



Fédération des enseignantes
et enseignants de cégep (CSQ)

Statutes and Bylaws

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CHAPTER 1.00

DEFINITIONS, NAME, HEAD OFFICE, MISSION AND ROLE

Article 1.01 **Definitions and rules**

Cartel and/or alliance: a cooperation agreement between two distinct organisations or more in the pursuance of common objectives and benefits.

College/CEGEP: a legal entity whose purpose is to provide general and vocation instruction at the college level, commonly referred to as CEGEP.

Special congress: a meeting convened through a decision of the General Council, gathering all affiliated union delegates in order to address a specific, punctual issue.

Delegate: an individual formally appointed by an affiliated union in good standing, whose mandate is to represent the said union within the various decisional bodies of the Federation.

Substitute delegate: an individual appointed by an affiliated union in good standing, whose mandate is to represent the said union within the various decisional bodies of the Federation in the absence of an official delegate. Every union shall appoint a number of substitutes equal to 50% of the total number of official delegates to which it is entitled.

Governing body: a decisional body put into place and acting in compliance with the powers conferred upon it by the Statutes. The governing bodies of the Federation are the Congress, the General Council, the Federal Council, the Executive Board, and any other committee put into place by any of these governing bodies.

Double majority: a double majority is reached:

- a) when more than 50% of the affiliated unions in good standing vote in favour of the recommendation of the General Council, with each union representing one vote;

- b) when the results of the votes taken in the general assemblies of the members of the affiliated unions indicate that more than 50% of the members are *for* the General Council's recommendation;

- c) This is done by tabulating, for each affiliated union, the number of votes *for* and *against* and by applying these resulting percentages to the total membership as set out in the last statement of the membership forwarded to the CSQ.

In case of a tied union vote (first majority), it is the number of votes tabulated for purposes of the second majority that settles the question.

Simple majority: the simple majority is reached when the number of votes cast *for* or *against* is more than 50% of the votes cast *for* and *against*. Abstentions are not counted.

Member: any teacher that is employed by a college, that is covered by the accreditation of a union that is affiliated with the Federation, and that fulfils the conditions set out by the Statutes and Bylaws of the said union, as well as those set out by the Québec Labour Code (R.S.C. C-27).

Affiliated union: a union whose request for affiliation has been accepted in accordance with the statutes and that remains affiliated.

Affiliated union in good standing: a union that is affiliated with the Federation, and that fulfils every condition imposed upon it by the latter's Statutes and Regulations.

Article 1.02 **Name**

The Fédération des enseignantes et enseignantes de CEGEP is a Québec union federation and its acronym is "FEC-CSQ".

Article 1.03 Constitution and affiliation

In accordance with article 3 of the statutes of the Centrale des syndicats du Québec (CSQ), the Federation is a CSQ sectoral group and is made up of unions whose members are defined in article 1.01. The Federation is affiliated with the CSQ and acts as representative of its members in relation to the latter. The Federation may also affiliate with any organization whose interests are consistent with its own.

Article 1.04 Mission and role

The Federation's mission and role are to study, protect and further the economic, intellectual, social and professional interests of its members.

To such ends, it coordinates the activities of its affiliated unions.

As well, it conducts the mandates assigned by its affiliated unions.

Article 1.05 Head office

The Head Office of the Federation is located in Montreal.

Article 1.06 Fiscal year

The Federation's fiscal year begins on September 1 and ends on August 31 of the following year.

Article 1.07 Affiliated organizations

- a) The union organizations that may join the Federation are unions whose members are employed by a CEGEP;
- b) An affiliated union representing members employed by a regional CEGEP or a CEGEP with multiple campuses, organized in sections, may, on filing a request with the Executive Board, obtain the right to send a delegation per section to the General Council and the Congress, in which case articles 2.02b) and 3.01b) apply to each campus.

CHAPTER 2.00

CONGRESS

Article 2.01 Frequency

The Congress meets once every three (3) years between May 15 and October 15.

Article 2.02 Composition

The congress includes:

- a) The Federation officers;
- b) Twice the number of members that the unions may delegate to the General Council.

Article 2.03 Membership

For the purposes of representation at the General Council and the Congress, the membership of an affiliated union is established in reference to the total membership declared in the last statement of membership sent to the CSQ, pursuant to its statutes.

For the purposes of article 2.02, the total membership is established on May 31 preceding the Congress on the basis of the last statement of membership sent to the CSQ by the affiliated unions.

Article 2.04 Nomination

Congress delegates are named by their respective unions.

To officially designate a delegate, the union must provide the Federation with a document attesting to her or his nomination, duly signed by the union president and secretary. This certificate is accepted in lieu of a letter of accreditation. No individuals may be elected as a delegate unless they are members of a union in good standing affiliated with the Federation. During the Congress, all delegates must have in their possession a duplicate of their letter of accreditation, without which they might lose their standing as official delegates.

Article 2.05 Quorum

The quorum of the Congress is one third ($\frac{1}{3}$) of the members that the affiliated unions may designate in accordance with article 2.02.

Article 2.06 Convocation

The Congress is convened by the Executive Board. The General Council may convene a Special Congress by a regularly adopted motion. Upon the request of thirty (30) members, the General Council must reconsider the question.

Article 2.07 Powers

The Congress is the supreme governing body of the Federation. It has the following powers:

- a) It determines the Federation's general policies, principal objectives and the major guidelines for action;

It may also, exceptionally, set out particular policies, special objectives or more immediate action plans;
- b) It elects the officers of the Federation for a three (3)-year term;
- c) It adopts and amends the Statutes and Bylaws of the Federation;
- d) It examines and deals with the Executive Board report, as well as all reports from committees or commissions that it put into place;
- e) It sets out general guidelines for budget forecasts;
- f) It determines regular dues;
- g) It may dismiss or suspend from her or his duties any officer or delegate of the Federation or of any organization to which said delegate was designated by the Federation;
- h) It determines to which organizations the Federation is to be affiliated.

Article 2.08 Decisions

Congress decisions are adopted by a simple majority vote.

CHAPTER 3.00

GENERAL COUNCIL

Article 3.01 Composition

The General Council includes:

- a) The Federation officers;
- b) The members who may be delegated by the unions in good standing according to the following scale:

100 members or less:	3 delegates
101 to 175 members:	4 delegates
176 to 275 members:	5 delegates
276 to 400 members:	6 delegates
401 members or more:	7 delegates

Article 3.02 Powers

The General Council is the supreme governing body between congresses. It has the following powers:

- a) It sees to the implementations of the decisions and directions adopted by the Congress and ensures they are carried out;
- b) It examines, evaluates and decides on all motions submitted;
- c) It examines and deals with all reports from the Federal Council, the Executive Board, from the Secretary, from the Treasurer and from committees and commissions put into place by the General Council. The General Council may reconsider a decision made by the Federal Council;
- d) It examines, amends and adopts the budget forecasts;
- e) It appoints the auditor and receives her or his report at the end of the financial year and it determines all special dues;
- f) It decides, upon recommendation from the Executive Board or the Federal Council, whether or not to hire advisory staff;
- g) It determines the date of the Congress;
- h) It may dismiss one or more officers of the Federation or delegates of the Federation to the General Council or to any other organization, by a two thirds ($\frac{2}{3}$) votes, abstentions not being taken into consideration. It must thus proceed by secret ballot;
- i) It elects the spokesperson of the Negotiating Committee, as well as every member thereof. The Negotiating Committee must not include more than two (2) members of the Executive Board. It alone is responsible for the entire course of negotiations. It adopts union demands. It conducts the negotiations in coordination with the Central Labour Union as well as with any other organization whose interests are compatible with its own. It may recommend the adoption or rejection of an agreement in principle to its affiliated union or invite them to take a stand on the said agreement in principle. It endorses, where appropriate, the double majority adoption of the agreement in principle as provided by article 13.02 of the Statutes and Bylaws. It has the power to determine the appropriate administrative mechanisms and authorized governing bodies required to ensure more flexible control over negotiations. It advises its representatives on the Negotiating Committee to sign the collective agreement;
- j) It may adopt a cartel/alliance agreement (in relation to CEGEP teacher unions) and transfer all or part of the powers specified in paragraph i) to the said cartel/alliance;
- k) It approves the affiliation of new unions;

- l) It may approve a Service Agreement with a union or group of unions and set out the conditions under which the members and delegates will be integrated into the Federation's political governing bodies, until the following Congress;
- m) The election of Negotiating Committee members in accordance with paragraph i) is done by secret ballot.
- b) If the President, or her or his stand-in fails to convene such a meeting within the time period specified above, the Executive Board, or the members who have made the request, may convene the requested special meeting and hold it in the place where meetings are generally held;
- c) Notice of convocation shall be given at least three (3) days beforehand for a special meeting to be held. The meeting agenda shall specifically mention all the items to be dealt with and cannot be amended.

Article 3.03 Regular meetings

- a) The Federation shall hold at least three (3) regular meetings of the General Council in the course of the year;
- b) The convocation for the regular meetings shall be sent, in writing, to each of the affiliated unions at least ten (10) days before the date on which it will be held. The meeting agenda shall be included.

Article 3.04 Special meetings

- a) The President convenes or arranges to convene a special meeting of the General Council as often as she or he considers it necessary and is under strict obligation to do so within twenty (20) days following a request submitted by the Executive Board or by at least five (5) delegates representing at least three (3) unions;

Article 3.05 Quorum

The quorum of the General Council is one third ($\frac{1}{3}$) of the number of members that the unions may delegate in accordance with article 3.01 b).

Article 3.06 Decisions

The General Council's decisions are adopted by simple majority vote.

CHAPTER 4.00

FEDERAL COUNCIL

Article 4.01 Composition

The Federal Council is composed of:

- a) A delegate from each of the affiliated unions, designated by her or his union;
- b) An Executive Board officer;
- c) The President of the Federation or, in her or his absence, another officer of the Federation.

Article 4.02 Powers

The federal council is an intermediary governing body between the General Council and the Executive Board.

- a) More specifically, it sees to implementing and carrying out the decisions of the General Council. Within this framework, it is the privileged place for dialogue and coordination for the activities of the Federation and of the affiliated unions. It decides on matters within the competence of the Federation, as stated in article 1.04;
- b) It may at all times convene a regular or special meeting of the General Council and submit recommendations. Its meeting minutes must be tabled at the General Council.

Article 4.03 Meetings and quorum

- a) Except for urgent situations, the notice of convocation is sent to each of the unions at least five (5) days before the date determined for the meeting. A proposed meeting agenda shall be included;

- b) The President convenes, or arranges to convene, a Federal Council. If the President fails to convene a Federal Council, The Executive Board or three (3) delegates from at least two (2) affiliated unions may convene a Federal Council meeting;
- c) The quorum of the Federal Council is reached when a majority of the delegates from the affiliated unions and an officer of the Federation are present, in compliance with articles 4.01 a) and 4.01b).

Article 4.04 Decisions

The Federal Council's decisions are adopted by simple majority vote.

CHAPTER 5.00

EXECUTIVE BOARD

Article 5.01 Composition

The Executive Board is composed of the officers of the Federation, in conformity with article 6.01.

Article 5.02 Powers

The powers of the Executive Board are those that are delegated to it by Federal Council, General Council and Congress resolutions.

It may, amongst other powers:

- a) Study and decide upon all questions related to compliance with the Statutes and Bylaws and the implementation of those principles that guide the Federation in its actions;
- b) Administer the assets of the Federation;
- c) Implement the decisions of the Federal Council, the General Council and the Congress;
- d) Develop budget forecasts and submit them to the General Council for adoption;

- e) Deal with routine and daily affairs;
- f) Decide on the convening of special meetings of the General Council and determine the date, the place and the proposed meeting agenda;
- g) Put into place any committee that it deems necessary, receive and deal with committee or commission representatives' reports;
- h) Report on its administration and on its leadership to the General Council and to the Congress in its end of mandate report;
- i) Appoint delegates or representatives to all other organizations or activities considered necessary for the proper functioning of the Federation;
- j) Convene the meeting of the Congress;
- k) Develop a three-year plan, submit it to the General Council for adoption and ensure annual monitoring thereof;
- l) A Federation officer may not serve on the different governing boards as a delegate of her or his union.

Article 5.03 Meetings

Unless serious grounds justify doing otherwise, the Executive Board shall meet at least five (5) times per year, on the day and at the time and place determined by the Executive Board itself.

Article 5.04 Quorum

The quorum of the Executive Board is reached once a majority of members are present.

Article 5.05 Decisions

The decisions of the Executive Board are made by simple majority vote. In the case of a tied vote, the President may cast a deciding vote.

Article 5.06 Federation employees

The Executive Board, having considered the opinion of the General Council concerning the relevance of hiring employees, may retain the services of the persons deemed necessary for the smooth administration of the Federation and negotiate their salaries, functions, duties and administrative responsibilities.

Article 5.07 Release time for members

Following the adoption of a motion to that effect by the General Council, the Executive Council is authorized to enter into negotiations with the concerned CEGEP to grant complete or partial release time to any Federation member exempting the member from her or his teaching duties, and assume the resulting costs.

CHAPTER 6.00

FEDERATION OFFICERS

Article 6.01 Officers

Federation officers hold one of these three (3) positions:

- One (1) President;
- One (1) Treasurer;
- Four (4) Vice-Presidents.

In order to foster an equitable representation of women, precedence shall be granted to women for three (3) of the six (6) officer positions.

The president has full release time.

Article 6.02 Mandate terms

- a) Officers remain in office for three (3) years. However, their mandate may be extended beyond this term until their successor is elected;
- b) Officers cannot serve more than two (2) three (3)-year mandates in a row. In order to become eligible again, the individual must return to his/her college for at least one semester. However, a person who has served one or two terms as Treasurer or Vice-President may run for President and serve two additional mandates in a row as such.

Article 6.03 Duties of outgoing officers

Outgoing officers must return to the Head Office all documents and other materials belonging to the Federation. They also have a duty of confidentiality respecting the use of sensitive data acquired during their term.

Article 6.04 Vacancies

- a) An officer's position is considered vacant when the individual:
 - 1. Resigns of dies;
 - 2. Misses more than two (2) consecutive Executive Board meetings without a valid reason;
 - 3. Is no longer a member of the Federation;
- b) Such a vacancy is created is filled by the General Council, or if the situation applies, by a Special Congress. In the latter case Chapter 7 of these Statutes applies.

Article 6.05 Rights and duties: President

- a) In compliance with the decisions of the Executive Board, to which she or he reports, the President bears the responsibility for the administration of the Federation and ensures the general supervision of the activities;
- b) She or he fulfils all the functions related to her or his position as well as all the mandates assigned by the bodies of the Federation;
- c) She or he is an ex-officio member of all committees;
- d) She or he is the official representative of the Federation;
- e) She or he signs the minutes and other documents with one of the Vice-Presidents or the Treasurer, as appropriate.

Article 6.06 Rights and duties: Vice-Presidents

Vice-Presidents assist and advise other Federation officers. They shall also carry out tasks assigned to them by the various bodies of the Federation, including its committees and commissions.

Once elected, the officers shall appoint a 1st Vice-President chosen among the Vice-Presidents. The 1st Vice-President shall carry out the duties of the President whenever the latter is absent or unable to act, or whenever she or he refuses to do so.

The officers shall also appoint a Secretary among one of the other three Vice-Presidents. The Secretary will be responsible for recording Congress, General Council and Executive Board minutes. The Secretary shall co-sign the minutes with the President.

Article 6.07 Rights and duties: Treasurer

The Treasurer is responsible for:

- a) Keeping the accounting up-to-date, in the manner approved of by the Executive Board;
- b) Making deposits at the bank or the caisse chosen by the Executive Board;
- c) Collecting contributions, affiliation fees and other Federation revenues;
- d) Co-signing financial documents with the President or all other officers authorized to do so;
- e) Submitting yearly budget forecasts to the Executive Board for study and adoption. She or he presents these forecasts to the General Council on behalf of the Executive Board;
- f) Submitting to the General Council her or his financial report at the end of every fiscal year.

CHAPTER 7.00

ELECTIONS

Article 7.01 Returning Officer

- a) Between January 1 and April 15 prior to the Congress, the General Council may designate a returning officer who is not an officer of the Federation. This designation may be made without having been stated on the meeting agenda, and forwarded to the delegates of a duly convened meeting, as long as all affiliated unions in good standing are present;
- b) If the General Council fails to proceed with this designation, the Executive Board must proceed to designate a returning officer during the last two weeks of April;
- c) The returning officer shall make sure that the elections are carried out normally, in accordance with the related provisions of the present Statutes and Bylaws, and sign the minutes as recorded by the election secretary;
- d) The returning officer is not entitled to vote.

Article 7.02 Election secretary and scrutineers

- a) The Congress appoints an election secretary and two scrutineers;
- b) The delegates designated as Scrutineers are entitled to vote;
- c) The election secretary records and signs the minutes of the elections.

Article 7.03 Eligibility

Any Congress member is eligible to any Executive Board position.

Article 7.04 Nominations and voting

- a) The nomination period ends 24 hours before the time set for the elections. This does not apply to a position for which there is no candidate, in which case nominations may be made up to the moment of the vote;

- b) Nominated candidates must accept in person or have accepted in writing the officer's position for which they have been nominated;
- c) Following the closure of the nomination period, the Congress proceeds by secret ballot;
- d) Only Federation officers and delegates from affiliated unions in good standing have the right to vote;
- e) In the event that the returning officer, the election secretary or one of the scrutineers is nominated for one of the elected officer positions and accepts, the Congress designates a substitute to fill the position thus vacated;
- f) A delegate who has lost the election to a given position, may be nominated for another position not yet filled;
- g) Elections shall take place in the following order: the vote for the President comes first and the results are announced; then comes the vote for the Treasurer and the results are announced; after which the elections of the Vice-Presidents take place and results are announced;
- h) To be elected the candidate must obtain a simple majority, that is to say more than 50% of votes cast, even if there is only one individual running for the given function. If a second or third ballot is required, the person having obtained the lowest number of votes is eliminated. If, following a third ballot, no one has obtained a simple majority, the person having received the highest number of votes in all the ballots is elected;
- i) After the results are announced for the election of the President and of the Treasurer, the returning officer shall announce the number of Vice-Presidencies for which women will be given precedence:
 - i. If two women have been elected President and Treasurer, precedence shall be granted to women candidates on one Vice-Presidency;
 - ii. If a man and a woman have been elected President and Treasurer, precedence shall be granted to women candidates on two Vice-Presidencies;
 - iii. If two men have been elected President and Treasurer, precedence shall be granted to women candidates on three Vice-Presidencies;
- j) Vice-Presidents shall be elected as follows: voters will choose four persons of their choice among all candidates;
- k) Women candidates who will have obtained the highest number of votes (based on the number of Vice-Presidencies on which women are to be given precedence) and candidates (other women and men) having obtained the highest number of votes shall be elected Vice-Presidents;
- l) If there is an insufficient number of women candidates for Vice-President based on the precedence principle, the position is to be filled by a man.

CHAPTER 8.00

COMMITTEES AND COMMISSIONS

Article 8.01 Constitution

The Congress, the General Council or the Executive Board may put into place all committees and commissions deemed necessary for the good of the organization and appoint the members.

The Executive Board may appoint, amongst its members, representatives to committees stated in the collective agreement (Advisory Committee on Teaching Workloads, Provincial Meeting Committee, Provincial Equal Access to Employment Advisory Committee). If the Executive Board does not appoint such representatives, the General Council does, and the term of the mandate is as provided in article 6.02 of the Statutes and Bylaws.

Article 8.02 Report

- All committees or commissions shall report to the body that put them in place;
- The report must be in written form unless the constituting motion specifies otherwise;
- If in written form, the report must be signed by the person in charge of the said committee or commission.

Article 8.03 Expenses

No committee or commission may incur expenses or debts without the authorization of the constituting body.

Article 8.04 Quorum

The quorum of every committee or commission is made up of the majority of the acting members; the President of the Federation does not count even though she or he is an ex-officio member of every committee.

Article 8.05 Election of members in charge of committees created by the Federation

At the General Council following the Congress, delegates shall elect Status of Women Committee Coordinator and other individuals in charge of the Federation's various committees.

Article 8.06 Mandate terms

Individuals with release time may not serve more than two (2) three (3)-year mandates. Therefore, a person who has had release time for a committee for more than six (6) consecutive years is no longer eligible on the same committee or any other committee. To re-qualify, the individual must go back to her or his CEGEP for at least one semester. However, the individual remains eligible to the Executive Board.

CHAPTER 9.00

ADMINISTRATION AND FINANCIAL CONTROL

Article 9.01 Revenues

a) Regular dues

The dues of an affiliated union are set at 0.48% of the actual income earned by each due paying member of the union.

b) Special dues

Upon the General Council's recommendation, special dues may be added to the regular dues for a specified period of time.

Article 9.02 Responsibilities of the Executive Board

During the year, the Executive Board shall regularly ascertain that the Federation's financial resources are used in accordance with the budget framework adopted by the General Council.

Article 9.03 Auditor

During its first regular meeting of the year, the General Council shall appoint an auditing firm of its choice. This auditing firm will examine the accounts of the Federation within a time period that allows the Treasurer to submit her or his financial report during the winter session following the end of the financial year.

Article 9.04 Payments

All payments are made by cheque. All cheques must be signed by two officers of the Federation. Any officer of the Federation may be authorized to sign cheques by an Executive Board motion to this effect. The President and Treasurer are ex-officio designated signatories.

CHAPTER 10.00

AFFILIATION, SERVICE AGREEMENT, DISSOLUTION AND LIQUIDATION

Article 10.01 Affiliation

Any union whose accreditation targets members as defined in article 1.01 may be affiliated with the Federation, under the following conditions:

a) The union must not belong to any other association whose principles, trends or philosophy do not comply with those of the Federation;

b) The union must forward to the Head Office of the Federation a request for affiliation accompanied by a certified copy of the motion to this effect duly adopted by its general assembly, along with the names and addresses of its officers;

c) The union must provide a copy of its Bylaws, Regulations and any subsequent amendment thereof;

- d) The union must comply with the Bylaws of the Federation;
- e) The union must be accepted by the General Council of the Federation.

Article 10.02 Service agreement

The Federation may enter a service agreement with a union or a group of unions whose members are as defined in article 1.01.

The agreement must be submitted to the General Council for approval and meet the following conditions:

- a) The agreement must be temporary;
- b) The union or group must not belong to any other association or group whose principles, trends or philosophy are incompatible with those of the Federation, or be in the process of disaffiliating from said association or group;

- c) The union or group must forward to the Head Office of the Federation a request for a Service Agreement accompanied by a certified copy of the motion to this effect duly adopted by its general assembly, along with the names and addresses of its officers;

- d) The union must provide a copy of its Bylaws, Regulations and any subsequent amendment thereof.

Article 10.03 Dissolution and liquidation

The dissolution of the Federation is decided upon by the Congress. In the event of dissolution, the liquidation must be carried out in conformity with the provisions of the *Professional Syndicates Act* (1964, R.S.Q., chapter 146).

CHAPTER 11.00

ADOPTION AND ENFORCEMENT OF STATUTES AND BYLAWS

Article 11.01 Adoption of statutes and bylaws

- a) A motion to amend or abrogate these Statutes and Bylaws, or a motion involving new Statutes or new Bylaws, must be forwarded to each of the affiliated unions at least thirty (30) business days before the meeting of the Congress during which the said motion is to be discussed;
- b) No new proposal or amendment is acceptable if not submitted within such a deadline.

Article 11.02 Vote

The present Statutes and Bylaws may only be adopted, amended or abrogated by a two-thirds (⅔) majority vote.

Article 11.03 Enforcement

All amendments to these Statutes and Bylaws shall come into force immediately upon being adopted, unless another date is specified.

CHAPTER 12.00

RULES AND PROCEDURES

Article 12.01 Rules and procedures

Each governing body of the Federation adopts its own Rules and Procedures. If this is not done, or in the case of a procedure that is not covered by the

rules is contested, reference will be made to the Rules and Procedures for deliberating assemblies as set out by Victor Morin. If this does not settle the matter, the assembly will decide.

CHAPTER 13.00

NEGOTIATIONS

Article 13.01 Strike

The decision of whether or not to exercise a strike mandate:

- a) shall be made after the General Council decides to submit the strike vote to general assemblies. The vote is held by secret ballot;
- b) requires a double majority vote, as defined in article 1.01 of the Statutes and Bylaws.

Article 13.02 Agreement in principle

The decision of whether or not to adopt an agreement in principle requires a double majority vote, as defined in article 1.01 of the Statutes and Bylaws.

If the double majority is reached, the General Council endorses the agreement in principle.

The decision to adopt and sign the collective agreement is made by the General Council.



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