



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

Absolute majority: absolute majority requires more than half of the votes expressed, excluding abstentions, blank ballots and cancelled ballots.

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

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

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

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.

Double majority: double majority is reached:

- a) when more than 50% of the affiliated unions in good standing express themselves in favour of the recommendation voted by the General Council, with each union representing one vote;
- b) when more than 50% of the members express themselves in favour of the General Council's recommendation.

This is done by tabulating, for each affiliated union, the number of votes expressed *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 vote for condition a), the recommendation is adopted if condition b) is met.

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.

Member: any individual 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).

Simple majority: simple majority requires the greatest number of votes expressed, excluding abstentions, blank ballots and cancelled ballots.

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

Article 1.02 Name

The Fédération des enseignantes et enseignants de CÉGEP 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 of the Federation

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 conducting teaching duties for a CÉGEP;
- b) An affiliated union representing members employed by a regional CÉGEP or a CÉGEP 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 3.02b) and 4.01b) apply to each campus.

CHAPTER 2.00

RULES AND PROCEDURES

Article 2.01 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 shall 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 shall decide.

CHAPTER 3.00

CONGRESS

Article 3.01 Frequency

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

Article 3.02 Composition

The Congress includes:

- a) the officers of the Federation;
- b) twice the number of members that the unions may delegate to the General Council (see article 4.01).

Article 3.03 Membership

For the purposes of article 3.02, the total membership is established on the 1st of April preceding the Congress on the basis of the last statement of membership sent to the CSQ by the affiliated unions.

Article 3.04 Nomination

Congress delegates are named by their respective unions.

To make the nomination of a delegate official, 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 individual may be nominated as a delegate unless they are members of a union in good standing affiliated with the Federation.

Article 3.05 Observers

Individuals may attend the Congress as observers, if invited by the FEC's Executive Board or affiliated unions, at their own expenses. Unless otherwise determined by the decisional body, expressed by a simple majority vote, these individuals have the right to speak. However, they are not allowed to propose or support a motion and they do not have the right to vote.

Article 3.06 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 3.02.

Article 3.07 Convocation

The Congress is convened by the Executive Board. The General Council may convene a Special Congress by a regularly adopted motion.

Article 3.08 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 put into place by a decisional body of the Federation or Executive Board;
- e) It may set 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. It must thus proceed by secret ballot;
- h) It determines to which organizations the Federation is to be affiliated.

Article 3.09 Decisions

Unless otherwise specified in these Statutes, Congress decisions are adopted by an absolute majority vote.

CHAPTER 4.00

GENERAL COUNCIL

Article 4.01 Composition

The General Council includes:

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

10 members or less:	2 delegates
11 to 100 members:	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

For General Council and Congress representation purposes, an affiliated union's membership is determined based on the total number of members as set out in the last statement of membership forwarded to the CSQ in accordance with its Statutes.

Article 4.02 Observers

Individuals may attend the General Council as observers, if invited by the FEC's Executive Board or affiliated unions, at their own expenses. Unless otherwise determined by the decisional body, expressed by a simple majority vote, these individuals have the right to speak. However, they are not allowed to propose or support a motion and they do not have the right to vote.

Article 4.03 Powers

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

- a) It sees to the implementation 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, receives the financial report, and 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 ($\frac{2}{3}$) vote, 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. It alone is responsible for the entire course of negotiations. It adopts union demands. It conducts the negotiations in coordination with the Centrale des syndicats du Québec 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 unions or invite them to decide on the said agreement in principle. It endorses, where appropriate, the double majority adoption of the agreement in principle as provided by article 9.03 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 or alliance agreement with another union organization representing CÉGEP teachers and transfer all or part of the powers specified in paragraph i) to the said cartel or 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.
- Article 4.04 Regular meetings**
- a) The Federation shall hold at least two (2) regular meetings of the General Council per semester (fall and winter), which shall normally last two (2) days;
 - 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 4.05 Special meetings**
- a) The President may convene a special meeting of the General Council if she or he deems it necessary and is under strict obligation to do so within twenty (20) days following a request submitted by the Executive Board, the Federal Council or at least five (5) delegates representing at least three (3) affiliated unions;
 - 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, the Federal Council or the members who have made the request, may convene the requested special meeting and hold it at the location 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 4.06 Quorum

The quorum of the General Council is one third (1/3) of the number of members that the unions may delegate in accordance with article 4.01 b).

Article 4.07 Decisions

Unless otherwise specified in these Statutes, the General Council's decisions are adopted by an absolute majority vote.

CHAPTER 5.00

FEDERAL COUNCIL

Article 5.01 Composition

The Federal Council is composed of:

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

Article 5.02 Observers

Individuals may attend the Federal Council as observers, if invited by the FEC's Executive Board or affiliated unions, at their own expenses. Unless otherwise determined by the decisional body, expressed by a simple majority vote, these individuals have the right to speak. However, they are not allowed to propose or support a motion and they do not have the right to vote.

Article 5.03 Powers

The Federal Council is an intermediary governing body between the General Council and the Executive Board. It is the privileged venue for dialogue and coordination regarding the activities of the Federation and its affiliated unions.

- a) It makes decisions and advises the Executive Board respecting the implementation and execution of decisions made by the General Council;
- b) It may receive and, as required, discuss affiliated unions' concerns;
- c) It advises and supports the Executive Board in the exercise of its powers and, namely, when it comes to preparing General Councils and the Congress;
- d) It may submit recommendations to the General Council;
- e) It may convene a Special General Council, in compliance with article 4.05;

- f) It advises the Federation's Executive Board and, as required, submits recommendations on union practices within the Federation. It takes part in the organization of a workshop on union practices in at least one General Council per year;
 - g) It may make a decision covered by the General Council's powers if mandated by the latter to do so;
 - h) If the Executive Board deems that a situation is urgent, the Federal Council may exceptionally make any decision covered by the Federation's powers as stated in article 1.04.
 - b) Federal Councils are convened by the President. 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 at least one officer of the Federation are present, in compliance with articles 5.01a) and 5.01b).
- Article 5.05 Decisions**
- Unless otherwise specified in these Statutes, the Federal Council's decisions are adopted by an absolute majority vote.

Article 5.04 Meetings and quorum

- a) The Federation must hold at least two (2) regular Federal Council meetings per semester (fall and winter). 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;

CHAPTER 6.00

EXECUTIVE BOARD

Article 6.01 Composition

The Executive Board is composed of the officers of the Federation, in conformity with article 6.07.

An officer of the Federation may not serve on the Federation's various governing bodies as a delegate of her or his union.

Article 6.02 Powers and responsibilities

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 application thereof, as well as the implementation of those principles recognized by the Federation when it comes to guiding its actions;

- b) administer the Federation's assets;
- c) execute 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) see to the Federation's daily affairs;
- f) decide on the convening of special meetings of the General Council and determine the date, the location and the proposed meeting agenda;
- g) put into place any committee that it deems necessary, receive and deal with the reports of committee or commission representative;
- h) report on its administration and on its actions 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 Congress meeting;
- k) develop a three-year plan, submit it to the General Council for adoption and ensure annual monitoring thereof;

The Executive Board is authorized to take the appropriate steps with a given CÉGEP to secure complete or partial release time to Federation officers.

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

Throughout the year, the Executive Board shall make regular checks to make sure that the Federation's financial resources are used within the scope of the budget adopted by the General Council.

Article 6.03 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 6.04 Quorum

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

Article 6.05 Decisions

The Executive Board's decisions are adopted by an absolute majority vote. In the case of a tied vote, the President may cast a deciding vote.

Article 6.06 Federation employees

The Executive Board, having considered the opinion of the General Council, 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 6.07 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 6.08 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) consecutive three (3)-year mandates. In order to become eligible again, the individual must return to his/her CÉGEP as teacher 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 6.09 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 6.10 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 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 6.11 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's affairs 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 6.12 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 first (1st) Vice-President chosen among the Vice-Presidents. The first (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. This choice is officialized at the first (1st) General Council held in the fall.

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

Article 6.13 Rights and duties: Treasurer

The Treasurer is responsible for:

- a) keeping the accounting up to date;
- 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 the financial report to the General Council at the end of every fiscal year.

CHAPTER 7.00

EXECUTIVE BOARD 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 represented. If no Federation member is willing to run, an external resource may be nominated;
- 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 these 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. The secretary may be a member of the Federation, an employee thereof, or an external resource recruited for such purposes. Scrutineers are members of the Federation;
- b) Delegates designated as secretaries or scrutineers keep their right 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. See 6.08b) regarding the eligibility of current Executive Board officers.

Article 7.04 Nominations and voting

- a) The Executive Board nomination period begins after the returning officer is appointed. Any eligible individual may announce her or his candidacy at any General Council meeting following the appointment of the returning officer. A period must be planned for statements of intention. Nomination forms shall be forwarded to the returning officer, who must promptly inform affiliated unions as soon as they are received. The returning officer must also inform affiliated unions of any withdrawal notice received;
- b) 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;
- c) Nominated candidates must accept in person or have accepted in writing the officer's position for which they have been nominated;
- d) Following the closure of the nomination period for officer positions, the returning officer publishes all nomination forms. The Congress proceeds by secret ballot;
- e) Only Federation officers and delegates from affiliated unions in good standing have the right to vote;
- f) 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 shall appoint a substitute to fill the position thus vacated;
- g) A delegate who has lost the election to a given position, may be nominated for another position not yet filled;
- h) 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;
- i) To be elected, the candidates for presidency and treasury must obtain an absolute majority, i.e. more than 50% of all votes cast, even if there is only one individual running for the given function. If a second or third ballot is required, those having received the fewest votes and those obtaining the same number of votes as in the previous ballot shall be eliminated. If, after the 3rd ballot, no one has received an absolute majority, the candidate with the highest number of votes after the 3rd ballot (i.e. simple majority) is elected;
- j) 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, respectively, precedence shall be granted to women candidates on one of the 4 vice-presidencies;
 - ii. if only one woman has been elected President or Treasurer, precedence shall be granted to women candidates on 2 of the 4 vice-presidencies;
 - iii. if no woman has been elected President or Treasurer, precedence shall be granted to women candidates on 3 of the 4 vice-presidencies.
- k) Vice-presidents shall be elected as follows: voters will vote for the 4 individuals of their choice among all candidates;

l) 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 (i.e. simple majority) shall be elected Vice-Presidents;

m) If there is an insufficient number of women candidates for Vice-President based on the precedence principle, the number of precedences shall be reduced accordingly.

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 Federation and appoint the members.

The Executive Board may appoint, amongst its members, representatives to committees stated in the collective agreement (CCT: Comité consultatif sur la tâche, CNR: Comité national de rencontre, CCNAÉE: Comité consultatif d'accès à l'égalité en emploi). If the Executive Board does not appoint such representatives, the General Council does, and the term of the mandate is as provided in article 6.08 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 Standing Committees

At the General Council following the Congress, delegates shall elect a woman as coordinator of the Status of Women Committee by secret ballot, as well as other coordinators for the various committees of the Federation.

The Federation forms the following standing committees:

- The CIFAC (Comité d'interprétation et de formation sur l'application de la convention collective) is comprised of one or two individuals in charge of the application of the collective agreement from every affiliated union, the labour relations

resource hired by the Federation, and the Executive Board's political coordinator in charge of labour relations as elected by secret ballot at the General Council immediately following the Congress for the 3-year mandate. This individual is released part-time by the Federation.

The role of the CIFAC is to coordinate the implementation and interpretation of the collective agreement, train union delegates and make any recommendation to the General Council regarding the application of the collective agreement.

- b) The CCF (Comité de la condition des femmes) is comprised of one woman delegate per affiliated union, the woman political coordinator appointed by the Federation's Executive Board for Status of Women issues, and a woman coordinator elected by secret ballot at the General Council immediately following the Congress for the 3-year mandate. The coordinator is released part-time by the Federation.

The role of the CCF is to:

- help improve women's status through education, collaboration with other bodies and groups advocating for women's rights, and training a new generation of feminists;
 - develop and disseminate feminist viewpoints or analyses and educate union members on issues respecting women's working and living conditions;
 - help improve CÉGEP teachers' working conditions, specifically for women.
- c) The Committee to prevent and address sexual harassment, sexism and violence in FEC's decisional bodies is made up of three members, including one political coordinator designated by the Executive Board, one member designated by the Status of Women Committee, and one representative designated by the General Council. The Committee must include at least

2 women. Two women substitutes shall also be elected by the General Council. Members are elected by secret ballot at the General Council immediately following the Congress for the 3-year mandate.

The role of this committee is to prevent situations of harassment or violence in FEC's decisional bodies, process potential complaints, and support affected individuals.

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 CÉGEP as teacher for at least one semester. However, the individual remains eligible to the Executive Board.

Article 8.07 Elections

Elections for Federation committees or commissions are conducted in accordance with one of the following processes:

- a) When there is only one position to fill and only one candidate, the latter must obtain an absolute majority of votes to be elected.
- b) When there is only one position to fill and several candidates:
- i. if one person obtains an absolute majority, she or he is elected;
 - ii. if no one obtains an absolute majority after a first ballot, the person with the fewest votes and whoever has obtained an equal number of votes are eliminated;

- iii. if no one obtains an absolute majority after a second ballot, the person with the fewest votes is eliminated for the third ballot;
- iv. if, after the third ballot, no one has obtained an absolute majority, the person having obtained a simple majority after the 3rd ballot is elected.

- c) When there are several identical positions to fill, the candidates with the highest number of votes are elected.

The nomination and election procedure is adopted at the General Council before the elections.

CHAPTER 9.00

NEGOTIATIONS

Article 9.01 Teacher's negotiating committee

The Federation's Negotiating Committee is comprised of at least three (3) individuals (besides the President of the Federation, who is an ex-officio member of all committees – art. 6.11c)), including at least one spokesperson. The committee cannot include more than two (2) members of the Executive Board, excluding the President of the Federation.

The members of the Negotiating Committee, including the spokesperson, are elected by secret ballot at the General Council according to the procedure stated in article 8.07 and the Federation grants them part-time or full-time release at the appropriate time.

Under the authority of the General Council, the Negotiating Committee is responsible for preparing and conducting the sectoral negotiating process and namely has the following mandates:

- a) Develop consultation tools for local unions and the Federation's committees towards the preparation of the set of union demands;

- b) Provide resource support during consultations within affiliated unions;
- c) Prepare the set of union demands and submit it to the General Council for adoption;
- d) Prepare the union's argumentation;
- e) Analyze the employer's offers;
- f) Prepare negotiation sessions and establish the strategy thereof;
- g) Prepare counter-proposals within the limits of its mandates;
- h) Negotiate and assess sessions;
- i) Ensure a close coordination with FEC's Executive Board;
- j) Submit reports on the assessment of the negotiation process to FEC decisional bodies;
- k) Make any recommendation it may deem relevant to FEC decisional bodies;
- l) Make sure unions are informed regularly;
- m) Ensure a close coordination with other CSQ tables;

- n) Present the agreement in principle to the General Council;
- o) Offer its support to unions for the presentation of the agreement in principle;
- p) Prepare the final wording of the collective agreement and present it to FEC decisional bodies;
- q) Prepare its assessment of the negotiating process, which is to be submitted to the General Council

Article 9.02 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 9.03 Adoption of the collective agreement

After the Negotiating Committee presents the agreement in principle, the General Council may recommend the agreement in principle, reject it or invite the general assemblies of all unions involved to decide on its ratification. This decision shall be made by an absolute majority.

Further to the General Council's decision, all general assemblies involved must be consulted on the agreement in principle.

After the consultation process with the general assemblies, if a double majority is reached, if applicable, the General Council shall ratify the agreement in principle.

The decision to adopt and sign the collective agreement in its final version is made during the General Council, by unions involved, with an absolute majority.

CHAPTER 10.00

ADMINISTRATION AND FINANCIAL CONTROL

Article 10.01 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 10.02 Financial report and budget forecasts

During the fall semester, the General Council receives the Federation's annual financial report and appoints an auditor of its choice for the following year. The auditor must analyze the Federation's accounts within an appropriate timeframe to allow the Treasurer to submit the annual financial report during the fall semester following the end of the fiscal year.

During the fall semester, the General Council shall adopt the Federation's budget forecasts for the current fiscal year.

Article 10.03 Payments

All payments are made by cheque or bank transfer. Cheques must be signed and transfers must be authorized by two officers of the Federation. Any officer of the Federation may be authorized to sign

cheques or authorize bank transfers by an Executive Board motion to this effect. The President and the Treasurer are automatically empowered to sign cheques and authorize transfers.

CHAPTER 11.00

AFFILIATION, SERVICE AGREEMENT, DISSOLUTION AND LIQUIDATION

Article 11.01 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 Federation's General Council;
- f) The union must be affiliated to the CSQ.

Article 11.02 Service agreement

The Federation may enter into 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 11.03 Disaffiliation

Any union that is a member of the Federation and that wishes to disaffiliate must comply with the Centrale des syndicats du Québec's disaffiliation procedures, as stated in the *Règlement relatif aux conditions de désaffiliation* (CSQ, September 2018, D13179), as well as in article 12.07 of the *Statuts de la Centrale des syndicats du Québec*, which specifies obligations in case of disaffiliation (« Obligations en cas de désaffiliation ») (CSQ, September 2018, D13177).

Article 11.04 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* (Loi sur les syndicats professionnels, R.L.R.Q., chapter S-40).

CHAPTER 12.00

ADOPTION AND ENFORCEMENT OF STATUTES AND BYLAWS

Article 12.01 Adoption of statutes and bylaws

- a) Any 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 Congress meeting during which the said motion is to be discussed;

Proposals from the Statutes Committee and from the Executive Board must be presented to the General Council or Federal Council at least 10 days before this deadline, i.e. 40 working days before the Congress meeting 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 12.02 Vote

These Statutes and Bylaws may only be adopted, amended or abrogated by a two-thirds ($\frac{2}{3}$) favourable vote.

Article 12.03 Enforcement

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

**Fédération des enseignantes
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