

2010 **On** 34^e congrès
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CONSTITUTION AND BY-LAWS

34^e congrès

17 au 21 mai 2010

Palais des congrès de Montréal

CHAPTER I - DEFINITION AND COMPOSITION

Article 1 - Name and head office

CSN unions in the metropolitan Montréal area join together under the name of the Conseil central du Montréal métropolitain–CSN, hereinafter called the “central council”.

The head office of the Conseil central du Montréal métropolitain–CSN is located in Montréal.

Article 2 - Definition

The central council is a Québec organization of workers that:

- a) co-ordinates union life;
- b) represents members in the region to:
 1. municipal and educational bodies;
 2. intermediate social, economic, political and cultural bodies;
 3. other decision-making bodies of the Confédération des syndicats nationaux (CSN);
 4. decision-making bodies of other central union organizations;
 5. government agencies in general, when the region represented by the central council is affected.

Union democracy is the principle that underlies the workings of the central council.

Article 3 - Members

Unions whose head office is located within the territory for which the central council has jurisdiction may belong to the central council.

Article 4 - Jurisdiction

The central council's geographic jurisdiction covers the Island of Montréal and Île Jésus, but unions outside these boundaries may affiliate with it in special circumstances.

Article 5 - Conditions of affiliation

- a) Affiliated unions endorse this constitution and by-laws and are required to receive authorized representatives of the central council at meetings of their executive committee, union council and general meeting.
- b) The central council cannot accept the affiliation of a new union whose monthly dues are less than the amount set by the CSN.
- c) Every union affiliated with the central council is required to pay the per capita dues set by the triennial convention of the central council. Per capitas are payable no later than the first (1st) day of the second (2nd) month following the month in which they are due. For example, per capitas for January are payable by March 1 at the latest.

Article 6 - Affiliation and disaffiliation procedure

- a) Unions whose head office is located within the territory for which the central council has jurisdiction must make a written application for affiliation to the central council on the form currently in use at the CSN.
- b) Affiliated unions must inform the central council's executive committee of any change they make in their constitution, as well as any changes that occur in the composition of their executive committee.
- c) When a union disaffiliates from the CSN, the terms and procedures set out in the Constitution and By-laws of the CSN (Chapter II, article 11.08) apply as they pertain to the central council.

Article 7 - Suspension and per capita dues

Any affiliated union that is more than three (3) months behind in the payment of its dues to the central council receives written notice from the treasurer, who invites the union to a meeting. If no agreement is reached as a result of this meeting, the union's delegates lose their right to vote at central council assemblies and the convention.

Article 8 - Suspension of voting rights

Any loss of voting rights at general assemblies and conventions of the central council, for causing serious prejudice to the central council or for any other reason stemming from a

failure to abide by the constitution and by-laws, is decided in accordance with the following provisions:

1. It is the general assembly that votes to deprive a union's delegates of their voting rights.
2. The union must be given notice thirty (30) days before the general assembly is held, indicating the date, time and place of the meeting.
3. The notice must also state the accusations made against the union.
4. If the union wishes to do so, it may address the general assembly.
5. The general assembly's decision takes effect as soon as it is made. The union has the right to appeal the decision to the convention of the central council. If it prefers, the union may also appeal to the Confederal Council, which appoints an arbitration board under the CSN's Constitution and By-laws. the board makes recommendations to the Confederal Council, which makes the final decision.
6. No union may remain affiliated with the central council if it has been expelled by the CSN convention.

Article 9 - Disputes

- a) The central council has the authority to step in to resolve any dispute that might occur within one of its affiliated unions or between affiliated unions.
- b) In the event of a dispute between the central council and one of its affiliated unions that cannot be settled through

direct negotiations with the union concerned, the central council submits the dispute to the Confederal Council for a binding decision.

CHAPTER II - AFFILIATION WITH AND DISAFFILIATION FROM THE CSN

Article 10 - Affiliation with and disaffiliation from the CSN

1. The central council is affiliated with the Confédération des syndicats nationaux (CSN).

2.
 - a) A resolution for disaffiliation from the CSN may not be discussed unless notice of motion has been given at least thirty (30) days in advance. The notice of motion must be given at a general assembly of the central council. The notice of motion and the resolution must be discussed at the convention of the central council.
 - b) As soon as such notice of motion is given, it must be forwarded to the CSN and the unions concerned; the latter must be informed of the reasons for disaffiliation at least thirty (30) days in advance.
 - c) Authorized representatives of the CSN are automatically entitled to attend the convention at which the resolution is discussed and give their point of view if they so wish.

- d) To pass, the resolution must be supported by the majority of affiliated unions, representing the majority of dues-paying members.

CHAPTER III - PURPOSE AND MEANS

Article 11 - General spirit

The central council adheres to the principles set out in the document entitled “Statement of Principles of the Conseil central du Montréal métropolitain–CSN”.

Article 12 - Purpose

The purpose of the central council is to promote the occupational, economic, social, political and cultural interests of workers, without infringing on a person’s rights because of her or his language, nationality, race, sex, religion, origins or political opinions and convictions.

The chief purpose of the central council is to promote the interests of the working class. It is committed to combatting all forms of exploitation and working for a vision of society based on democracy, human rights, sustainable development, social justice, equality and fairness.

Respectful of the philosophical, political and religious convictions of all its members, the central council decides on and organizes its action freely, independent of all political parties, governments, employers and religious or philosophical authorities, mainly with a view to achieving more democracy

in all spheres of power, including economic and corporate power.

In its own field of action, and in collaboration with other institutions and representative associations, the central council seeks to promote economic, social and environmental conditions for workers that contribute to improving the general public's living and working conditions.

Union democracy

One of the central council's immediate objectives is to expand unionization and contribute to exercising the right to organize more fully in the region. Since unions bring together workers of all opinions, none of their members should be troubled because of their political, philosophical or religious opinions.

Article 13 - Means

To fulfil its purposes, the central council should take all appropriate means, in particular:

- a) developing a program of action to expand union organizing, in collaboration with the CSN and its affiliated organizations;
- b) creating, organizing and maintaining all necessary committees;
- c) making use of the most effective means of propaganda;
- d) co-ordinating the work of affiliated organizations;
- e) setting up the appropriate bodies for resolving disputes between affiliated organizations;

- f) representing unions everywhere that the general interests of workers so warrant, and more especially with public authorities;
- g) calling for certain measures that help advance workers' interests;
- h) demanding that private and public enterprises and all official agencies to which the government entrusts the examination and/or application of labour legislation and social security make available to union, labour and grassroots organizations all existing information, so that the latter can form a full and accurate opinion of their situation, management and policies.

CHAPTER IV - POLITICAL ACTION

Article 14 - Political action

The central council is a union organization independent of all political parties and is prohibited from affiliating with any party. However, the central council:

- a) must, at the appropriate times, submit the demands of workers and unions within its jurisdiction to the proper municipal and schoolboard authorities as well as to intermediate bodies in social, economic, political and cultural fields, either on its own or jointly with other union or social organizations in the metropolitan area;
- b) must submit resolutions of provincial, national or international import to the CSN;

- c) may take positions for or against measures, doctrines and legislation of interest to workers and unions in the metropolitan area; may also examine and assess the attitudes of governments, political parties and public figures; may, by decision of the general assembly, provide support from time to time on the basis of its own demands and while respecting union autonomy;
- d) does not intervene regarding positions that affiliated unions deem appropriate to take politically unless they run counter to the interests of workers in the metropolitan area;
- e) recognizes the full civil rights of every union member;
- f) may, in the interests of workers, take any other form of political action.

CHAPTER V - STRUCTURES

Article 15 - Structures

The central council is led and run by the following bodies:

- a) the convention;
- b) the general assembly;
- c) the union council;
- d) the executive committee.

CHAPTER VI - THE GENERAL ASSEMBLY

Article 16 - Composition

The general assembly of the central council is composed of:

- a) Official delegates or alternates elected by affiliated unions.
- b) Members of the central council's executive committee and union council, who also have official delegate status but cannot be replaced by an alternate.
- c) One official delegate from the Organization des retraité-es de la CSN, OR (CSN) (CSN pensioners' organization).
- d) For provincial unions whose head office is not located on the territory of the central council, the following rule applies: for the purposes of representation and calculating the number of delegates to central council bodies only, the members of this union who regularly work within the territory of the central council constitute a local section of this union, and for these purposes only, such a section is deemed to have the same rights as a union. The provincial union remains responsible for choosing delegates, with the proviso that the delegates' workplace must be located on the territory of the central council.

Each provincial union present on the territory of the central council whose head office is located in another region is entitled to one delegate, regardless of the number

of members it has. Once the union's membership within the territory reaches 150 members, it is entitled to two delegates.

Article 17 - Delegations

- a) Each union is entitled to one delegate, regardless of the number of members it has. Delegates must be dues-paying members of a union in good standing with the central council, the CSN and the appropriate federation, and have or have had an employment relationship with the employer covered by the union's certification. This rule also applies to provincial unions whose head office is located within the territory of the central council. Once a union's membership reaches 400 members, it is entitled to one delegate for every 200 additional members.

1 to 399 members	1 delegate
400 to 599 members	2 delegates
600 to 799 members	3 delegates
800 to 999 members	4 delegates
1,000 to 1,199 members	5 delegates
1,200 to 1,399 members	6 delegates
1,400 to 1,599 members	7 delegates
1,600 to 1,799 members	8 delegates
1,800 to 1,999 members	9 delegates
2,000 to 2,199 members	10 delegates

Constitution and by-laws

2,200 to 2,399 members	11 delegates
2,400 to 2,599 members	12 delegates
2,600 to 2,799 members	13 delegates
2,800 to 2,999 members	14 delegates
3,000 to 3,199 members	15 delegates
3,200 to 3,399 members	16 delegates
3,400 to 3,599 members	17 delegates
3,600 to 3,799 members	18 delegates
3,800 to 3,999 members	19 delegates
4,000 to 4,199 members	20 delegates
4,200 to 4,399 members	21 delegates
4,400 to 4,599 members	22 delegates
4,600 to 4,799 members	23 delegates
4,800 to 4,999 members	24 delegates
5,000 to 5,199 members	25 delegates

The membership of the Syndicat de la construction de Montréal (CSN) is determined by the most recent list of dues-paying members issued by the Commission de la construction du Québec (CCQ) for the previous year.

An official delegate may be replaced by an alternate, who has the same powers, duties and obligations as the official delegate in the latter's absence. An alternate must have credentials duly filled out on the form provided by the

central council for this purpose. The number of alternates cannot exceed the number of official delegates.

- b) Every three (3) years, within thirty (30) days of the end of the convention, the credentials committee, in collaboration with the treasurer, sends each union duplicate copies of the number of credentials to which it is entitled under paragraph a) above. All delegates' credentials must be duly filled out, signed and returned to the credentials committee. Each union's delegation is set for a maximum of three (3) years, beginning on September 1 of a given year and ending on August 31 three years later.

Article 18 - Delegates' credentials

After their credentials are received by the central council, new delegates must be accepted by a resolution of the general assembly before taking their seats.

Article 19 - Meetings

- a) The general assembly meets at least once a month, on the day and at the time and place it decides, except during the summer period.
- b) Meetings of the general assembly are called by the president. Should he or she refuse to do so, three (3) members of the executive committee or ten (10) duly accredited delegates may require the secretary to call a meeting of the general assembly by signing a request to that effect.

- c) The executive committee of the central council is required to call a special general assembly at the request of the executive committee of the CSN for reasons that the CSN deems serious and in the interests of its members and the movement.

Article 20 - Notice of meeting and agenda

- a) Notice of meeting for regular or special general assemblies is sent out by the general secretary.
- b) The notice of meeting for any regular or special assembly must specify the date, time and place of the meeting.
- c) Agendas for all assemblies are prepared by the executive committee and sent to delegates at least eight (8) days before the meeting, along with the notice of meeting.
- d) Notice of meeting for a special assembly is sent to delegates at least seventy-two (72) hours before the said assembly. In an emergency situation, however, the rule of seventy-two (72) hours' notice may be modified providing that the methods used to call the meeting allow all members to be reached personally.
- e) Members of the executive committee of the CSN and federations are automatically entitled to attend all assemblies and take part in proceedings, but do not have voting rights.

Alternates are automatically entitled to attend all assemblies and take part in proceedings after official delegates, members of the executive committee of the CSN and federations and CSN employees have spoken, but do not have voting rights.

Article 21 - Length of meetings

Meetings of the general assembly begin at 7:00 p.m. and end by 10:00 p.m. They can only be extended by a resolution passed by two thirds (2/3) of delegates present. The executive committee of the central council may, however, call a regular or special general assembly outside the above-mentioned hours when necessary. The executive committee is also required to organize a regular general assembly lasting one day or more each year, except for the year in which the convention is held.

Article 22 - Kinds of meetings

There are two kinds of meetings:

- a) regular general assemblies concerning the internal governance of the central council, where members are informed about the work of the central council, examine topics identified in the convention's plan of work and receive reports from the executive committee, union council, committees, delegates and the treasurer.
- b) special general assemblies, at which members have the same authority as at a regular general assembly and examine any urgent matter of general interest.

Notice of a special general assembly must state the topics that will be on the agenda, and this agenda cannot be altered.

Article 23 - Quorum

The quorum for the general assembly is set at 10% of the total number of official delegates reported to the central council during the period set out in Article 17 b).

Article 24 - Visitors and guests

Visitors or guests may attend a meeting of the general assembly and address it with the assembly's permission.

Article 25 - Powers and duties

Subject to the powers and duties of the executive committee and union council, the general assembly is authorized to run the central council between conventions. Its specific duties include:

- a) carrying out convention policies and instructions;
- b) receiving and disposing of reports from its committees;
- c) striking, as may be necessary, the committees provided for in the constitution and by-laws and other committees required for the smooth working of the central council, choosing committee members and taking their reports into consideration; the general

- assembly may delegate some of its powers to such committees;
- d) appoint representatives to the Confederal Bureau and Confederal Council;
 - e) ratify the affiliation of new unions and rule on the suspension or exclusion of any affiliated union;
 - f) authorize any administrative expenditure recommended by the executive committee, after consulting the financial review committee;
 - g) make any recommendation that it deems appropriate to the executive committee or union council;
 - h) removing any elected officer of the central council from office, in accordance with the provisions of Article 40 f) and g);
 - i) filling vacancies on the executive committee or union council;
 - j) approving the collective agreement of central council employees;
 - k) calling a special convention on one or more specific matters at the executive committee's recommendation; the rules on delegations are the same as for a regular convention.

CHAPTER VII - THE CONVENTION

Article 26 - The convention

The convention is the supreme authority. Every three (3) years in the spring, at the time and place set by the executive committee, delegates from unions meet in a regional convention. The general assembly may, however, postpone or advance the dates

of the convention when circumstances so require, by means of a vote of two thirds (2/3) of its members. The convention lasts at least four (4) days.

Article 27 - Representation at the convention

- a) The convention is composed of:
- 1) Official delegates or their alternates elected by affiliated unions. Delegates must be dues-paying members of a union in good standing with the central council, the CSN and the appropriate federation, and have or have had an employment relationship with the employer covered by the union's certification. This rule also applies to provincial unions whose head office is located on the territory of the central council.
 - 2) Members of the central council's executive committee and union council, who also have official delegate status but cannot be replaced by an alternate.
 - 3) Two official delegates from the Organisation des retraité-es de la CSN, OR (CSN) (CSN pensioners' organization).
 - 4) For provincial unions whose head office is not located within the territory of the central council, the following rule applies: for the purpose of representation and calculating the number of delegates for central council bodies only, the members of this union who regularly work within the territory of the central council constitute a local section of this union and, for these purposes only, such a section is deemed to have the same rights as a union. The provincial union

remains responsible for choosing delegates, with the proviso that the delegates' workplace must be located within the territory of the central council.

Each provincial union present within the territory of the central council but whose head office is located in another region is entitled to one delegate, regardless of the number of members it has. Once the union's membership within the territory reaches 150 members, it is entitled to two delegates.

- b) Each union is entitled to two delegates, regardless of the number of members it has. Once a union's membership reaches 400 members, it is entitled to three delegates; it is entitled to one delegate for every 200 additional members.

1 to 399 members	2 delegates
400 to 599 members	3 delegates
600 to 799 members	4 delegates
800 to 999 members	5 delegates
1,000 to 1,199 members	6 delegates
1,200 to 1,399 members	7 delegates
1,400 to 1,599 members	8 delegates
1,600 to 1,799 members	9 delegates
1,800 to 1,999 members	10 delegates
2,000 to 2,199 members	11 delegates

Constitution and by-laws

2,200 to 2,399 members	12 delegates
2,400 to 2,599 members	13 delegates
2,600 to 2,799 members	14 delegates
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3,600 to 3,799 members	19 delegates
3,800 to 3,999 members	20 delegates
4,000 to 4,199 members	21 delegates
4,200 to 4,399 members	22 delegates
4,400 to 4,599 members	23 delegates
4,600 to 4,799 members	24 delegates
4,800 to 4,999 members	25 delegates
5,000 to 5,199 members	26 delegates

The membership of the Syndicat de la construction de Montréal (CSN) is determined by the most recent list of dues-paying members issued by the Commission de la construction du Québec (CCQ) for the year preceding the convention.

Unions must send in their membership list each month. The delegation for the convention is based on the annual average number of dues-paying members on these lists.

An official delegate may be replaced by an alternate, who has the same powers, duties and obligations as the official delegate. An alternate must have credentials duly filled out on the form provided by the central council for this purpose. The number of alternates cannot exceed the number of official delegates.

- c) Every three (3) years, at least sixty (60) days before the convention, the vice-president of the central council, in collaboration with the treasurer, sends each union the credentials to which it is entitled for the official delegates it will choose for the convention. Each union must return a copy of the credentials to the credentials committee of the central council fifteen (15) days before the convention begins. Only the convention may accept credentials for official delegates that are submitted late, after hearing the reasons for the delay and the credentials committee's report.
- d) All credentials must be duly signed by two members of the executive committee mandated to do so.
- e) For purposes of representation at the convention, unions must have paid their dues and per capita to the central council, the CSN and federations for the period prior to ninety (90) days before the convention begins, unless the parties have come to an agreement on the reimbursement of such dues and per capita.

Article 28 - Convention call and registration

- a) As soon as the date of the convention is definitely decided and at least two (2) months before that date, the general secretary of the central council so informs unions by means of an open letter.
- b) The copies of delegates' credentials from each union must be accompanied by an amount equal to the registration fees set by the executive committee. In all cases, registration fees must be paid before a delegate's credentials can be accepted by the convention.
- c) Members of the executive committee of the CSN and federations are automatically entitled to take part in debates but do not have voting rights. Alternates are automatically entitled to attend the convention and take part in proceedings, but do not have voting rights.

Article 29 - The convention's powers and duties

The convention is the supreme authority. Its responsibilities include:

- a) receiving and adopting reports submitted to it;
- b) adopting the financial report and setting the budget for the following three (3) years;
- c) setting per capita dues;
- d) electing the members of the executive committee, union council and, if applicable, committees provided

- for in the constitution and by-laws; their term of office is three (3) years;
- e) adopting and amending the constitution and by-laws of the central council;
 - f) making any decision related to keeping the central council working smoothly.

Article 30 - Written reports

A copy of recommendations to be submitted to the convention is sent to each union at least two (2) weeks before the start of the convention, with the exception of the financial report.

Article 31 - Convention quorum

The quorum required for convention proceedings is 20% of the total number of registered official delegates.

CHAPTER VIII - THE EXECUTIVE COMMITTEE

Article 32 - Composition

The executive committee is composed of members holding the positions of president, general secretary, treasurer, first vice-president and second vice-president.

Article 33 - Meetings

- a) The executive committee meets as often as it considers appropriate, and at least once a month before the meeting of the general assembly.

- b) The monthly meeting is held at the place, date and time set by resolution of the executive committee.

Article 34 - Special meetings

- a) The executive committee meets as needed at the call of the president or upon a signed request to the general secretary by three (3) of its members.
- b) Any special meeting is called by written notice stipulating the reason for the meeting.
- c) The quorum for the executive committee is a majority of the positions that are filled.

Article 35 - Powers and duties

As part of its powers and duties, the executive committee is responsible for preparing the recommendations submitted to the general assembly or the convention, subject to the provisions of Article 38 e). It provides general leadership for the central council between conventions and general assembly meetings, as required by circumstances and to defend workers' general interests.

Subject to the provisions of this constitution and by-laws, the executive committee is governed by the decisions of the convention or the general assembly; its specific duties are to:

- a) set rules for its internal governance;

- b) prepare the agenda and oversee proceedings at conventions and general assemblies;
- c) receive suggestions from the general assembly for examination and consideration or forward them to the union council if they fall within the latter's jurisdiction;
- d) take all necessary steps and make the appropriate decisions for the smooth working of the central council, providing that such actions do not come within the powers and duties of the union council, general assembly or convention;
- e) appoint various committees to which it can delegate some of its powers, when it considers it necessary;
- f) may, unless otherwise stipulated, appoint all necessary delegations, subject to their ratification by the general assembly;
- g) examine the grievances of delegates from affiliated unions and refer them, if it deems it appropriate, to a grievance committee of its own choosing, while exercising the discretion required in the circumstances;
- h) rule on complaints of sexual harassment involving active members, elected officers and employees of the organization who have mandates and responsibilities within the central council, in accordance with the policy adopted by the general assembly; it may, in accordance with that procedure, impose the appropriate penalties, subject to the provisions of Article 40 f) and g);

- i) manage the work done by the employees of the central council and those assigned by the CSN;
- j) examine requests for affiliation submitted by the secretary of the central council and report on them to the general assembly;
- k) submit to the general assembly any suggestions that it considers appropriate for obtaining sound social and labour legislation;
- l) in urgent situations, make any decisions that it deems appropriate, subject to ratification by the general assembly;
- m) on behalf of the central council, negotiate the collective agreement of its employees, which must be ratified by the general assembly;
- n) conduct the central council's business and decides on administrative expenses and how all financial resources are to be used, in collaboration with the financial review committee;
- o) keep full and accurate accounts of the central council's revenues and finances, and present the convention with financial statements that have been examined by an auditor appointed by the general assembly;
- p) hire and dismiss employees working for the central council, define their duties and roles, weigh the validity of complaints made against them, after hearing the interested parties, and require each employee to report on his or her activities and obligations;
- q) work with the central council's treasurer to prepare a three-year budget that is submitted to the convention

- for decision, after first consulting the union council on it;
- r) the treasurer or a representative elected by the executive committee co-signs cheques with another member of the executive committee;
 - s) appoint convention committees long enough in advance to allow them to meet and submit their recommendations at the beginning of the convention;
 - t) present a written report on its activities to the convention;
 - u) the executive committee is responsible for ensuring that services to members are delivered in accordance with the central council's constitution and by-laws, seeing to it that committees work smoothly, taking the necessary steps to foster better integration of activities under the responsibility of members of the union council and doing the political follow-up on the activities of the central council and committee mandates.

The executive committee is part of the union council.

CHAPTER IX - THE UNION COUNCIL

Article 36 - Composition

The union council of the Conseil central du Montréal métropolitain–CSN is composed of fifteen (1) members holding the following positions:

- president;
- general secretary;
- treasurer;
- first vice-president;
- second vice-president;
- status of women officer;
- health and safety officer;
- right to work officer;
- international solidarity officer;
- immigration and ethno-cultural relations officers;
- youth officer;
- lesbians, gays, bisexuals and the transgendered (LGBT) officer;
- health and social services officer;
- education officer;
- environment and sustainable development officer.

Article 37 - Meetings

- a) The union council meets as often as it considers appropriate and at least once every two (2) months, either called by the executive committee or upon request to the general secretary by five (5) members of the union council.
- b) The bi-monthly meeting is held at the place, date and time set by union council resolution.
- c) The quorum for the union council is a majority of the positions then filled.

Article 38 - Powers and duties

Subject to the provisions of this constitution and by-laws, the union council is subordinate to the decisions of the convention or the general assembly; its specific roles are to:

- a) structure all the work of the central council on the basis of convention mandates;
- b) ensure that the members of the executive committee of the central council and the committees created by the general assembly develop complementary or joint actions aimed at meeting unions' needs;
- c) contribute to the development of general policies and orientations in accordance with the decisions of the convention or general assembly;
- d) see to the smooth functioning and co-ordination of work on health and safety, the right to work, international solidarity, status of women, immigration and ethno-cultural relations, youth, LGBT (lesbians, gays, bisexuals and transgendered) issues, health care and social services, education and the environment and sustainable development, within the budgets voted by the convention;
- e) prepare recommendations to be submitted to the general assembly and the convention in the areas of jurisdiction identified in the previous paragraph;
- f) incorporate into its work special concern for promoting the rights and demands of particularly disadvantaged groups (e.g., women, youth, older workers, ethno-cultural communities, lesbians and gays, etc.).

CHAPTER X - ELECTION PROCEDURES, POWERS AND DUTIES

Article 39

Article 39.01 - Executive committee elections

The executive committee of the central council is composed of five (5) persons holding the positions of:

- president;
- general secretary;
- treasurer;
- first vice-president;
- second vice-president.

Election procedures:

- a) Official nomination papers are established for accredited official delegates or regular CSN employees who wish to run for one of the positions on the executive committee of the central council. The nomination papers must be duly filled out by the candidate on a form supplied by the central council and signed by at least five (5) accredited official delegates.
- b) Each candidate for a position on the executive committee must specify the position for which he or she is running. Only candidates whose nomination papers are in order may be formally nominated.
- c) All nomination papers must be turned in to the convention secretariat at the time and on the day set by the convention. The papers are checked by the

- election president and secretary, who report on them to the convention.
- d) The election president and secretary are chosen by the convention. A sufficient number of scrutineers are designated by the election president.
 - e) Once all the candidates for a given position have been nominated, the election president declares that nominations are closed.
 - f) The election president must always ask each candidate whether he or she agrees to stand for election. Candidates may withdraw at any time up until voting begins.
 - g) If there is only one candidate standing for election, the election president proclaims him or her elected by acclamation. If, on the contrary, there is more than one candidate for the same position, the election president orders that a vote be held, and asks each candidate to speak to the meeting for three minutes.
 - h) Voting is by secret ballot. To be elected, a candidate must receive an absolute majority of ballots cast. Spoiled ballots are not counted in the total used to calculate the absolute majority. Failing an absolute majority, the candidate who receives the fewest votes is dropped from the ballot for the next round of voting.
 - i) During voting, no one may enter or leave the room where the voting is conducted without the permission of the election president. The election president has marshals placed at the doors to enforce this rule.

- j) The day and time of elections are decided by the convention.

Article 39.02 - Union council elections

The union council is composed of the executive committee of the central council plus officers responsible for:

- the status of women;
- the right to work;
- health and safety;
- international solidarity;
- immigration and ethno-cultural relations;
- youth;
- LGBT (lesbians, gays, bisexuals and transgendered) issues;
- health care and social services;
- education;
- the environment and sustainable development.

Election procedures for:
the officers responsible for the status of women, right to work, health and safety, international solidarity, immigration and ethno-cultural relations, youth, lesbians and gays, health care and social services, education and the environment and sustainable development.

- a) Official nomination papers are established for accredited official delegates and regular CSN employees who wish to run for one of the positions on the union council. The nomination papers must be duly filled out by the candidate on a form supplied

- by the central council and signed by at least five (5) accredited official delegates.
- b) Each candidate for a position on the union council must specify the position for which he or she is running. Only candidates whose nomination papers are in order may be formally nominated.
 - c) All nomination papers must be turned in to the secretariat at the time and on the day set by the convention. The papers are checked by the election president and secretary, who report on them to the convention.
 - d) The election president and secretary are chosen by the convention. A sufficient number of scrutineers are designated by the election president.
 - e) Once all the candidates for a given position have been nominated, the election president declares that nominations are closed.
 - f) The election president must always ask each candidate whether he or she agrees to stand for election. Candidates may withdraw at any time up until voting begins.
 - g) If there is only one candidate standing for election, the election president proclaims him or her elected by acclamation. If, on the contrary, there is more than one candidate for the same position, the election president orders that a vote be held, and asks each candidate to speak to the meeting for three minutes.
 - h) Voting is by secret ballot. To be elected, a candidate must receive an absolute majority of ballots cast. Spoiled ballots are not counted in the total used to

calculate the absolute majority. Failing an absolute majority, the candidate who receives the fewest votes is dropped from the ballot for the next round of voting.

- i) During voting, no one may enter or leave the room where the voting is conducted without the permission of the election president. The election president has marshals placed at the doors to enforce this rule.
- j) The day and time of elections are decided by the convention.

Article 40 - Nominations

- a) The persons entitled to stand for election to one of these positions are the official delegates whose names appear on the list drawn up by the credentials committee.
- b) To be nominated, a person must be an official delegate to the convention and be present in the convention hall unless he or she has previously accepted nomination in writing. Delegates may nominate as many candidates as they wish, but to be elected a candidate must receive an absolute majority of votes.
- c) If a position on the executive committee or union council becomes vacant between conventions, it is filled by the general assembly.
 - 1. The executive committee gives notice of election for the position to be filled at the assembly preceding the one at which the election is held.

2. Once all the candidates for a given position have been nominated, the election president declares nominations closed.
 3. The election president must always ask each candidate whether he or she agrees to stand for election; a candidate may withdraw at any time until voting begins.
 4. If there is only one candidate standing for election, the election president proclaims him or her elected by acclamation. If, on the contrary, there is more than one candidate for the same position, the election president orders that a vote be held and invites each candidate to speak to the assembly for three (3) minutes, proceeding by alphabetical order.
 5. Voting is by secret ballot, in accordance with the rules set out in this constitution and by-laws.
- d) No one may both have an elected position on the central council's executive committee or union council and be an employee of the central council, a federation or the CSN for a period of more than six (6) consecutive months.

Members of the central council's executive committee or union council who obtain a position as a non-regular employee may combine the two (2) positions inasmuch as the executive committee, after consulting the committee concerned, if applicable, deems that the two are not incompatible. A member who is invited by the executive committee to resign retains the right to appeal to the general assembly in accordance with the procedure set out in Article 40 g).

e) Dissolution

If a majority of the members of the executive committee or the union council resign simultaneously, the remaining members must call a special convention within the time limits set out in Article 20 d), so as to proceed with a general election.

f) Removal of a member of the executive committee or union council

Any member of the executive committee or union council may be removed from office for either of the following reasons:

- 1) serious prejudice caused to the central council or one of its affiliated unions;
- 2) absence from three (3) consecutive meetings of the executive committee or union council without valid reasons.

g) Notice of removal from office and procedure

- 1) Any member of the executive committee or union council who is liable to be removed from office must be so notified by registered mail at least two (2) weeks in advance of the meeting of the general assembly at which the removal is to be proposed.
- 2) Removal must be approved by at least two thirds (2/3) of the delegates present in a vote by secret ballot.

Article 41 - Powers and duties of the executive committee

Executive committee members have the following responsibilities:

- a) ensuring that services to members are delivered in accordance with the constitution and by-laws of the central council;
- b) seeing to the implementation of decisions made by the executive committee, union council, general assembly or convention;
- c) seeing to the implementation of the political action program defined by the convention or the general assembly;
- d) representing the central council on official business;
- e) reporting on their activities to the executive committee, general assembly and convention;
- f) seeing to the implementation of the action program defined by the convention or the general assembly on the issue of employment in the region and local and regional development strategies;
- g) serving as a link between the executive committee, the union council and other organizations that are part of the CSN;
- h) seeing to the implementation of the education program; the executive committee appoints one of its members to represent the central council on education matters vis-à-vis the CSN and to ensure relations with the other organizations concerned;

- i) sharing political responsibility for the different areas of struggle.

Article 42 - Powers and duties of the executive committee

Responsibilities of the president

- a) The president chairs the convention and meetings of the executive committee, union council and general assembly. He or she co-ordinates the general work of the central council, signs official documents and is a full-fledged member of all committees.
- b) The president does not vote except to break a tie at a meeting of the general assembly, executive committee, union council or convention.
- c) The president calls special meetings of the general assembly, executive committee or union council.
- d) The president co-signs minutes of meetings that he or she chairs with the general secretary.
- e) The president oversees the enforcement of the by-laws.
- f) The president co-signs cheques, notes and other commercial paper for the central council with the treasurer.
- g) The president signs all other administrative documents and contracts pertaining to the central council unless one or more other persons is explicitly designated to do so by the general assembly.

- h) The president represents the central council on official business and may delegate a person to represent him or her in any situation.
- i) The president sees to the implementation of the external communications program defined by the convention or the general assembly.
- j) The president co-ordinates the work of the members of the executive committee, union council and various committees, to ensure that it goes smoothly.
- k) The president sees to the implementation of the program of support for struggles adopted by the convention or the general assembly.

Article 43 - Powers and duties of the executive committee

Responsibilities of the vice-presidents

The vice-presidents share the following responsibilities:

- a) They see to initiating, consolidating and preserving union life. They are also responsible for promoting unions in the region.
- b) One of them is an *ex officio* member of the credentials committee. As such, he or she encourages unions to become involved and participate in central council activities and the general assembly and convention.
- c) They encourage affiliated unions to become involved and participate in the central council's political action program.

- d) They encourage unions to participate in actions around employment and local and regional development.
- e) In carrying out their role, they pay special attention to the development of job training and, as part of this, promote it with the unions concerned.
- f) In carrying out their role, they pay special attention to issues related to ecology and the environment.
- g) They are responsible for the areas of union, social and political work that the executive committee assigns to them.
- h) They sign cheques and bank instruments in the absence of the other members of the executive committee.

The first vice-president has the following responsibility:

- a) He or she replaces the president when the latter is absent, and has the same powers.

The second vice-president has the following responsibility:

- a) He or she assists the general secretary in the latter's duties and replaces him or her when he or she is absent.

Article 44 - Powers and duties of the executive committee

Responsibilities of the general secretary

The general secretary is in charge of all the central council's books, documents and papers, and writes up the minutes.

- a) Unless otherwise stipulated, the general secretary calls meetings of the convention, general assembly, executive committee and union council. Along with the notice of meeting for general assemblies, he or she sends delegates a copy of the minutes of general assemblies.
- b) The general secretary writes and sends correspondence; copies must be kept in the archives.
- c) The general secretary files and keeps all communications and documentation.
- d) The general secretary reads out all the documents that are to be communicated.
- e) The general secretary refers all requests for affiliation to the executive committee before the meeting of the general assembly.
- f) In the absence of the president or treasurer, the general secretary co-signs cheques and bank instruments with the president or treasurer.
- g) The general secretary prepares the agendas for meetings of the executive committee, union council, general assembly and convention.
- h) The general secretary drafts the executive committee's and union council's reports to the general assembly and the convention.
- i) The general secretary co-signs minutes of meetings with the president.
- j) The general secretary follows up on resolutions of the executive committee, union council, general assembly and convention.

- k) The general secretary ensures that the central council's newsletter appears regularly and is sent out to affiliated unions and groups and other parties with which the central council has ties.
- l) The general secretary ensures that the central council's newsletter is consistent with the organization's information policy.

Article 45 - Powers and duties of the executive committee

Responsibilities of the treasurer

The treasurer is jointly responsible with the executive committee for the central council's funds and assets. The treasurer or the person replacing him or her co-signs cheques and bank instruments with members of the executive committee.

Working closely with the financial review committee, the treasurer

- a) claims and collects all moneys owing and keeps full and accurate accounts of all revenue and expenditures;
- b) has the accounts approved by the executive committee;
- c) between conventions, submits a semi-annual financial report to the general assembly; this report must be prepared within ninety (90) days of the end of the half-year period and be submitted to the general assembly held immediately thereafter; submits a report

- on financial operations to the general assembly every six months;
- d) prepares a financial report for the convention;
 - e) prepares the three-year budget, in collaboration with the executive committee;
 - f) is responsible for the areas of union, social and political work that the executive committee assigns to him or her.

Article 46 - Powers and duties of the union council

Officers responsible for areas of struggle

Officers responsible for:

- the status of women;
 - the right to work;
 - health and safety;
 - international solidarity;
 - immigration and ethno-cultural relations;
 - youth;
 - LGBT (lesbian, gay, bisexual and the transgendered) issues;
 - health care and social services;
 - education;
 - the environment and sustainable development.
- a) implement programs as defined by the convention or general assembly;
 - b) see to the implementation of the union council's decisions;

- c) co-ordinate their activities in co-operation with the officers responsible for other areas of struggle;
- d) report on their activities to the union council, general assembly and convention;
- e) under the treasurer's responsibility, authorize spending arising from the activities of their respective areas of struggle, in the framework of the budgets voted by the appropriate decision-making bodies;
- f) The responsibilities of the status of women officer include initiating central council work as follows:
 - 1. disseminating information about specific discrimination against women;
 - 2. fostering and supporting the creation of status of women committees in affiliated unions;
 - 3. in co-operation with the executive committee member in charge, ensuring that affiliated unions receive proper training on status of women matters;
 - 4. participating in movements of struggle for the rights and specific demands of women;
 - 5. organizing activities in support of women's struggles and demands;
 - 6. doing information-awareness work aimed at achieving pay equity and economic, political, social and cultural equality for women;
 - 7. in this framework, making all appropriate suggestions to the union council for the central council to do the

necessary lobbying with the CSN or public authorities on legislation pertaining to women's rights.

- g) The responsibilities of the right to work officer include initiating central council work as follows:
1. informing and equipping unions to support their demands that everyone have access to quality jobs in accordance with each person's abilities, that workers have more control over their work and that they have access to economic security;
 2. in co-operation with the executive committee member in charge, ensuring that affiliated unions receive proper training about employment and new employer strategies;
 3. in this framework, making all appropriate suggestions to the union council for the central council to do the necessary lobbying with the CSN or public authorities on legislation and programs concerning the right to work, especially for young workers.
- h) The responsibilities of the health and safety officer include initiating central council work as follows:
1. fostering and supporting the creation of health and safety committees in affiliated unions;
 2. in co-operation with the executive committee member in charge, ensuring that affiliated unions receive proper training on health and safety matters;
 3. disseminating information about workers' health and safety rights;

4. participating in workers' struggles to defend their health and safety;
 5. organizing activities in support of workers' struggles and demands on health and safety issues;
 6. in this framework, making all appropriate suggestions to the union council for the central council to do the necessary lobbying with the CSN or public authorities on health and safety legislation and regulations.
- i) The responsibilities of the international solidarity officer include initiating central council work as follows:
1. disseminating information to raise awareness of international issues in affiliated unions and to broaden solidarity;
 2. helping unions to address international issues and fostering the involvement of as many members as possible in reflection and action on international issues;
 3. in co-operation with the executive committee member in charge, ensuring that affiliated unions receive proper training on international solidarity and peace issues;
 4. fostering and/or participating in campaigns in support of struggles going on elsewhere aimed at improving living and working conditions, labour rights, democracy, national liberation, building socialism and working for peace;
 5. in this framework, making all appropriate suggestions to the union council about support for struggles going on internationally;

6. encouraging dialogue and joint action on international issues in the Montréal area.
- j) The responsibilities of the immigration and ethno-cultural relations officer include initiating central council work as follows:
1. disseminating information about the realities of immigrant workers in the Montréal area;
 2. combatting all forms of discrimination based on race or ethnic origin;
 3. organizing inter-cultural activities to develop mutual understanding and combat intolerance;
 4. in co-operation with the executive committee member in charge, ensuring that affiliated unions receive appropriate training on immigration, racial discrimination and ethno-cultural relations;
 5. encouraging affiliated unions to address specific problems encountered in the workplace by immigrant and Aboriginal workers and Quebecers from cultural communities;
 6. doing education-awareness work with immigrant workers about the realities experienced by Québec workers and informing them adequately about the history and struggles of the Québec labour movement and how it works;
 7. fostering and/or participating in struggles to defend the rights of refugees, immigrants and ethnic minorities;
 8. in this framework, making all appropriate suggestions to the union council for the central council to intervene

with the CSN or public authorities with respect to legislation or programs concerning immigrants and measures apt to foster better integration of the latter into Québec society.

- k) The responsibilities of the youth officer include initiating central council work as follows:
1. disseminating information about the realities of young workers in the workplace;
 2. identifying the obstacles to the integration of young people in workplaces and proposing potential solutions;
 3. in co-operation with the executive committee member in charge, ensuring that affiliated unions receive appropriate training about the experience of young workers in workplaces and in society;
 4. encouraging affiliated unions to address the specific problems encountered by young workers in the workplace;
 5. in this framework, making all appropriate suggestions to the union council for the central council for the central council to intervene with the CSN or public authorities with respect to legislation or programs for young workers and measures likely to foster their integration into union life and life at work.
- l) The responsibilities of the LGBT (lesbians, gays, bisexuals and the transgendered) officer include initiating central council work as follows:

1. disseminating information about the realities of lesbians, gays, bisexuals and the transgendered (LGBT) in the workplace;
 2. identifying the obstacles to the integration of lesbians, gays, bisexuals and the transgendered (LGBT) in the workplace and proposing potential solutions;
 3. in co-operation with the executive committee member in charge, ensuring that affiliated unions receive appropriate training about the realities of lesbians, gays, bisexuals and the transgendered (LGBT) in the workplace and in society;
 4. encouraging affiliated unions to address specific problems encountered by lesbians, gays, bisexuals and the transgendered (LGBT) in the workplace;
 5. fostering and/or participating in movements of struggle for the rights of lesbians, gays, bisexuals and the transgendered (LGBT);
 6. organizing activities in support of the struggles and demands of lesbians, gays, bisexuals and the transgendered (LGBT);
 7. combatting all forms of discrimination based on sexual orientation;
 8. in this framework, making all appropriate suggestions to the union council for the central council to intervene with the CSN or public authorities with respect to legislation concerning lesbians, gays, bisexuals and the transgendered (LGBT) and measures likely to foster their integration into union life and life at work.
- m) The responsibilities of the health and social services officer include initiating central council work as follows:

1. disseminating all relevant information about national, regional and local health and social services issues and encouraging affiliated unions to address them;
 2. in co-operation with the executive committee member in charge, ensuring that affiliated unions receive appropriate training about health and social services issues;
 3. encouraging and participating in campaigns in support of struggles around health care and social services, in accordance with the CSN's health policy and general policy directions;
 4. in this framework, making all appropriate suggestions to the union council regarding support work on these issues.
- n) The responsibilities of the education officer include initiating central council work as follows:
1. disseminating all relevant information about education issues and encouraging affiliated unions to address them;
 2. in co-operation with the executive committee member in charge, ensuring that affiliated unions receive appropriate training about education issues;
 3. encouraging and participating in campaigns in support of struggles around education issues in accordance with the CSN's education policy and general policy directions;
 4. in this framework, making all appropriate suggestions to the union council about support work to be done on this issue.

- o) The responsibilities of the environment and sustainable development officer include initiating central council work as follows:
1. disseminating all relevant information about environmental and sustainable development issues, in particular the environment, fair trade and responsible consumption, and encouraging affiliated unions to address these issues;
 2. in co-operating with the executive committee member in charge, ensuring that affiliated unions receive appropriate training about environmental and sustainable development issues;
 3. encouraging and participating in campaigns in support of struggles around the environment and sustainable development issues in accordance with the CSN's policy on the environment and sustainable development and its general policy directions;
 4. in this framework, making all appropriate suggestions to the union council about support work to be done on this issue.

Article 47 - Accounting

- a) The system of accounting for funds used for union purposes is that prepared by the Conseil central du Montréal métropolitain–CSN.
- b) An authorized representative of the CSN may audit the central council's account books at any time. The central council treasurer must provide all the account books and

supporting documents required by such a person to do the audit.

CHAPTER XI - STAFFING

Article 48 - Staffing

- a) The central council has staff whose work consists of implementing and properly carrying out all the activities of the central council.

In performing their duties, staff are accountable to the executive committee of the central council. Staff present monthly reports on their activities and work to the executive committee and the co-ordinator of the central council. Staff have the right to attend the convention and meetings of the general assembly, executive committee, union council and various committees and commissions. They always have speaking rights but not voting rights.

- b) The work of central council staff and staff assigned to the central council by the CSN is co-ordinated by an elected officer or staffperson chosen by the central council work team.
- c) The work team is composed of the entire executive committee, central council staff and CSN staff assigned to the central council. For the choice of the co-ordinator, the team is composed of the entire executive committee of the central council and all staff. There must be consensus

between the two components of the work team (executive committee and staff) on the choice of co-ordinator. The choice must be ratified by the central council's union council. If the union council does not ratify the team's choice, the team must make another choice.

CHAPTER XII - FINANCIAL YEAR AND DUES

Article 49 - Financial year

The financial year begins on the first (1st) day of January and ends on the last day of December.

Article 50 - Per capita dues

The per capita dues paid by affiliated unions are set by the convention. The convention has the authority to raise or lower per capita dues. As is the case in the Confédération des syndicats nationaux (CSN), the per capita dues are examined, voted upon and accepted or rejected along with the three-year budget.

As soon as a union affiliates, it begins making monthly reports to the central council. The report is made on forms chosen for this purpose by the central council.

Article 51 - Special levy

The convention or the general assembly may collect special levies for extraordinary purposes. In such cases, the special levy must be mentioned in the notice of meeting. Any levy

thus decided is payable to the central council at the same time as the regular monthly dues, but cannot come into force until each affiliated union has been given one (1) month of notice in writing.

CHAPTER XIII - RULES OF ORDER

Article 52 - Rules of order

In its meeting procedures, the central council is guided by the CSN's Rules of Order.

CHAPTER XIV - CENTRAL COUNCIL COMMITTEES

Article 53 - List

The central council's committees are:

- the credentials committee;
- the financial review committee.

These committees are struck by the triennial convention.

As well, the central council may strike any committee needed for it to run smoothly, and any member of a union affiliated with the central council may sit on such a committee. These committees report to the executive committee, union council, general assembly and convention of the central council.

Article 54 - Credentials committee

The credentials committee is composed of the first vice-president and three (3) members chosen by the convention. Its role is to:

- a) verify the credentials of delegates to the convention or the general assembly;
- b) verify with the treasurer that each of the unions represented has paid up in full what it owes to the central council;
- c) report on its activities to the executive committee, general assembly and convention;
- d) before the convention, send affiliated unions a report on their respective delegates' attendance at general assemblies of the central council;
- e) inform unions when their delegates are absent from three (3) consecutive meetings of the general assembly;
- f) upon request, report to the executive committee on delegations to the general assembly and the convention;
- g) in co-operation with the union council, foster the involvement and participation of unions in the central council's general assemblies and conventions;
- h) meet at least once a month;
- i) the quorum for this meeting is the majority of positions filled;
- j) facilitate new delegates' participation and acquaint them with the contents of the CSN's Rules of Order.

Article 55 - Financial review committee

A financial review committee composed of three (3) members is chosen by the convention of the central council. Its duties are as follows:

- a) It must meet at least twice a year.
- b) The quorum for this meeting is the majority of positions.
- c) It audits the account books, financial statements and supporting documents to ensure compliance with the budget voted by the convention or general assemblies as well as financial decisions made by the executive committee.
- d) It reports on its observations to the executive committee, general assembly and convention.

Article 56 - Procedures

- a) At the first meeting, each committee elects a chairperson and a secretary. The committee's chairperson is in charge of calling the first meeting of committee members. The committee's secretary calls subsequent meetings and must send the secretary of the central council the names and addresses of all the committee members immediately after the first meeting.
- b) All committees are required to submit written reports on their deliberations, decisions, suggestions and recommendations to the executive committee, union council, general assembly or convention.

- c) Subject to approval by the executive committee, union council or general assembly, standing committees and special committees may establish any rules of internal governance that they deem necessary for their work. All expenses must be ratified in advance by the executive committee.

CHAPTER XV - AMENDMENTS TO THE CONSTITUTION AND BY-LAWS

Article 57 - Constitutional amendments

This constitution can only be amended by the convention, by means of a majority vote of delegates in attendance. The wording of any proposed amendment must be submitted to the general secretary of the central council at least two (2) months in advance of the opening day of the convention.

The general secretary must send copies to all affiliated unions at least thirty (30) days before the opening day of the convention.

If, however, in the interests of the central council, it is urgent to amend the constitution without following the procedure set out above, the convention may do so by a vote of two thirds (2/3) of delegates present. Amendments come into force as soon as they are adopted by the convention.

Article 58 - Dissolution

The dissolution of the central council cannot be decided as long as ten (10) delegates representing five (5) unions are opposed.

CHAPTER XVI - CEREMONIAL FOR SWEARING IN MEMBERS OF THE EXECUTIVE COMMITTEE AND UNION COUNCIL

Article 59 - Swearing-in ceremonial

The election president asks delegates to stand and proceeds to swear in the members of the executive committee and union council, using the following ceremonial:

Comrades, I have the honour of solemnly declaring you elected as members of the executive committee and the union council of the Conseil central du Montréal métropolitain–CSN.

You already know what the rights and duties of your respective offices are, and you are also familiar with the Statement of Principles and the constitution and by-laws of the CCMM–CSN.

Do you promise on your honour to act in accordance with them, to conduct yourself conscientiously in performing your duties at all times and to do everything in your power to remain worthy of the convention's trust in you?

Constitution and by-laws

One after the other, the members of the executive committee and the union council answer aloud: *I so promise on my honour.*

The convention replies: *We are witnesses thereto.*

Conseil central
DU MONTRÉAL MÉTROPOLITAIN  **CSN**
