unit Executive Committee must be received by the Union representative or the person mandated by the Union Executive Committee at least twenty-one (21) days before the date foreseen for the counting of the voting ballots.

If only one person places their candidature to any given position and if they accept this fact, they are formally declared as having been elected to the position.

If more than one person places their candidature to any given position, and if they accept this fact, the names of the candidates are inscribed on the voting ballot next to the position. The ballots are then mailed to all the members of the base unit, who then must return them to the Union no later than the day before the date foreseen for counting the ballots. After compiling the results of the vote, in the presence of the candidates or their representatives, the president of the election then proclaims the candidates elected to the positions in question.

ARTICLE 27 – ELECTION OF UNION CONVENTION DELEGATES

27.1 Election of the delegates

- a) The election of the delegates to the Convention of the Union and the persons who could act as substitutes if needed, must be done in accordance to the methods foreseen in article 26.2;
- b) The election of the delegates within the groupings of the base units and the persons who could act as substitutes if needed is held under the responsibility of the union representative or any other person mandated by the Executive Committee of the Union.

27.2 Appointed delegates

- a) For purposes of article 18.1, Union basic personnel members are appointed Convention delegates in order to allow them to exercise the tasks the Union Executive Committee might grant.

- b) Members retiring from the Union Executive Committee and a Division Executive Committee, as well as the retiring Controller, are appointed delegates in full right for the duration of the Union Convention.

In the case of the replacement of a member of a Divisions Executive Committee for absence with reason or incapacity to act, the appointed delegate or elected delegate will be the one who was present and assisted at the last regular General Council of the Union preceding the convention.

- c) The retiring President, Vice President of administration as well as the Executive Vice President are qualified by this fact only to the positions of Union President, Vice President of administration or Executive Vice President despite article 27.5 of the present Constitution.

27.3 Electoral qualifications

- a) Candidates for Union President, Vice President of administration or Executive Vice President are elected by way of absolute majority of votes. The candidates for Division President are elected by absolute majority of votes in the Division concerned during the Convention.
- b) The candidates for Division Vice-President, Secretary and directors are elected by way of a simple majority of votes of the Division concerned during the Convention.
- c) The candidate for Controller is elected by way of a simple majority of votes during the Union Convention.

27.4 Order of elections to different positions

On the day indicated in the Union Convention Agenda, the election President proceeds to the election amongst candidates whose names have been submitted to the Union Executive Committee, one position at the time.

He/She must supervise the election for the positions of:

1. Union President.
2. Union Vice President of administration.
3. Union Executive Vice President.
4. Controller.
5. Each Division President.
6. Each Division Vice-President.
7. Each Division Secretary.
8. Each Division First Director.
9. Each Division Second Director.
10. Each Division Third Director.

Once a position is completed, he/she then proceeds to the next election on the list.

27.5 Candidacy

An elected or appointed Convention delegate may recommend the candidacy of another elected or appointed delegate.

A candidacy, with mandatory written approval of the candidate, is submitted by written notice sent, at the latest thirty (30) days prior to the opening of the Convention, to the Union Executive Committee President. After this period, nominations are declared closed.

As soon as the Union Executive Committee receives the candidacy, it becomes public. The Union Executive Committee must send all received candidacies to the Election President nominated by the General Council.

Notwithstanding the preceding paragraphs, a defeated candidate may become a candidate to another position if the election for this other position has not occurred.

27.6 **Candidacy acceptance**

Before proceeding to the election for a given position, the Election President verifies if the candidates maintain their candidacy.

27.7 **Election**

- a) If only one person is duly nominated to a position, this person is formally declared elected by the Election President and the election becomes effective the same day.
- b) If many candidates are duly nominated to a position, the Election President then proceeds to a secret ballot vote or by confidential and secure electronic voting system, amongst the concerned delegates during the Union convention.
- c) Once the specific voting period granted by the Election President is over, the official representatives of the latter gather the ballots in such a way as to respect the secrecy of the vote.
- d) The Election President then personally proceeds to the compilation of votes.
- e) Each candidate may delegate a representative to the Election President to witness the compilation of votes
- f) Once the votes counted, the Election President proceeds:
 - either, by formally declaring elected to the position in question the candidate who received the majority of the required votes according to the present Constitution;
 - or, by inviting the Convention delegates to start the election over, after having officially declared excluded from the next poll the candidate who obtained the least votes in this last poll.

27.8 **Oath of the delegates elected during the Convention**

After their election, the elected persons must take the following oath:

"I solemnly swear upon my honour to faithfully observe the Constitution of the Union and to accomplish the duties that are my responsibility."

CHAPTER V – PROCEDURE RULES AND FINAL PROVISIONS

ARTICLE 28 – PROCEDURE RULES

28.1 **Deliberative assembly**

The various Union group meetings occur following the order defined by Victor Morin's deliberative assembly procedure rules, unless dispositions are contrary to the present Constitution. The rules of deliberation for the Convention at Appendix 1 are an integral part of the present Constitution.

28.2 **Agenda**

1. Opening of the assembly by the President.
2. Adoption of the agenda.
3. Verification of attendance right.
4. Reading and adoption of the minutes of the preceding assembly.
5. Reading of the correspondence.
6. Treasurer report.
7. Committees' reports.
8. Current affairs.
9. Election of the Executive Committee.
10. Other subjects.
11. Adjournment of the assembly.

A Base Unit Executive Committee may modify the pre-mentioned agenda according to its needs.

28.3 **Minutes of meeting**

Minutes must be taken and conserved for each of the meetings foreseen in the Constitution and this, for a minimum period of five (5) years.

ARTICLE 29 – FRENCH PREDOMINANCE

The present Constitution's French text is the official text.

APPENDIX 1 – UNION CONVENTION RULES OF DELIBERATION

1. The delegates at the Convention sit within plenary assembly or within workshops. Only the propositions voted on in plenary assembly bind the Union.
2. The President of the Union presides over the sessions of the Convention. In his absence, he must designate another person to replace him.
3. The President gives the right to speak alternatively to the delegates who present themselves at the microphones installed within the room. Invited to speak by the President, the delegate says their name and identifies the base unit they represent.
4. The intervention of the delegate is focused on the subject being studied and lasts no more than three minutes.
5. A delegate may not intervene a second time on the same subject before those delegates who wish to do so have had the chance to intervene a first time.
6. It is not permitted to interrupt the intervention of a delegate unless it is to raise an infraction with regards to the rules of deliberation.
7. In the case where the intervention of a delegate is interrupted, he/she must suspend his/her intervention until the President has given a ruling on the presumed infraction and has given him/her the right to continue.
8. In the case where a delegate persists on contravening the rules of deliberation, the President withdraws his/her right to speak and submits his/her actions for judgment to the congress. The delegate is then invited to explain and to then remove himself/herself while the congress deliberates and rules on his/her case.
9. When the plenary assembly has read a proposal, the President asks; “Are there any discussions?” If there are none, or if the discussions are over, the proposal is then put to a vote.

10. Each delegate with full right has the right to vote. A vote is held by a show of hands. The majority of those delegates may demand another means of voting. Appointed delegates, observers or guests do not have the right to vote.
11. Two delegates may appeal a decision of the President who then asks the assembly "Do the delegates maintain the decision of the presidency?" This vote is held without preliminary debate, but the President may explain his decision.
12. To be adopted, a proposal must obtain a simple majority of votes. Although, in the case of a proposal to amend the Constitution of the Union, it must receive a majority of 2/3 of the votes expressed.
13. As delegate, the President may vote on all the proposals. In the case of an even vote, his/her vote dominates.
14. When a delegate asks the preliminary question, (he must not have intervened on the subject in discussion) all discussions automatically cease if the preliminary question is adopted; the proposition debated is also put to a vote. If the preliminary question is rejected, the debate continues on the proposition being studied.
15. The committees of the Convention submit the propositions to delegates under the form of a report containing one or more recommendations. The propositions are not subject to amendment on the part of the delegates. The delegates may adopt, reject or send all parts of a committee report back to be re-examined by the committee.
16. A proposition to be sent back or the preliminary question is not subject to discussion, it is immediately put to a vote.
17. No proposition other than the one to send back to a committee, the preliminary question or the adjournment is admissible during the debate on a proposition. In the case of a rejection of such a proposition, we cannot propose a second one of the same nature without justification of the new facts.

18. A proposition that demands a re-examination of a question decided by the assembly can only be done by a delegate who had voted on the winning side. Furthermore, it must be presented the same day.
19. The presence of the majority of the number of delegates registered at the Convention constitutes the quorum of the plenary assembly.
20. In all cases not provided for by the present rules of deliberation or by constitution of the Union in place, the rules foreseen by the Code for assembly procedures deliberating from Victor Morin apply.
21. Subject to rule 15, the recommendations contained in the different reports can be the subject of a proposition of:
 - reception and deposit of the report
 - adoption of the report
 - rejection of the report
 - sending back of the report.

APPENDIX 2 – EXTRACT FROM THE SEIU CODE OF ETHICS AND CONFLICT OF INTEREST POLICY *

PART A: **APPLICABILITY**

SECTION 1 Applicability to International Union

This Conflict of interest policy and Code of ethics must apply to the International Union, the International Union of Service employees (herein referred to as « SEIU » or the « Union »), and affiliates, subject to the provision of Sections 2 and 3.

SECTION 2 Applicability to SEIU Affiliates

All matters and procedures of this Code and Policy are applicable to all SEIU locals, affiliates, their officers and employees, subject to the following and the provisions of Section 3:

- a) Wherever reference herein is made to SEIU or an SEIU program, department or position, the corresponding reference is to the particular Affiliate or its equivalent program, department or position.
- b) Each Affiliate is responsible for enforcing the Code and educating its covered individuals on the Code in a manner consistent with the Code's terms, subject to assistance and oversight from SEIU.

SECTION 3 Affiliate Code

Regardless of the provisions of Section 2, each Affiliate may adopt their own Conflict of Interest Policy and Code of Ethics. Any Conflict of Interest Policy and Code of Ethics of all Affiliate must include, as a minimum, the standards of conduct set out in this Policy and this Code.

SECTION 4 *Limitation on the scope of the Code*

This Policy and Code does not comprise and does not include grievances of members arising out of a collective agreement with an employer or complaints of alleged violations of the SEIU Constitution and Regulations unless such a complaint involves an allegation of violation of this Policy or Code.

PART B : BUSINESS AND FINANCIAL ACTIVITIES OF THE SEIU AND ITS OFFICERS AND EMPLOYEES

SECTION 5 *General Duty to Protect Members' Funds; Members' Right to Examine Records.*

- a) The assets and funds of a labor organization are held in trust for the benefit of the membership. Members are entitled to assurance that those assets and funds are expended for proper and appropriate purposes. The Union shall conduct its proprietary functions, including all contracts for purchase or sale or for the provision of significant services, in a manner consistent with this Code. All officers, executive board members and employees of SEIU and SEIU Affiliates, whether elected or appointed, have a trust and high fiduciary duty to honestly and faithfully serve the best interests of the membership.
- b) A Quebec union affiliated to the SEIU must, in accordance with section 47.1 of the Quebec Labor Code (LRQc.c-27), disclose its financial statements to its members each year. It must also give a free copy of its financial statements to a member upon request. In addition, it must elect a member as auditor and allow him to examine the books and registers used for the production of the financial statements.

SECTION 6 *Prohibited Financial Interests and Transactions*

No officer or employee of the SEIU should, to the best of his knowledge, have an interest or other substantial financial interest that would conflict with his fiduciary duties. In particular, an officer or employee should not:

- a) Knowingly have a substantial ownership or financial interest in any entity that engages in collective bargaining with SEIU or any of its Affiliates;
- b) Make or attempt to influence or participate in any way in a decision concerning the relations of SEIU or an Affiliate with a vendor, firm or other entity or individual in which the covered individual or his or her relative, spouse or business partner has a substantial ownership or financial interest.
- c) Engage in any self-dealing transactions with SEIU or any of its Affiliates, such as buying property from or selling property to SEIU, without the informed approval of the International Secretary-Treasurer (or Affiliate Secretary-Treasurer, as applicable), obtained after full disclosure, including an independent appraisal of the fair market value of the property to be bought or sold.
- d) For the purpose of this rule, "substantial financial interest or participation" is one which either contributes significantly to a person's financial well-being or which either enables the individual to significantly affect or influence the taking of decision on the course of business of the Affiliate. A "substantial interest or financial interest" does not include shares purchased in a purchase plan, profit sharing or an employee shareholding plan.

SECTION 7 *Permitted ownership of certain investment vehicles*

To the extent that there is compliance with the terms of Section 6 above, this Policy and this Code are not designed to prevent officers or employees of the SEIU from owning public shares of any employer with whom the " SEIU or an Affiliate seeks to organize or with which it does business or engages in collective agreement negotiations with the SEIU or an Affiliate, through a mutual fund or other similar investment vehicle, provided that all transactions affecting such interest are in accordance with the terms and the rates established by the open market. In addition, this Policy and this Code do not apply to investments in a blind trust fund.

SECTION 8 *Payments and Gifts from Employers, Vendors and Members*

- a) No officer or employee of the SEIU shall knowingly accept any personal payment or gift (1) from an employer in a bargaining unit with the SEIU or an Affiliate, or (2) from any business or from a professional firm doing business with or seeking to do business with the SEIU or an Affiliate. With regard to an item that cannot be returned, such as perishable goods at holidays, it must be considered compliant with this Section to discard such an item or place it in a common area so that office staff can enjoy it. In addition, participation in events of public interest and / or involving the discussion of matters of public interest is not covered by the prohibitions in this Section.
- b) No officer or employee of the SEIU must knowingly accept a personal payment or a gift from a member, except for a personal relationship independent of the relationship between the Union and the member, other than a gift of minimum financial value.

SECTION 9 *Conversion of Union Funds and Property*

Covered individuals shall not use, convert or divert any funds or other property belonging to SEIU to such individual's personal benefit or advantage.

SECTION 10 *Applicability to third Parties*

The principles of this Policy and this Code apply to those investments and activities of third parties that amount to a subterfuge to conceal the financial interests of SEIU officers or employees.

SECTION 11 *Prohibited loans*

SEIU shall not make loans to any officer or employee, or to any of their family members

PART C : NON-PROFITABLE AND SIMILAR ORGANIZATIONS

SECTION 12 Prohibited behaviour and forbidden transactions

Covered individuals who serve in a fiduciary position with respect to or exercise responsibilities or influence in the administration of a benefit fund or plan shall not:

- a) Have any substantial financial interest in, or any compromising personal ties to, any investment manager, insurance carrier, broker, consultant or other firm or individual doing business or seeking to do business with the fund or plan; or
- b) Accept any personal payment from any business or professional firm that does business or seeks to do business with the fund or plan, other than contractual payment for work performed; or
- c) Ensure that funds from the SEIU and the organization concerned are co-owned; or
- d) Ensure that obligations of the SEIU must be paid by the concerned organization, or that obligations towards the concerned organization must be paid by the SEIU, unless this is approved by the organization which performs the payment.
- e) An organization related to SEIU means an organization in which 25 % or more of the members of the governing board are officers or employees of SEIU, or that at least 50 % or more of its funding is provided by SEIU.
- f) This provision does not cover authorized contributions from and by the SEIU to a related organization.

SECTION 13 Compensation

No officer or employee of the SEIU may receive compensation of any kind whatsoever from a plan established in anticipation of group insurance, pension or organizations for the services he renders as an employee, representative or trustee designated by the workers for such a plan or body, except for the reimbursement of reasonable expenses, which are accepted by

all. The fact that an officer or employee who is not a full-time employee of the SEIU or an Affiliate is not legally paid by a pension plan, group insurance, does not constitute a violation of this provision. As long as such use is in accordance with relevant legal restrictions, and is fully disclosed through appropriate reports.

SECTION 14 Obligation to safeguard the Union constitution

The officers and employees of the SEIU will assist the SEIU in the safeguarding of its Constitution in the constitution adopted by the Affiliates.

SECTION 15 Code of ethics of the Affiliates

The contributions of the SEIU to its affiliates are conditional on the adoption by this affiliate of a Code of Ethics which is brought to the attention of the SEIU.

PART D : FAMILY AND PERSONAL RELATIONSHIPS

SECTION 16 Purpose of rules governing family and personal relationships

SEIU does not prohibit the employment of qualified relatives of current officers or employees, or of individuals with whom an officer or employee has a romantic or intimate personal relationship. SEIU also does not prohibit the retention of qualified vendors that employ relatives of current SEIU officers or employees or individuals with whom an officer or employee has a personal relationship. However, SEIU recognizes that the existence of such relationships can lead to problems, including favoritism or the appearance of favoritism toward relatives of those who are involved in a personal relationship. Giving these individuals special treatment - or creating the impression that they receive special treatment - is inconsistent with our principles of stewardship and accountability and with our duty to responsibly conduct the business of SEIU. The provisions of this PART are designed to ensure that family or personal relationships do not influence professional interactions between the employees involved and other officers, employees and third parties.

SECTION 17 Definitions

For purposes of this part

- a) "Relative" means parent, spouse, spousal equivalent, daughter, son, grandparent, grandchild, brother, sister, aunt, uncle, niece, nephew, first or second cousin, corresponding in-law, "step" relation, foster parent, foster child, and any member of the employee's household. Domestic partner relatives are covered to the same extent as spousal relatives.
- b) "Personal relationship" means an ongoing romantic or intimate personal relationship that can include, but is not limited to, dating, living together or being a partner or significant other. This definition applies regardless of gender, gender identification, or sexual orientation of the individuals in the relationship. This restriction does not extend to friends, acquaintances or former colleagues who are not otherwise encompassed in the scope of "personal relationships."
- c) « Employee » includes officers.

SECTION 18 Prohibited conduct

The following general principles will apply:

- a) Applications for employment by relatives and those who have a personal relationship with a covered individual will be evaluated on the same qualification standards used to assess other applicants.
- b) Officers, directors and supervisors will not make hiring decisions about their relatives or persons with whom they have a personal relationship, or attempt to influence hiring decisions made by others.
- c) Supervisory employees shall not directly supervise a relative or a person with whom they have a personal relationship. In the absence of a direct reporting or supervisor-to-subordinate relationship, relatives or employees who have a family or personal relationship generally are permitted to work in the same department, provided that there are no particular operational difficulties.

- d) No employee, including officers, leaders and supervisors shall make work-related decisions, or participate in or provide input into work-related decisions made by others, involving relatives or employees with whom they have a personal relationship, even if they do not directly supervise that individual. Prohibited decisions include, but are not limited to, decisions about hiring, wages, hours, benefits, assignments, evaluations, training, discipline, promotions, and transfers.
- e) Any exception to the provisions of this section must be approved in writing by the program or department director and by the human resources director or their equivalent.

PART E: ADDITIONAL REQUIREMENTS AND PROHIBITIONS

SECTION 19 Persons convicted of a criminal act

No person may act as an employee or officer of the SEIU if he or she has been found guilty of an indictable offense related to the nature of his duties.

SECTION 20 Failure to cooperate with an investigation.

Failure to cooperate in the investigation initiated following a complaint constitutes an independent violation of this Policy and Code.

SECTION 21 Conformity:

It is the duty and obligation of covered individuals to acknowledge annually that they have received a copy of this Code, that they have reviewed and understand it, and that they agree to comply with it. He or she must disclose to the Ethics Ombudsman or the Affiliate's Ethics Liaison Officer, if appropriate, his or her interests, transactions, or relationships that could lead to a conflict of interest or potential interests as soon as such a conflict of interest is likely to occur. The Ombudsman must periodically verify compliance oversight and enforce this Policy and Code. Such verifications may include, among other things, whether the partnership, joint venture, and arrangements with management of the organizations comply with this Policy and

Code, and are properly recorded, investments or payments for goods and services, further reflect reasonable tax-free SEIU purposes, and do not result in private profit which is not permitted, or in an excessive profit transaction.

PART F : PROTECTION of WSHISTELBLOWERS

SECTION 22 No retaliation

SEIU encourages all officers and employees to bring ethics concerns and complaints that the Code has been violated to the attention of the Union, as set forth. Such an allegation should be referred for an appropriate action or investigation. If, after the investigation, a violation is deemed to be founded, then a disciplinary and / or corrective measure must be taken. In addition, the SEIU formally prohibits retaliation against an employee who made a complaint, a report or inquiry in good faith in connection with this Policy and Code. Any alleged retaliatory action must be reported immediately and will be investigated promptly. The SEIU reserves the right, however, to discipline people who make complaints in bad faith, knowing their falsehood, or complaints, reports or investigations that constitute harassment.

SECTION 23 Confidentiality

SEIU will treat communications under this Part confidentially as much as possible unless necessary to carry out 1) a complete and fair investigation, 2) the review of the operations of SEIU by the International Executive Council, the SEIU independent public auditors, and / or SEIU legal counsel, or 3) after the authorization of the persons concerned. Notwithstanding the exceptions in this section, the SEIU will keep the identity of any person (s) reporting a complaint of violation of the Policy or the Code confidential, unless disclosure is authorized by the complainant or is required to meet fiduciary or other legal obligations.

PART G : ENFORCEMENT (PART F)

SECTION 24 Ethics Officer

Hereby, the Ethics Officer's mandate is defined. The Ethics Officer shall be an individual of unimpeachable integrity and reputation, preferably with experience in ethics, law enforcement and the workings of the labor movement. The Ethics Officer shall provide his or her services under contract and shall not be an employee of the International Union or any of its Affiliates. The main responsibility of the Ethics Officer is to provide assistance in the implementation and application of the Policy and Code. The Ethics Officer shall be appointed by the International President and confirmed by the International Executive Board.

SECTION 25 Ethics Ombudsperson

The position of the ethics ombudsman is also established. The Ethics Ombudsman is responsible for assisting the Ethics Officer, directing the training of officers and staff of the SEIU and Affiliates regarding the Policy and Code, providing assistance to the International Union and Affiliates on matters related to the Policy and the Code, and to offer the necessary support in compliance with the global ethics program of the SEIU. The ethics ombudsperson shall be employed in the SEIU legal department.

SECTION 26 Affiliate Ethics Liaison

Each Affiliate shall appoint an Ethics Liaison who will be available for ethics advice or guidance, will serve as an Affiliate's key contact with the International's Ethics Ombudsperson, will assist in enforcement of the Code, will oversee the delivery of ethics-related training, will assist the Affiliate in strengthening its ethical culture, and will serve as an ethical leader in the Affiliate.

SECTION 27 Complaints

Any covered individual or member may file a written complaint concerning alleged violations of the Code. Oral concerns and complaints shall be reduced to writing for further processing as a complaint. Complaints should be signed or contain the name of the complainant(s), and shall be kept confidential pursuant to Section 23. Complaints alleging violation of the Code shall not be enforced under SEIU or Affiliate constitutions and bylaws unless they also allege violations of the constitutions and bylaws. The International Union shall post contact information for submission of ethics complaints on the SEIU website and shall provide that information on request. Each Affiliate shall provide its staff and membership with contact information for its Ethics Liaison.

SECTION 28 Complaints – Initial layout and dispatch

Complaints alleging violation of the Code that are submitted to the International Union or the Ethics Officer shall be referred initially to the SEIU Ethics Ombudsperson. The Ethics Ombudsperson shall review ethics complaints submitted to the International Union and shall respond to them in his or her discretion, including but not limited to providing advice or guidance, resolving them informally, directing them to resources outside the ethics office, and referring them to the Ethics Officer or Affiliate for further processing. The individual submitting the complaint shall be notified of the status of the complaint as appropriate in the discretion of the Ethics Ombudsperson but in all events upon its conclusion.

SECTION 29 *Complaints handled by Affiliate, Notice to Ethics Ombudsperson*

Ethics complaints that are raised with or referred to an Affiliate shall be investigated by the affected Affiliate and, where appropriate, may form the basis of employee discipline or formal internal union charges to be processed before a trial body in accordance with the requirements set forth in the Affiliate's constitution and bylaws and/or the SEIU Constitution and Bylaws. The Ethics Ombudsperson may advise an Affiliate concerning matters related to the investigation and processing of complaints and charges alleging violation of the Code. Where a complaint involves an Affiliate's president, chief executive officer, chief of staff, secretary-treasurer, chief financial officer, or the equivalent, the Affiliate shall notify the Ethics Ombudsperson as soon as practicable. The Ethics Ombudsperson may consult with the Ethics Officer concerning any question referred by an Affiliate.

SECTION 30 *Original jurisdiction*

If an Affiliate or an Affiliate executive board member, officer, or member believes that formal internal union charges against a covered individual that also allege violations of this Code involve a situation which may seriously jeopardize the interests of the Affiliate or the International Union, or that the hearing procedure of the Affiliate will not completely protect the interests of the Affiliate, an officer or member, that individual may request that the International President assume original jurisdiction under Article XVII, Section 2(f) of the SEIU Constitution and Bylaws.

SECTION 31 *Original Jurisdiction by International President*

In accordance with Article XVII, Section 2(f) of the SEIU Constitution and Bylaws, the International President may in his or her discretion assume original jurisdiction of formal internal union charges also alleging violation of this Code if as a result of an investigation he or she believes that the charges filed against a covered individual involve a situation which may seriously jeopardize the interests of the Affiliate or the International Union. In his or her discretion, the International President may refer the matter to the Ethics Officer for a recommendation concerning the possible assumption of original jurisdiction.

SECTION 32 *Ethics Officer - Review and Advice*

The International President, the International Secretary-treasurer or the International Executive Council (IEC) may refer matters relating to the Policy and Code to the Ethics Officer for review or advice.

SECTION 33 *Referral of formal charges to the Ethics Officer*

If formal internal union charges filed with the International Union under Article XVII, Section 3 of the SEIU Constitution and Bylaws also allege violation of the Code by an officer or executive board member of the International Union or an Affiliate, such charges may be referred to the Ethics Officer for review and recommendations.

SECTION 34 *Review of Claims by Ethics Officer*

If the Ethics Officer concludes, after review of allegations of violations of the Code, that the allegations are without merit or that further investigation is not necessary, he or she shall advise the concerned parties of its findings.

SECTION 35 *The ethics officer's authority to address a response to the International Union*

If after review of the allegations of violations of the Code in a complaint or formal charge, the Ethics Officer finds that the allegations have merit and/or warrant further investigation, he shall recommend a response or course of action for the International Union to respond to the complaint or charges, including but not limited to the following:

- a) Further investigation by SEIU personnel and/or outside investigator(s);
- b) Filing of formal charges under Article XVII of the SEIU Constitution and Bylaws;
- c) Assumption of original jurisdiction by International President pursuant to Article XVII, Section 2(f) of the SEIU Constitution and Bylaws;

- d) Appointment of an outside hearing officer to conduct a trial under Article XVII, Section 3 of the SEIU Constitution and Bylaws;
- e) Discipline of covered employees; and/or
- f) Sanction of covered officers or members accused in formal proceedings.

SECTION 36 Annual report of the ethics program

The Ethics Ombudsperson, in consultation with the Ethics Officer, shall issue a report to the SEIU International Executive Board annually, summarizing compliance, training, enforcement, culture building and related activities, and making recommendations for modifications to the ethics program that he or she believes would enhance the program's effectiveness.

SECTION 37 Obligation to read and apply the Policy and Code

SEIU and each Affiliate shall provide a copy of the Code to each covered individual. It is the duty and obligation of covered individuals to review and comply with it.

SECTION C : INDEPENDENT REVIEW OF DECISIONS UNDER ARTICLE XVIII INVOLVING POLICY AND CODE VIOLATION

In accordance with Article XVII, Section 3 of the SEIU Constitution and regulations, the International Executive Council is authorized to appoint hearing officers to hear the disputed formal charges against the officers of a local union or of the International Union. The IEC also decides in matters following the instruction. In addition, according to Article XVII, Section 6 and 7, the IEC is empowered to hear appeals of decisions from local unions and the International President involving internal changes. Appeals can be requested of the decisions of the IEC during the International Convention.

To provide independent opinions in formal charge review procedures regarding alleged violations of the Policy and the Code of Ethics and Conflict of Interest Practices, the IEC adopts the following policy for dealing with cases and appeals in such cases:

1. Establishment of an Ethics Review Board

An Ethics Review Board (ERB) is established comprising three impartial members of good public reputation who do not work under the jurisdiction of the SEIU and who are not employed by the International Union nor any of its Affiliates. ERB members will receive payment in addition to expenses for attending ERB meetings.

2. Appeals to the IEC of decisions rendered by local unions or by the International President

The following procedure will apply when considering appeals from decisions made by the local union or by the International President in cases of alleged violations of the Code:

- a) An IEC committee will be appointed to review the appeal.
- b) The committee will examine the files, additions to the files if necessary, to make a recommendation, and will issue a recommendation to the IEC and to the parties concerned, with the stipulation that the recommendation will become the final recommendation of the committee if no objection is filed within 15 days of its issue.
- c) A party who is not satisfied with the committee's recommendation will be able to register objections with the IEC, to the care of the Employee Protector for ethical questions. The objection will state the basis for this objection.
- d) If a valid objection is filed, the ERB will appoint one or more members to examine the committee's recommendation and to submit an independent recommendation to the IEC.

3. Decisions over which the IEC has jurisdiction according to Article XVII, Section 3

A procedure similar to the one established in paragraph 2 above will be used for cases in which the IEC has jurisdiction to appoint the investigation according to Article XVII, Section 3.

4. Examination by ERB

The review by the ERB will be based on the files, and will not involve re-hearing the case. If there are shortcomings in the files to be filed in order to be able to render a decision, the ERB may request that the files be completed to fill these specific shortcomings. The ERB will not have jurisdiction to review SEIU procedures other than formal directions and appeals of charges involving complaints of violations of the Policy and the Code. The ERB will receive administrative support from the Employee Protector for ethical issues. A summary of ERB activities will be included in the Annual Report on Ethical Issues.

CONCLUSION

The personal commitment of the SEIU leaders is essential for the effectiveness of the implementation within the Union to dedicate time, thoughts and resources to reinforce the culture of ethics in the local unions and in the Union. A firm commitment to promote and maintain an ethical culture increases the ability of the SEIU to win for workers. Not only does the SEIU promote the highest values and aspirations for its members, it also urges all members to abide by them on a daily basis. These policies constitute a complete program within the Union that will align the messages and behaviors of the SEIU with ethical values.

*** Note: This appendix is an extract=version of the SEIU code of ethics. In case of discrepancy, the original text will prevail.**



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