



# **STATUTES AND BY-LAWS**

**Of**

## **The McGill University Health Centre Employees' Union-CSN**

**FINAL VERSION**

**July 11, 2017**

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**NB: In the present text, the masculine gender is used without discrimination and for the sole purpose of lightening the text.**

## **CHAPTER I PREAMBLE**

### **Article 1 Name**

The McGill University Health Centre Employees' Union-CSN was created in Montreal, on June 30, 2004, is an association of employees within the meaning of the Labour Code.

### **Article 2 Head Office**

The union's head office is located at 1601 de Lorimier in Montreal.

### **Article 3 Jurisdiction**

The union's jurisdiction covers employees in the health and social services sector and may also extend to other employees.

### **Article 4 Purpose of the Union**

4.01 The union supports the CSN's Statement of Principles. Its purpose is to exam, defend and advance the social, occupational, economic and political interests of its members through collective action, including collective bargaining and the conclusion of a collective agreement, without distinction as to race, sex, language, political convictions or religious beliefs or sexual orientation. The union also seeks to develop unity of action with other labour organizations.

4.02 The union must promote active participation of its members in union life through shared responsibilities within the Executive Committee, the Union Council, the General Assembly, union committees and decision-making bodies of the CSN.

### **Article 5 Affiliation**

The union is affiliated with the Confédération des Syndicats Nationaux (CSN), the Fédération de la Santé et des Services Sociaux (FSSS) and the Conseil Central du Montréal Métropolitain (CCMM).

The union pledges to abide by the Statutes and By-Laws of the above-mentioned organizations and to comply with them in its work.

The union pledges to pay, on a monthly basis, the per capita dues set by the conventions of the various CSN organizations, with which it is affiliated.

Any officer of the above-mentioned organizations has the right to attend any assembly of the union and participate in debates, without voting rights.

## **Article 6 Disaffiliation**

A motion for a union's dissolution or disaffiliation from the CSN, the FSSS or the CCMM cannot be discussed unless notice of motion has been given at least ninety (90) days in advance. The notice of motion and the motion must be introduced and discussed at a duly convened Regular or Special General Assembly.

The notice of assembly for the General Assembly must state the grounds for the motion of dissolution or disaffiliation.

As soon as notice of motion is given to discuss disaffiliation from the CSN or dissolution of a union, the notice must be sent to the general secretaries of the CCMM, FSSS and CSN. The notice of motion must be sent, at least ninety (90) days, before the date on which the Regular or Special General Assembly is to be held.

Authorized representatives of the CCMM, FSSS and CSN are automatically entitled to attend the General Assembly at which the motion is discussed and give their point of view if they so desire. To carry a motion for dissolution or disaffiliation must be supported by the majority of the union's dues-paying members, be they working or laid off with an impending return to work. This includes members absent on sick leave, workers' compensation or other leave authorized under the collective agreement, as well as any person who is on strike or locked out, or who has been dismissed and whose recourse is supported by the union.

However, if at the time the union applies for certification it is not composed of a majority of members already covered by an existing certification, the notice of motion and the procedure set out in this article cannot be initiated before a first collective agreement is signed or the arbitration award in its stead is received, or during the twelve (12) months following a final decision on certification.

If a union disaffiliates from the CSN or is suspended or expelled, it must pay the organizations mentioned in Article 5 the per capita dues owing for the three (3) months immediately following the disaffiliation, suspension or expulsion.

## **Article 7 Application for Certification**

An application for certification cannot be withdrawn without the consent of the CSN's duly mandated representative.

## **CHAPTER 2 MEMBERSHIP**

### **Article 8 Definition**

8.01 Members are persons who exercise the rights conferred by the Statutes and By-Laws, meet the eligibility criteria set out in Article 9 and fulfil the requirements of Article 10. All members, in good standing, are entitled to one (1) free copy of the current Collective Agreement and these Statutes and By-Laws.

8.02 In accordance with its means, the union provides each member, upon request, with a current copy of the local or other agreements that modify or complete the Collective Agreement, after a notice of modification.

### **Article 9 Eligibility**

To be a member of the union, a person must:

- a) Be covered by the union's jurisdiction or be laid off with an impending return to work. This includes any person absent on sick leave, workers' compensation or any other leave authorized under the Collective Agreement, as well as any person who is on strike or locked out, or who has been dismissed and whose recourse is supported by the union.
- b) Support these Statutes and comply with the Union's By-Laws.
- c) Pay the initiation fee and the union dues set by the General Assembly of the union.

### **Article 10 Admission and Initiation Fee**

Any person who wishes to join the union must sign a membership form containing the pledge to abide by the union's Statutes and By-Laws.

Admission is retroactive to the application for membership.

The initiation fee for members is set at two dollars (\$2.00) as per the Labour Code, and this amount is included in the first payment of union dues.

### **Article 11 Union Dues**

The General Assembly sets the amount of dues that each member who is admitted must pay to the union.

## **Article 12 Privileges and Benefits**

Only members benefit from the privileges and benefits conferred by the union's Statutes and By-Laws. They have access to the account books, minutes of the executive, union council and General Assemblies and may consult them by appointment during the opening hours of the union office. A request must be made ten (10) days in advance. At the most 15 days after the request has been done, the access is given to the members.

## **Article 13 Members duties**

The union members have the duty to participate in the union life and to inform themselves in taking part in the decision making conform to the Stats and By-Law and are invited to rally to the final decision voted in the General Assembly.

## **CHAPTER 3 RESIGNATION, SUSPENSION, EXPULSION, REINSTATEMENT OF A MEMBER**

### **Article 14 Resignation**

A member who resigns loses his right to the privileges and benefits of the union. He must resign in writing.

### **Article 15 Suspension or Expulsion**

15.01 The union's executive committee may suspend or expel any member who:

- a) Refuses to abide by commitments made to the union.
- b) Causes a prejudice to the union.
- c) Is active or propagandizes in favour of associations opposed to the interests of the union or its members.

A member who is suspended or expelled loses all rights to the benefits and advantages of the union until the suspension is lifted.

15.02 A member who fails to pay his union dues is automatically suspended from the union.

### **Article 16 Suspension or Expulsion Procedures**

- a) Suspension or expulsion of a member is decided by the Executive Committee.
- b) The Executive Committee's decision is not effective until the General Assembly ratifies it.
- c) Before suspending or expelling a member, the Executive Committee must give the member concerned at least eight (8) days written notice, inviting him to come and present his version to the committee, and informing him in writing of the reasons for the suspension or expulsion, along with the time and place of the planned assembly.



## **Article 17 Member's Recourse**

A member who is suspended or expelled has the following recourse:

- a) If a member who has been suspended or excluded by the Executive Committee in a decision ratified by the General Assembly wishes to appeal, he must file the appeal in writing with the secretary/treasurer of the executive committee within ten (10) calendar days of the General Assembly's motion.
- b) In the event of an appeal, the member who is appealing the decision chooses a representative, the Executive Committee of the union chooses its representative, and the two representatives strive to agree on the choice of a chairperson of the appeal committee; failing agreement, the Executive Committee of the CCMM is asked to choose the chairperson.
- c) The parties have ten (10) calendar days to appoint three (3) members of the appeal committee; the Executive Committee of the CCMM has ten (10) calendar days from the date on which it is asked to appoint the chairperson to do so.
- d) The appeal committee thus created decides its own procedures. It must, however, hear the arguments of both parties before rendering a decision.
- e) A unanimous or majority decision is final and binding on the parties involved and must be rendered within thirty (30) days.
- f) If the member wins on appeal, the union pays the expenses of the members of the appeal committee and reimburses the salary of the member who appealed, if applicable; if the member loses the appeal, he must cover the costs of his representative as well as his share of the expenses caused by the presentation of the case to the appeal committee.
- g) The chairperson's expenses are covered by the union.
- h) The two parties may agree to proceed before a single arbitrator.
- i) The suspension or expulsion of a union member remains effective for the duration of the appeal.

## **Article 18 Reinstatement**

To be reinstated, a member, who has resigned must be readmitted by the union's executive committee.

A member who is suspended or expelled may be reinstated on the conditions set by the union's Executive Committee or by the General Assembly, as the case may be.

## **CHAPTER 4 CODE OF ETHICS WITH RESPECT TO VIOLENCE**

### **Article 19 Violence**

#### 19.01 Definition of Violence

Violence is the abusive use of power (physical, psychological, hierarchical, economic, moral or social) in an open or hidden manner, spontaneously or deliberately, with or without reason, by a person, group or community, for the purpose and often with the effect of partly or totally dominating, compelling, controlling or destroying another person, group or community by physical, verbal, psychological, sexual, moral or social means.

Manifestations of violence include words, gestures and attitudes that, while stemming from legitimate emotions insofar as they are intimate signs of what touches or affects us in various situations, crush another physically, psychologically or sexually. These manifestations may be intentional or unintentional.

19.02 The union and its members consider all forms of violence to be intolerable and unacceptable.

#### 19.03 Commitment by the union and its members

The union and its members recognize that the physical and psychological inviolability of each person must be respected, thereby recognizing his right to human dignity. Equity must therefore prevail in the way that human relations (including clients or users as well as fellow workers) are considered.

19.04 The union must foster a responsible attitude towards violence.

19.05 The union and its members must show good faith and solidarity with a person who claims that he is a victim of violence at work.

19.06 The union and its members must act in good faith and be civil to a person who is allegedly responsible for an act of violence at work.

19.07 The union and its members respect the physical and psychological inviolability of the users of an institution and take the means available to them to condemn violence against the latter.

19.08 Each union member has the right to:

- Confidentiality concerning what he says or experiences
- To be informed about possible means of recourse and the type of support the union can provide; such support may be limited or even withdrawn from the accused if, after investigation, the Executive Committee considers that the facts reproached are true.

19.09 A member who thinks that he has been wronged or whom the union has refused to defend may appeal the decision to:

- The General Assembly
- The Minister of Labour, under the Labour Code.

## **CHAPTER 5 UNION STRUCTURE**

### **Article 20 Union Structure**

The union structure consists of the following:

- The General Assembly
- The Union Council
- The Executive Committee.

## **CHAPTER 6 GENERAL ASSEMBLY**

### **Article 21 Composition**

The General Assembly is composed of all members of the union.

### **Article 22 Notice of Assembly**

22.01 Notice of assembly for a general assembly must include the following information:

- The date(s) of the assembly
- The time(s)
- The place(s)
- The Agenda
- A reminder that a vote by secret ballot must be asked seven (7) days before the opening of the first General Assembly.

22.02 The secretary/treasurer of the union calls the General Assembly. The President of the union has the authority to ask the secretary/treasurer to call a General Assembly.

## **Article 23 Powers of the General Assembly**

The General Assembly is the supreme authority of the union. In particular, the General Assembly has the power to:

- a) Define the union's general policies.
- b) Elect union officers.
- c) Receive, amend, adopt or reject motions from members of the Executive Committee and suggestions from members of the union council and members.
- d) Ratify, amend or overturn any decision made by the Executive Committee.
- e) Create any committee that it deems useful for its work, e.g., status of women, union life, information, including the negotiation committee for the local provisions that is comprised of at least one representative per category.
- f) Ratify the Executive Committee's designation of the President and the Secretary/Treasurer and another officer authorized to sign bank papers.
- g) Ratify the Executive Committee's designation of an alternate chosen from among the remaining members of the Executive Committee to sign bank papers in the absence of one of the signing officers provided for in paragraph 23 f).
- h) Amend the union's Statutes and By-Laws.
- i) Set the amount of union dues.
- j) Adopt the annual budget proposed by the Executive Committee.
- k) Vote on the Surveillance Committee's report and other documents pertaining to the administration of the union's funds.
- l) Do whatever is necessary and make all appropriate decisions to keep the union working smoothly.
- m) Determine the union's basic policy directions.

## **Article 24 Annual General Assembly**

24.01 The Annual General Assembly is held within one hundred and twenty (120) days of the end of the fiscal year, which ends on December 31.

24.02 The Annual General Assembly must be called fourteen (14) days in advance, by means of a notice posted on the union bulletin board(s) and by all appropriate methods, so that union members are informed of it.

- 24.03 The notice of assembly must contain the following information:
- The date(s) of the assembly
  - The time (s)
  - The place(s)
  - The agenda
  - A reminder that a vote by secret ballot must be asked seven (7) days before the opening of the first General Assembly.

In this assembly, the notice should also include the following:

- The presentation and adoption of the executive report, each site's concern VP's report, the financial report for the fiscal year just completed, the Surveillance Committee's report and the budget. The reports, in French and English, shall be made available to the members, in writing at the assembly seven (7) days in advance in each union office.

- 24.04 A member may submit, at least seven (7) days before the General Assembly, subjects to add to the agenda of the General Assembly.

## **Article 25 General Assembly**

- 25.01 There must be at least three (3) General Assemblies per year, including the Annual General Assembly.
- 25.02 A General Assembly must be called fourteen (14) days in advance, by means of a notice posted on the union bulletin board(s) and by all appropriate methods, to inform the members.
- 25.03 The General Assembly is comprised of the members of the union.
- 25.04 The General Assembly may permit visitors to attend.
- 25.05 The General Assembly of members is constituted in one of four manners:
- 1- Annual General Assembly
  - 2- Regular General Assembly
  - 3- Special General Assembly
  - 4- General Assembly of a Category
- 25.06 Each one of the assembly may be held in the following manners:
- a) A single assembly in one location;
  - b) A single assembly on each site;
  - c) Several assemblies on different shifts in one location;

- d) Several assemblies on different shifts on each site;
- e) By referendum.

25.07 The Executive Committee and /or the Union Council determine which form of General Assembly will be held.

25.08 When the form of the General Assembly to be held involves several assemblies, the members must vote exclusively on the recommendations of the body that calls the assembly, either the Executive Committee, or the Union Council or the General Assembly. The vote is held by secret ballot and the result is revealed after the last assembly.

## **Article 26 Special General Assembly**

26.01 The president may order that a Special General Assembly be called, subject to approval by the Executive Committee, and normally after at least a twenty-four (24) hour official notice of assembly. In an emergency, however, the president may order that such an assembly be called on reasonable notice.

26.02 The notice of assembly must state the subject or subjects on the agenda for the assembly. No other subject may be discussed.

26.03 At any time, a number of members corresponding to the quorum may have a Special General Assembly called by giving the president signed written notice to that effect, indicating the subject or subjects of such an assembly. The secretary/treasurer must call the Special General Assembly within eight (8) days of when the president receives such notice.

26.04 The president is required to order that a Special General Assembly be called at the request of a member of the Executive Committee of the FSSS, the CCMM or the CSN, for reasons deemed serious and in the interests of the members and the CSN.

## **Article 27 Quorum and Voting at the General Assembly**

### Quorum

27.01 The quorum is the minimum number of members required to hold a valid General Assembly.

27.02 The quorum for the various general assemblies is set at two hundred (200) members, in good standing, of the union.

27.03 When the president calls the assembly to order, he must make sure that there is quorum. If at any time at the beginning or during an assembly, a member considers that there is not quorum, he must draw the president's attention to this matter. The president must then verify whether there is quorum. If quorum is not reached, the president must adjourn the assembly. The proceedings of the assembly are valid up until the time when the lack of quorum is observed. If there is no quorum, the decisions of the union Council are the authority, excluding those specified in Article 27.06.

## Voting

- 27.04 Generally speaking, decisions at a general assembly are made by a majority vote. The exceptions to this rule are set out in Article 27.06.
- 27.05 Voting at General Assembly is by show of hands, except in the cases listed in Article 27.06. However, a member may ask the secretary/treasurer at least seven (7) days before the opening of the General Assembly for a vote by secret ballot.
- 27.06 The following decisions must be taken by secret ballot and referendum, and to be valid they must meet the conditions set out below:
- Approval of the Collective Agreement requires approval by a majority of votes cast.
  - A strike vote requires a majority of the votes cast. Members must be informed in the notice of assembly that a strike vote is on the agenda.
  - A vote to disaffiliate must be approved by a majority of the union's dues-paying members.
  - Dissolution of the union must be approved by a majority of the union's dues-paying members.
  - Changes to these Statutes and By-Laws must be approved by a two-thirds (2/3) majority of votes cast.
  - Union dues require approval by a majority of votes cast.
  - Insurance coverage requires approval by a majority of votes cast in a category.
  - Elections.
- 27.07 During a secret ballot vote by referendum, on the above-mentioned subjects, the polling station must be open one day during the week from 7 AM to 7 PM and on a weekend on a Saturday from 7 AM to 4 PM.
- 27.08 When an electronic vote decided by the Executive Committee and endorsed by the Union Council, the election procedure for Option 2 will be the reference.

## **Article 28 Counting of the ballot**

- 28.01 The counting of the referendum vote shall be held within a maximum of forty-five (45) days following the adjournment of the voting meeting. The result of the electronic vote will be provided once given by the outside and independent firm.
- 28.02 The President and Secretary of election shall decide on the rejection or acceptance of votes under seal before the counting. The President and Secretary of election will specify when the results are published and the number of ballots rejected.

- 28.03 Furthermore, in the case of an electronic vote, the President and Secretary of election shall obtain from the external and independent firm a report on the conduct and compilation of the vote, in particular to ensure that the process has complied with the provisions of these Statutes and By-Law.

## **Article 29 Challenges - Destruction of Ballots**

- 29.01 Ballots and electronic voting records must be destroyed fifteen (15) days after the vote unless a dispute or a request from the President and Secretary of Election has been filed.
- 29.02 All disputes or request shall be deposited to the President and Secretary of election within ten (10) days of the counting.

## **Article 30 Final report of the President and Secretary of Election**

At the end of the voting process, the President and Secretary of Election shall submit a report to the Executive and the Union Council as soon as possible. This report will include: the number of persons that were entitled to vote, participation and canceled ballots. They will also report on the manner in which the ballot was held, the particular decisions he had to take and the technical or other difficulties they encountered. It will make any recommendations it deems appropriate to correct problematic situations.

## **Article 31 General Assembly Held in More Than One Session**

- 31.01 When a General Assembly is held in more than one session, the quorum is calculated at the end of the last session.
- 31.02 The propositions submitted by the executive or the union council will be included in the notice. All propositions, to be considered valid, must be adopted by a majority of the members participating in the General Assembly. At the last session of the General Assembly, the secretary counts the number of people participating in the assembly and indicates whether the motions and amendments put to a vote are accepted or rejected.
- 31.03 All amendments and/or new propositions must be transmitted to the secretary a minimum of five (5) days before the date of the General Assembly. All amendments and new propositions are required to be seconded at the first session of the General Assembly or at the submission to the secretary.

## **Article 32 Chairperson's Role**

- 32.01 General Assemblies are chaired by the president of the union or by another person designated by the executive and co-chaired by the site VP where the assembly is being held.
- 32.02 The chairperson of the General Assembly directs, facilitates and clarifies the debates. In a vote by show of hands, the chairperson of the General Assembly does not vote unless there is a tie. In a vote by secret ballot, the chairperson of the General Assembly exercises his right to vote and may cast a second ballot to break a tie.



32.03 The president of the union signs the minutes of the General Assembly jointly with the secretary/treasurer.

### **Article 33 Category Assembly**

33.01 The Category Assembly is composed of the members in a given category (or class of personnel) as stipulated in the *Act Respecting Bargaining Units in the Social Affairs Sector and Amending the Act Respecting the Process of Negotiation of the Collective Agreements in the Public and Para-Public Sectors*.

33.02 A Category Assembly has the power to:

- a) Authorize the signature of the Collective Agreement and Local Agreements concerning the category.
- b) Decide on contract demands for the category, accept or reject management offers, decide on pressure tactics, strike action and the return to work.
- c) Create the committees that it deems useful for its work, with the consent of the Executive Committee to insure their proper functioning.

## **CHAPTER 7 UNION COUNCIL**

### **Article 34 Definition**

The Union Council is a body in which members participate in union life by designating their representatives, as set out in Article 35.

Each delegate commits to participate and respect the hours of the committee and the tasks assigned by the Executive and all meeting to which they are invited.

The Union Council is an integral part of the union's structure.

### **Article 35 Composition**

35.01 The Union Council is composed of the following members:

- Executive committee members
- Union delegates:
  - For each site: Settlement of Disputes or Grievances Delegates
  - Health and Safety Delegates
  - Delegates per Category (refer to Art. 36.04)
  - Evenings/Nights Delegates

## 35.02 Specific duties

### a) Settlement of Disputes or Grievances Delegate:

The functions of the representative providing frontline service in the union office are:

- Receive individual and collective complaints from members and ensures that the investigation of each is done.
- Create, maintain and update a file for all disputes and grievance cases;
- Provide the advice and assistance needed to defend the members' rights.
- Assist a member who wishes to file a grievance;
- Collaborate with the appropriate executive member and negotiate with the employer's representative.
- Prepare the files brought to arbitration and assist the union technical advisor;
- Make a written follow-up of their activity report and submit it to the Vice-President responsible for settling grievances and disputes

### b) Health and Safety Delegate:

The functions of the representative providing frontline service in the union office are:

- Study the Health and Safety Laws, the Collective Agreement and the Collective Insurance Contract as well as inform members of their rights and obligations.
- Receive member's complaints, ensure that the investigations are conducted and make the appropriate recommendations to the employer.
- Help members in their dealings with the Commission des normes de l'équité, de la santé et de la sécurité du travail (CNESST); insure the proper follow-up of the files including claims and appeals as well as the files concerning the Insurance Plan and Salary Insurance.
- Participate in investigations of violence and/or psychological harassment in the work place.
- Create and maintain a file for all Work Accidents and Professional Illnesses, Salary Insurance claims and Health and Safety issue.
- Prepare the files brought to arbitration and/or to TAT and assist the union technical advisor.
- Make a written follow-up of their activity report and submit it to the Vice-president for health and safety.

c) Category Delegate

- Study the Collective Agreement and informs members of their rights.
- Receive individual and collective complaints from members and investigate each of them and send written follow-up reports to his site VP and delegate concerned.
- Attend all department meetings, as required.
- Take notes for all meetings that he attends and provides a copy to the site vice-president.

d) Evening/Night Delegate

- Study the Collective Agreement and informs members of their rights.
- Receive individual and collective complaints from members and investigate each of them and send written follow-up reports to his site VP and delegate concerned.
- Attend all department meetings, as required.
- Take notes for all meetings that he attends and provides a copy to the site vice-president.

The first Union Council assembly following his election shall fulfill the following responsibilities at each site:

- Information and mobilization
- Status of women
- Environment
- LGBT
- Youth

e) Information and Mobilization Delegate:

- Ensure that the mobilization plan, adopted by the Executive Committee, the Union Council or the General Assembly, is organized and carried out on his/her respective site.
- Assist the Vice-president of Information/Mobilization to ensure that each new employee is met and signs his/her union card and is given information about how the union works', union structures and a copy of the current Collective Agreement.
- Ensure that information is distributed on his/her site as well as communicates related issues to the information and mobilization committee.
- Make a written follow-up of their activity and submit it to the executive member responsible.

f) Status of Women Delegate:

- Present a work plan to the Vice-President Information/Mobilization
- Be informed of activities of the Status of Women Committee of the CSN, FSSS and the CCMM
- Promote gender equality in the work place and an environment without violence.
- Make a written follow-up of their activity and submit it to the executive member responsible.

g) Environment Delegate:

- Promotes sensibility and information about the environment;
- Make a written follow-up of their activity and submit it to the executive member responsible.

h) Youth Delegate (no older than 35 until the end of the mandate less than thirty-five):

- Promotes sensibility and information about youth;
- Make a written follow-up of their activity and submit it to the executive member responsible.

i) LGBT Delegate:

- Promotes sensibility and information about LGBT;
- Make a written follow-up of their activity and submit it to the executive member responsible.

The first Union Council assembly following his election shall fulfill the responsibility for each category: Delegate of postings

j) Delegate of posting:

- Update the job posting register, nominations and abolitions;
- Investigate and analyse the context of the postings in collaboration with the 1<sup>st</sup> Vice-President;
- Assure that the Collective Agreement is respected;
- Produce and transmit a monthly report to each site vice-president.

## **Article 36 Eligibility**

- 36.01 Any member in good standing of the union is eligible for a position as union delegate.
- 36.02 The union delegates are elected by the members of their site, satellite and/or by category. Satellite includes everything that is not covered by the GLEN, MGH and Lachine. Therefore, the Satellite is considered as one site.
- 36.03 The composition of the health and safety / settlement and grievances delegates for the following sites is:  
GLEN: 2 health & safety / 2 settlements & grievance  
MGH: 1 health & safety / 1 settlement & grievance / 1 merged health & safety /settlement & grievance  
Lachine: 1 merged health & safety / settlement & grievance  
Satellite: 1 merged health & safety / settlement & grievance

The delegates are elected by their specific site /satellite.

- 36.04 The Category Delegates (Category 2 and Category 3) are elected by site, satellite and by category. On each site and satellite, there will be a minimum of 2 delegates per category to which is added a delegate for every 150 members\* in each category.

\*To determine the distribution of occasional part-time on the sites and satellite, they will be prorated to the numbers of members holding a position in each site / satellite.

Evening / Night site delegates are elected by site / satellite and should be working the most of their shifts during the evening and/or night.

## **Article 37 Duties of the Union Council**

- 37.01 The Union Council is the authority between General Assemblies. The duties of the Union Council are to:
- a) Study the Collective Agreement and inform members of their rights.
  - b) Executes mandates it receives.
  - c) Acquaint itself with the adopted reports of the Executive Committee, the permanent committees, the ad hoc committees and the adopted minutes of the Labour Relation Committee.
  - d) Ensure that the Executive Committee execute the mandates entrusted to it by the General Assembly; it replaces any officer or union delegate who resigns according to the election procedures in the present Statutes.
  - e) Acquaint itself with the reports of the union's representatives participating in the meetings of the CSN, of the FSSS and of the CCMM.
  - f) Submit, upon recommendation by the Executive Committee, the union's policies to the General Assembly.

- g) Examine any question submitted by the Executive Committee or the General Assembly and submit its recommendations.
- h) Endorses the decision of the Executive Committee to use the electronic voting system when holding a referendum vote
- i) Submit its recommendations to the Executive Committee and to the General Assembly.
- j) Any proposed agreement modifying or interpreting the Collective Agreement must be submitted and approved by the Union Council before becoming effective, excluding those that apply on an individual basis;
- k) May create any committee it deems necessary for the good functioning the union.
- l) Suspend or exclude any member at fault with the union. The General Assembly must ratify its decision.
- m) Receive the treasurer's report and acquaint itself with the financial reports and all changes of designated signing officers to all bank papers at each regular union council assembly.
- n) Adopt the annual financial reports and annual budget and submit its recommendations to the General Assembly.
- o) Rearrange budgetary items in the administrative fund within the limits of the budget adopted by the General Assembly.
- p) Order "in camera" discussions on specific subjects.

37.02 All documents, files and information, obtained during the mandate, are confidential and property of the union.

37.03 The General Assembly may entrust the Union Council with other mandates.

37.04 In the event that a delegate elected on a specific site is required to work on another site due in accordance with the application of the collective agreement, he/she pursues their mandate on the site where he/she was elected.

## **Article 38 Meetings and Quorum**

38.01 The regular Union Council meets as needed but meets at least four (4) times a year and must revise and adopt the minutes of the previous assembly. (Suggested as: March, June, September and December)

38.02 The quorum for the Union Council is equal to fifty percent (50%) plus one (1) of positions actually filled.

38.03 When the president calls the assembly to order, he must ensure that there is quorum. During a session, if a member is of the opinion that there is no longer quorum and calls the president's attention as such, the president must immediately insure that there is still quorum. The president must adjourn the session if quorum is lacking. The Union Council's deliberations are valid up to the time the lack of quorum is ascertained.

**Article 39 Term of Office**

The term of office for delegates is three (3) years.

**Article 40 End of Term of Office**

At the end of their term of office or upon resignation, all union property, useful information and/or pertinent documents must be returned to their successor or another elected representative of the union.

To the extent possible, the executive committee shall grant the outgoing delegate a reasonable transition period (up to a maximum of 10 days), with the succession.

**CHAPTER 8 EXECUTIVE COMMITTEE**

**Article 41 Leadership**

The union is administered by an executive committee.

**Article 42 Composition of the Executive Committee**

- a) President;
- b) 1<sup>st</sup> vice-President
- c) Secretary / Treasurer;
- d) Vice-President for Settling Grievances and Disputes;
- e) Vice-President for Health and Safety;
- f) Vice-President Information / Mobilisation
- g) Vice-President for the Site, specifically of one (1) for each of these sites: GLEN, MGH, CH Lachine/CHSLD Camille Lefebvre and Satellite.

**Article 43 Eligibility**

43.01 Each member of the union is eligible for executive committee office.

43.02 The President, 1<sup>st</sup> Vice-President, Secretary/Treasurer, Vice-President for Settling Grievances and Disputes, Vice-President of Information/Mobilisation and Vice-President for Health and Safety are elected by the General Assembly. The Vice-Presidents for the Sites and Satellite are elected by the members in their respective sites/satellite, in accordance with these Statutes and By-Laws.

## **Article 44 Duties of the Executive Committee**

44.01 The duties of the Executive Committee are to:

- a) Study the Collective Agreement and inform members of their rights.
- b) Manage the union's affairs, oversee strictly and fight any administrative policies that are not in the workers interests.
- c) Set the dates and times of union decision-making meetings.
- d) Authorize expenses provided for in the budget, up to a maximum amount set by the General Assembly, and examine the various financial reports and including a report on union liberations
- e) Deciding on the use of an electronic voting system when holding a referendum vote; this decision must be endorsed by the union council.
- f) Adopt for recommendation at the General Assembly, a budget based on the union's priorities and available resources.
- g) Receive a report about union liberations and a report of MUHC postings.
- h) See to the application of the By-Laws and Regulations voted by the General Assembly.
- i) Create any committee that is needed to examine, discuss, promote or attain the union's objectives and to this effect, appoint a chairperson responsible for the committee.
- j) Appoint the union's representatives to the various organizations with which the union is affiliated.
- k) Admit members.
- l) Receive members' complaints, examine and decide on them in accordance with these Statutes.
- m) Take notes for all meetings that he/she attends and place in the appropriate file.
- n) Receive and examine all communications submitted to by the Union Council and the General Assembly, and report back.
- o) Abide by the Union Council and General Assembly's decisions, which constitute a mandate to be carried out on behalf of all union members.
- p) Submit all matters requiring a vote by members at the General Assembly or the General Assembly of a Category.
- q) Report on its activities annually at the Annual General Assembly.
- r) Appoint replacement members for Executive Committee positions in the event of an absence of six (6) weeks and more and less than one (1) year after checking with the suggested candidate.
- s) Redistribute the task for an absence of less than six (6) weeks.



- t) Proceed to elections for all vacant positions at the moment judged appropriate.
- u) Authorize all lawful procedures or actions that the interests of the union may require.
- v) Promote and support union life.
- w) Has the obligation of guiding new union council delegates in their tasks.
- x) A member of the Executive Committee may not sign or authorize a cheque to him or herself.
- y) Use at all time the computer program set up for the purpose of union life to fulfill all the functions mentioned above.
- z) Ensures that members who hold union positions receive training and proper tools to perform the duties related to their position.
- aa) Ensures that union life is supported through activities and political education for members.

44.02 In the event that a Vice-President site / satellite elected on a specific site/satellite is required to work on another site/satellite due to the application of the collective agreement, they pursue their mandate on the site/satellite where they were elected.

44.03 In a situation of a *force majeure* and when a General Assembly cannot be held, the Executive Committee may take all measures that it deems useful to ensure the union's normal operations. It reports to the Union Council and the General Assembly, within a reasonable delay, on the measures taken in such circumstances

44.04 When a decision is made to not send a grievance to arbitration for exceptional reasons, it notifies the employee in writing and informs him/her of the possibility of appealing the decision to the General Assembly. The employee must send notice of appeal to the Executive Committee in writing within ten (10) days of receiving this letter. If the General Assembly upholds the Executive Committee's decision, the grievance is abandoned without any other notice or waiting period.

44.05 The Executive Committee must ensure that all elected members perform the mandates entrusted to them and take the necessary steps to make sure that those tasks are done.

## **Article 45 Meetings**

The Executive Committee meets at least once a month except for the summer period, at least ten (10) times a year, in accordance with the procedures that it decides.

The Executive Committee must revise and adopt the minutes of the previous assembly.

**Article 46 Quorum**

- 46.01 The quorum for the Executive Committee is equal to fifty percent (50%) plus one (1) of the number of positions actually filled.
- 46.02 Executive Committee decisions are made by a majority vote of the members present. In the event of a tie, the president has a deciding vote.

**CHAPTER 9 OFFICERS' DUTIES AND POWERS**

**Article 47 President**

The president's duties are to:

- a) See that the union runs smoothly;
- b) Chair the union's general assembly when possible, union council and executive committee, direct the debates; provide the necessary information and explanations regarding the questions and motions being debated. The president must give up the chair temporarily to the 1<sup>st</sup> vice-president if he must wishes to take part in the debate;
- c) Act as ballot president except during the election;
- d) See that the union's Statutes and By-Laws are enforced and ensure that union officers fulfill the duties of their office. For this purpose, if a situation is brought to his attention regarding a union delegate, he meets with him to inform them of the necessary corrections, if need be, and makes a report to the Executive Committee;
- e) Depending on the severity of the case or the situation, the president may convoke an emergency executive meeting;
- f) Represent the union officially;
- g) Sign all official documents and the union's minutes of the Executive, the union Council and the General Assembly;
- h) Co-sign all cheques with the secretary/treasurer, or another officer of the executive committee designated by the executive committee except for 44.01w;
- i) Call general meetings and meetings of the union council and executive committee;
- j) Must at any time, a number of members of the executive committee corresponding to the quorum, may have a special executive assembly called by giving the president a signed written notice by them to that effect, indicating the subject or subjects of such an assembly;
- k) Act as the union's public spokesperson unless another person has received a mandate on a specific subject;
- l) Sit on all committees ex-officio except the Surveillance Committee;
- m) Vote only in the case of a tie;

- n) Sign the Collective Agreement and the Local Agreements.
- o) Sign the financial reports with the secretary/treasurer;
- p) Be responsible for the proper progress of any specific area of work entrusted to him by the Executive Committee;
- q) Abide by the executive's orientations;
- r) Make a written annual report of their activities and present it verbally to all union bodies.

#### **Article 48 Secretary/Treasurer**

The secretary/treasurer's duties are to:

- a) Write up and present the minutes of the General Assembly, of the Union Council and the Executive Committee. Record them in a minute book and are co-sign with the president. These minutes must be written in French or English and translated in either language.
- b) Call general assemblies, executive committee and union council meetings at the request of the president and redistribute the information to members of the union council concerned;
- c) Make the minute book available to any member who wishes to examine it during a union council and/or general assembly.
- d) Draft and send correspondence, keeping copies for the archives.
- e) File union documents and keep them in the archives.
- f) Read out all documents to be communicated at the General Assembly.
- g) Send the organizations with which the union is affiliated a copy of the Statutes and a list of executive committee officers and the Union Council.
- h) Send CSN decision-making bodies the motions that the union wishes to submit to them.
- i) Write an annual report for the executive based on the annual report produced by each executive officer.
- j) Co-sign all cheques with the president, or another officer of the Executive Committee designated by the executive committee except for 44.01w.
- k) Update monthly the membership cards and members lists
- l) Update the union liberation register
- m) be responsible for the proper progress of any specific area of work entrusted to him/her by the Executive Committee
- n) Abide by the executive's orientations
- o) Make a written annual report of their activities and present it verbally to all union bodies.
- p) Administer the union's finances and manage its property in accordance with the decisions of the General Assembly, the Union Council and the Executive Committee.
- q) Ensure that financial transactions are properly recorded in the account books produced by the CSN.

- r) Collect all dues and money owed to the union.
- s) Upon request and at least once every four months, provide the Executive Committee with the credit union or bank reconciliation statements and financial reports.
- t) Make all expenditures authorized by the Executive Committee and co-sign cheques with the president or another officer of the Executive Committee designated by the Executive Committee.
- u) Make refund to the person claiming expenses within five (5) days following the presentation of an activity report.
- v) Make the account books and credit union or bank records available at each general assembly.
- w) Deposit funds on hand in the credit union or bank, as soon as possible, and forward amounts owing to the organizations with which the union is affiliated.
- x) Prepare the budget and present it to the Executive Committee, the Union Council and General Assembly.
- y) Prepare the final annual financial report and present it to the Executive Committee, Union Council and General Assembly as soon as possible.
- z) Make available at all times, all the account books and necessary vouchers and supporting documents to a duly authorized representative of the CSN Executive Committee and to the Union's Surveillance Committee.

**Article 49 Vice-President for the Site/Satellite**

The duties of a Vice-President for the Site/Satellite are to:

- a) Coordinate all union activities on their site(s).
- b) Work with the Vice-President and/or delegate responsible for settling grievances and disputes in investigating grievances or disputes concerning their site.
- c) Provide the delegates of their site(s) with the advice and assistance needed to defend the members' rights.
- d) Collaborate with the Vice-President and/or delegate of Information/Mobilisation to ensure that information is passed on to all members of their site.
- e) See to consultations and votes for their site.
- f) Be responsible for the proper progress of any specific area of work entrusted to him/her by the Executive Committee.
- g) Receive complaints from the members and do follow-up.
- h) Report to the vice-president responsible for settling grievances and disputes.
- i) Inform the members of their rights.
- j) Abide by the executive's orientations.
- k) Make a written annual report of their activities and present it verbally to all union bodies.

## **Article 50 Vice-President for Settling Grievances and Disputes**

The duties of the Vice-President for Settling Grievances and Disputes are to:

- a) Create a committee with the grievance delegates for settling disputes and chair the committee meetings.
- b) Report to the Executive Committee, the Union Council and the General Assembly.
- c) Inform the grievances and disputes committee of the executive's positions and work with the latter in investigating disputes or grievances.
- d) Attend preparatory meetings for arbitration if needed.
- e) Manage and coordinate individual and collective complaints received and ensures that the investigations of each one of them is done, and hold a register for grievances and arbitrations.
- f) Provide the settling of grievance and dispute delegates with the advice and assistance needed to defend the members' rights.
- g) Assist the delegate for settling grievances and disputes who wishes to file a grievance and make sure that an investigation is done by the settling of grievance and dispute delegate.
- h) Be responsible for the proper progress of any specific area of work entrusted to him/her by the Executive Committee
- i) Abide by the executive's orientations
- j) Make a written annual report of their activities and present it verbally to all union bodies.

## **Article 51 Vice-President for Health and Safety**

The duties of the Vice-President for Health and Safety are the following:

- a) Create and chair a committee with the health and safety delegates and chairs the committee meetings.
- b) With the help of the committee, promote the prevention of work accidents and professional illnesses.
- c) Receive members' complaints ensure that the investigations are conducted and make the appropriate recommendations to the employer.
- d) Help members in their dealings with the Health and Safety Commission; insure the proper follow-up of the files as well as the files concerning the Insurance Plan and Salary Insurance.
- e) Participate in investigations of violence and/or harassment in the workplace.
- f) Attend preparatory meetings for hearings if needed.
- g) Keep up to date a register of all active files and ensure the confidentiality of these files.
- h) Report to the Executive Committee, the Union Council and the General Assembly.
- i) Study the Health and Safety Laws and inform members of their rights.

- j) Be responsible for the proper progress of any specific area of work entrusted to him/her by the Executive Committee
- k) Abide by the executive's orientations
- l) Make a written annual report of their activities and present it verbally to all union bodies.

**Article 52 1<sup>st</sup> Vice-president**

The duties of the 1<sup>st</sup> Vice-President are the following:

- a) Replaces the President in case of all absences
- b) Is responsible for all category issues.
- c) Chair the Categories Meetings.
- d) Study the organisation of work in the categories in collaboration with the delegate of job posting and submit a plan for improvement to the Executive.
- e) Collaborate with the members of the Executive for category issues.
- f) Be responsible for the proper progress of any specific area of work entrusted to him/her by the Executive Committee
- g) Abide by the executive's orientations
- h) Make a written annual report of their activities and present it verbally to all union bodies.

**Article 53 Vice-President Information and Mobilization**

The duties of the vice-president information and mobilization are:

- a) Create a committee with the delegate of information/mobilization and chairs the committee assembly.
- b) Oversee his/her work in collaboration with the Executive Committee.
- c) Assist all general assemblies of the CCMM when possible; if unable to attend, nominate a replacement.
- d) Ensure that the action, mobilization and information plans of the Union, the CSN, the FSSS, and the CCMM are carried out with the decision of the executive.
- e) Coordinate the action plan put forward by the Executive Committee, the Union Council and/or the General Assembly.
- f) Ensure all new employee be met (Welcome Day) and that at this time, the information concerning the operation of the union, union structures and the collective agreement are provided on the appropriate device.
- g) Ensure that union life is sustained by activities and by training members.
- h) Publicise the General Assembly.

- i) Implement the specific action mandates voted on by the various decision-making bodies with the approval of the executive.
- j) Is responsible for the local union Newsletter and all other means of union media communication;
- k) Present to the Executive an information/mobilization plan, which includes an information and mobilization structure
- l) See to the distribution, to the members, of the bilingual publications of the CSN, FSSS and CCMM and make available the other publication of the CSN, FSSS and CCMM;
- m) Transmit to the members Communiqués, Bulletins and Reports regarding decisions taken by the union's structures;
- n) Collaborate with the president regarding external communiqués by the union to the media
- o) Chair the following committee: status of women, environment, LGBT and youth and present to the Executive Committee a work plan.

**Article 54    Term of Office**

The term of office for Executive Committee members is three (3) years.

**Article 55    End of Term of Office**

At the end of their term of office or upon resignation, all union property, useful information and/or pertinent documents must be returned to their successor or another elected representative of the union.

To the extent possible, the executive committee shall grant the outgoing executive a reasonable transition period (up to a maximum of 10 days), with the succession.

**CHAPTER 10    ELECTION**

**Article 56    Election Procedures**

The executive committee shall decide on the election procedure, either referendum or electronic, and the timetable for the voting period.

**Option 1 \* Election procedure referendum**

56.01    The elections shall be held by secret ballot by electronic vote.

56.02    The elections of the Executive committee and the Union Council will be held simultaneously.

- 56.03 At the last general assembly before its term of office ends, the Executive Committee sets the date on which the election is to be held between September 15 and September 30. During a strike or for any other major reason, the General Assembly may postpone the election.
- 56.04 Members of the Executive and the Union Council are elected by an absolute majority, namely fifty percent (50%) plus one (1), of the union members in good standing who cast ballots except for the Category Delegates and the Surveillance Committee, whom were elected with the most votes.
- 56.05 The General Assembly chooses an election president and secretary. The election president chooses the scrutineers. These persons cannot be candidates or holding office.
- 56.06 Nominations shall be made using the form set out in the Appendix (Appendix I for the Executive Committee and Appendix II for the Union Council and Surveillance Committee). This nomination must be supported by the signatures of five (5) members in good standing for the Executive Committee and three (3) members in good standing for the Union Council and Surveillance Committee. The chairperson and returning officer cannot support an application.
- 56.07 An eligible candidate may only stand for one position.
- 56.08 The nomination form must be handed in to the election president in person, by email or by fax at the number indicated.
- 56.09 The deadline for filing nominations is 5 PM on the fifteenth (15th) day before Election Day. The election president and secretary must inform members of the candidates no later than the eleventh (11) days before Election Day. An election must be announced at least thirty (30) days before it is held.
- 56.10 The election president and secretary in collaboration with all Site VPs must assure that the postings are done within the delays and to inform all members of the date of the election, the positions to be filled, candidates' names, the deadline for nominations, the polling stations and the hours when the polling stations are open for voting by using all appropriate methods.
- 56.11 No election publicity should be distributed or posted by a candidate or a member whom is liberated by the union. The union offices should remain neutral in consequent; no poster should be posted on the door or the wall.
- 56.12 No election publicity may be posted or distributed on the date of the vote. All election publicity close to the polling station will be removed.
- 56.13 If there is only one candidate for a position, that person is declared elected by the election president.
- 56.14 If there is more than one (1) candidate, there is an election by secret ballot.
- 56.15 The election secretary has ballots printed, using the model given in Appendix III. The election president designates either the election secretary or a scrutineer to initial the ballots in the presence of the member, failing which the ballot is not valid.



- 56.16 All members in good standing of the union have the right to vote in the referendum. The place and time for voting shall be posted at least seven (7) days in advance. The advance poll shall be held the weekend preceding the said referendum from 7:00 AM to 5:00 PM on a Saturday. The referendum shall be from 7:00 AM to 7:00 PM, held at a date chosen by the Union Council. A vote will take place the same week during the lunch period from 11:30 AM to 13:30 PM at all points of service.
- 56.17 Candidates may be present in the polling stations or may delegate a representative, who must identify him or herself as such, to observe the voting process, at no charge to the union.
- 56.18 When the polling stations close, the scrutineers count the ballots; all in the same place, and report the results to the election president and secretary.
- 56.19 For each position, the election president declares elected, and sworn in immediately, the candidate who receives the absolute majority of the votes cast as indicated in paragraph 56.04. Spoiled ballots are not counted. If no candidate for a position obtains an absolute majority on the first ballot, the election president proceeds with a second round of voting maintaining the candidacy of the two (2) persons who obtained the most votes and eliminating the other candidates, excluding the Category Delegates and the Surveillance Committee which require the most vote.
- 56.20 The election president only votes in the event of a tie.
- 56.21 The election president and secretary must ensure that votes remain confidential.
- 56.22 The election president or secretary must record the result of the election in the minute book. They proceed to destroy the ballot after ninety (90) days.
- 56.23 The newly elected officers take up office as soon as possible after the election.
- 56.24 When a vacancy occurs and more than 12 months remain before the end of the term, an election may be held during the term of office.
- 56.25 Where there is no candidate for a post of delegate, the Executive Committee shall proceed to the nomination of a delegate.
- 56.26 In a by-election, the Executive Committee shall assume the responsibilities of the General Assembly under this article.

## **Option 2 \* Election procedure during an electronic voting**

### **Electronic voting**

- 56.27 Electronic voting is an automated counting system. Voting can be done electronically. The system used must be secure and offer an absolute guarantee of the confidentiality of the vote.

- 56.28 The Executive Committee may decide to prioritize the use of an electronic voting system when holding a referendum vote, which decision must be endorsed by the Union Council.
- 56.29 When a referendum vote is taken electronically, the following procedure shall also apply:
- a) Within two (2) days of the Executive Committee's decision to conduct an electronic vote, the Union should post in the all the union office for seven (7) days, the list of voters that includes the names, first names and employee numbers; as well as the reason for the vote and the timetable that will have been decided;
  - b) During the posting period, members in good standing on the date of the adjournment of the voting meeting must validate with the union by all means at their disposal their postal address and, when possible, email address;
  - c) No later than fifteen (15) days after the general meeting that has decided to vote, the president and secretary of election shall send the list of voters with their postal and e-mail addresses, if available, to the external and independent firm. The president and secretary of election shall ensure to the outside and independent firm that the disputed votes will be held under seal.
  - d) In collaboration with the external and independent firm, the executive committee determines the electronic voting period that will be at least five (5) days.
  - e) The president and secretary of election shall, in cooperation with the outside and independent firm, produce and send a notice to each member of the voters list, including an invitation to vote, a PIN to vote, concerning the exercise of voting rights.

## **Article 57 Swearing-in of Elected Officers**

- 57.01 Whenever possible an authorized representative of an organization with which the union is affiliated should be invited to swear in the elected officers.
- 57.02 The election secretary reads out the names of the officers elected, who come to the podium.
- 57.03 The election president asks the members present to stand, and proceeds to swear in the officers.
- 57.04 The election president says:

*Do you promise on your honour to fulfill the duties of your office, abide by the union's Statutes and By-Laws, promote the interests of the union and its members, and stay in office until your successors are chosen? Do you so promise?*

Each officer answers: *I so promise.*

The General Assembly replies: *we are witnesses thereto.*

## **Article 58 Removal from Office of a Member of the Executive Committee or of the Union Council**

- 58.01 Any motion for a member on the Executive Committee or of the Union Council to be removed from office must be submitted in writing to the Union Council, stating valid reasons.
- 58.02 A member of the Executive Committee or of the Union Council may be removed from office for any of the following reasons:
- serious harm caused to the union;
  - absence from three (3) consecutive meetings of the Executive Committee, the Union Council or the General Assembly, when the reason for the absence is not satisfactory to the Union Council and the Executive Committee;
  - refusal to perform the duties or fulfil the obligations of his/her office and to respect the present Statutes and By-Laws.
- 58.03 A member of the Executive Committee or of the Union Council whose removal from office is sought must be notified by registered mail by the Union Council at least two (2) weeks before the date of the General Assembly to which the motion of removal is submitted.
- 58.04 A member of the Executive Committee or of the Union Council whose removal from office is sought may respond to the motion for removal in writing at the General Assembly to which the motion for removal is submitted.
- 58.05 A majority vote by the General Assembly is required to refer the motion to remove a member of the Executive Committee to a referendum vote.
- 58.06 Removal is decided in a referendum vote by two-thirds (2/3) of the members having exercised their right to vote.
- 58.07 A member of the Executive Committee or of the Union Council who is removed is replaced in accordance with the election procedure set out in Article 53 of these Statutes and By-Laws.
- 58.08 The replacement member has the same powers, duties and obligations as the member of the Executive Committee whom he/she replaces.

## **Article 59 Remuneration and Reimbursement of Expenses**

- 59.01 The officers of the union are not entitled to any remuneration or stipend (allowance for presence). When union duties require an absence from work, the remuneration allotted shall not exceed the regular pay of the member who has been discharged from work. However, a member that is permanent part-time and/or part-time on availability cannot obtain more days of liberations for union work, than the number of days he would have been called to work.
- 59.02 Any member who holds union office is entitled to reimbursement of travel, accommodations, meals and childcare expenses incurred in the course of carrying out union mandates, in accordance with the rates in force at the CSN and according to the « Policy on the reimbursement of expenses», voted by the General Assembly.

## **CHAPTER 11 SURVEILLANCE COMMITTEE AND AUDITING**

### **Article 60 Audits**

At any time, an authorized representative of the CSN, the FSSS or the CCMM may audit the union's books. The treasurer must provide all the books and vouchers or supporting documents required by this authorized person.

### **Article 61 Election of Surveillance Committee Members (Trustees)**

Three (3) members are elected to the Surveillance Committee as well as two (2) substitutes, using the same procedures and at the same time as for executive committee members and as needed to keep a minimum of three (3) members. After the ballot, the three (3) candidates with the most votes are elected and the following two (2) are elected as substitutes.

A member of the Executive Committee or the Union Council cannot be a member of the Surveillance Committee.

### **Article 62 Meetings and Quorum**

The Surveillance Committee meets at least once every three (3) months and presents their report to the Executive Committee.

The treasurer must attend meetings of the Surveillance Committee, unless the committee members ask to meet without him present.

The quorum for the committee is two (2) members.

### **Article 63 Duties of Surveillance Committee Members (Trustees)**

The duties of the members of the Surveillance Committee (Trustees) are to:

- a) Review all of the union's revenue and expenditures;
- b) Review and validate the credit union (bank) reconciliation statements, the treasurer's report and all the other accounts that the union has (recreation, insurance, strike fund, investments, etc.);
- c) Audit the application of decisions made by the general assembly, union council and the executive committee;
- d) Alert immediately the Executive Committee of all abnormality that was found.
- e) If decided unanimously, order the secretary/treasury to call a special general assembly, if not unanimously the Surveillance Committee can present themselves to the following executive meeting.

## **Article 64     Annual Report**

The members of the Surveillance Committee must submit a written report to the Annual General Assembly on their work, with any recommendations they deem useful. The report and the recommendations are first submitted to the Executive Committee and then to the Union Council.

## **CHAPTER 12     RULES OF ORDER**

**THE FOLLOWING CHAPTER SHALL APPLY TO ALL OF THE ASSEMBLYS OF THE UNION STRUCTURE.**

### **Article 65     Calling the Assembly to Order and the Agenda**

The president shall call the assembly to order at the prescribed time. He shall not depart from the agenda, unless a majority of the members present so decide.

### **Article 66     Putting a Question to Vote**

Except for the cases previously specified herein, a majority of the members present shall be necessary for a motion to be binding. Only in the case of a tie vote shall the president have the right to vote.

### **Article 67     Vote**

When a vote is called, all discussion shall cease; the question shall be put to a vote by a show of hands, unless a secret ballot or nominal vote is duly requested.

A single member may request that a vote be taken by secret ballot, or nominally, as long as he has so requested before the president has called for the vote.

However, concerning the regulations regarding secret ballot votes in Article 27, they shall apply notwithstanding the above.

### **Article 68     Notice of Motion (Motion to Reconsider)**

To rescind a motion that has already been duly adopted by the general assembly one must proceed as follows:

- a) A Notice of Motion must be presented to a general assembly by a union member. Said notice of motion cannot be discussed at the assembly at which it is presented.
- b) At the following general assembly, the member who has presented the motion must be present. After said member has spoken on the motion, said motion must receive the support of a common majority of the members present so as to put the original motion that is to be reconsidered back on the table. Once the original motion is back on the table a common majority vote of the members present is again necessary.

## **Article 69     Adjournment**

A motion to adjourn an assembly can always be received by the chair; however it can be defeated by a majority vote of the members present. The president shall adjourn the assembly when the agenda has been completed.

## **Article 70     Motion**

Every motion must be seconded, written down in the minutes by the secretary and read to the assembly before discussion begins. A motion can be submitted by member as mention in Article 28.02. At this point, the motion belongs to the assembly and it cannot be called back without the unanimous approval of the assembly.

## **Article 71     Precedence of a Motion**

As long as a motion has not been disposed of, no other motion may be received by the chair except one aiming to amend, to table, to refer to a committee, to put immediately to a vote (previous question) or to adjourn the assembly.

## **Article 72     Amendment**

An amendment must refer to the subject of the principal motion. The amendment cannot bring up a totally new matter; however, the chair shall receive it even if it altogether changes the nature of the principal motion, without straying from its subject. On the other hand, without seeking to change the nature of the principal motion, an amendment may simply delete, add or replace certain words in the original motion. An amendment can be submitted by a member, as mention in Article 28.02.

## **Article 73     Sub-Amendment**

A sub-amendment must only refer to the terms of the amendment. It must aim only to delete, to add, or to replace certain words in the amendment. It must not seek to bring back the terms of the original motion that were modified by the amendment.

## **Article 74     Previous Question**

The previous question permits discussion to be terminated, if at least five (5) people have already spoken to the motion, the amendment or the sub-amendment; thereby forcing the assembly to immediately decide and vote on the question at hand, when the assembly is held in more than more one session, it can be requested at each session, however it does not affect the session(s) that are still to take place. The member, who moves the previous question, must not have spoken earlier on the motion. To be carried, the previous question must receive the support of two-thirds (2/3) of the members present. If the previous question is defeated, it may not be presented again until there have been five (5) more speakers.

The person who presents the previous question must indicate whether it applies to the sub-amendment, the amendment or the principal motion. Moreover, said person must indicate whether they permit those inscribed on the speaker's list to speak.

**Article 75 Privileged Motions**

Privileged motions are designed to permit a member, at any time during an assembly, to raise any pressing matter dealing with a unique item or a question of widespread interest to the union.

**Article 76 Etiquette**

Once the assembly has been called to order, members must remain seated and strictly quiet so as not to disturb the proceedings.

When a member is given the floor, he or she must stand and address the chair. He or she must not stray from the subject under study and must avoid insults, contempt, and threats, racist or sexist comments, personalizing any comments, as well as swearing. When several members ask for the floor at the same time, the president shall decide who shall be called upon first.

**Article 77 Right to Speak**

The president shall give the floor to speakers who so desire, in the sequence that said speakers have indicated their desire to speak, however, a speaker shall not be recognized a second time until all who desire to speak on the first turn have done so. The same shall apply for succeeding turns. The president may require that speakers limit their statements to five (5) minutes on their first turn and three (3) minutes on their second.

**Article 78 To Call Back to Order**

Any member who strays from the subject, or who uses injurious language shall be immediately called back to order by the president; and in the case of a recurrence, the latter, on the instruction of the assembly, shall no longer recognize the member's right to speak for the duration of the assembly.

**Article 79 Point of Order**

When a point of order is raised, all discussion on the motion shall cease, the president shall dispose of the point of order, unless an appeal is put to The General Assembly.

**Article 80 Procedural Dispute**

Where there is a dispute regarding a procedure not covered by the present Statutes, The Rules of Order of the CSN shall prevail.

## **CHAPTER 13 AMENDMENTS TO THE STATUTES**

### **Article 81 Amendments**

- 81.01 Any proposal to alter these Statutes and By-Laws, in whole or in part or to change the name of the union must be submitted in writing to the union council before being read at the assembly.
- 81.02 Any changes to the Statutes and By-Laws is not effective until approved by two-thirds (2/3) of the members expressing their rights to vote.

### **Article 82 Restriction on Amendments**

Articles 5, 6, 7 and 83 of these Statutes cannot be amended or repealed without the written consent of the CSN, the FSSS and The Central Council, unless the union has disaffiliated in accordance with the procedure set out in Article 6.

### **Article 83 Dissolution of the Union**

When a motion to dissolve the union is adopted in accordance with the provisions of these Statutes, unless The General Assembly decides otherwise, the union's assets are transferred to the CSN's Professional Defence Fund (PDF).



## Appendix I Nomination Form

On the Executive Committee:

- President
- Secretary / Treasurer
- Vice-President for Settling Grievances and Disputes
- Vice-President for Health and Safety
- 1st Vice-President
- Vice-President Information and Mobilization
- Vice-President for the Site/Satellite:
- GLEN             MGH             Lachine             Satellite

(For the site Vice-Presidents, five (5) members in good standing from their site must support their candidacy)  
 (For the Vice-Presidents Category, five (5) members, in good standing, of their category must support their candidacy)

\_\_\_\_\_  
Candidate's Signature

\_\_\_\_\_  
Employee No.

The following five (5) members in good standing have signed in support of my nomination:	
Signature	Employee No.
1 .	
2 .	
3 .	
4 .	
5 .	
Nomination Form Received:	
_____ Election President's Signature	_____ Date
	_____ Time

## Appendix II Nomination Form

On the Union Council For the site:

- GLEN    MGH    Lachine    Satellite  
 Grievance Delegate  
 Health and Safety Delegate  
 Merged Health and Safety / Grievance Delegate  
 Category 2 Delegate (Service)  
 Category 3 Delegate (Clerical)  
 Evenings / Nights Delegates

(For the site delegates, three (3) members, in good standing, from their site must support their candidacy)  
 (For the site/category delegates, three (3) members of their site and category, in good standing, must support their candidacy)

---

On the Surveillance Committee:

- Member (Trustee)

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Candidate's Signature

Employee No.

The following three (3) members in good standing have signed in support of my nomination:	
Signature	Employee No.
1 .	
2 .	
3 .	
Nomination Form Received:  <div style="display: flex; justify-content: space-between; border-top: 1px solid black; margin-top: 10px;"> <span style="width: 45%; border-bottom: 1px solid black; display: inline-block;"></span> <span style="width: 15%; border-bottom: 1px solid black; display: inline-block;"></span> <span style="width: 15%; border-bottom: 1px solid black; display: inline-block;"></span> <span style="width: 15%; border-bottom: 1px solid black; display: inline-block;"></span> </div>	

**Appendix III  
Model Ballot**

_____	_____
(Name of Union)	(Date)
Election for Position of: _____	
Candidate 1: _____	<input type="checkbox"/>
(Name – Job Title – Service or Department)	
Candidate 2: _____	<input type="checkbox"/>
(Name – Job Title – Service or Department)	
Candidate 3: _____	<input type="checkbox"/>
(Name – Job Title – Service or Department)	

McGill University Health Center Employee's Union  
(MUHCEU)

**Policy on the reimbursement of  
expenses**

# Introduction

These policies are based on existing policies within the CSN organisation. They make choices aimed at determining fair amounts to be reimbursed for expenses that are actually related to union activities.

Current policies within the CSN vary from one organization to another and stipulate different methods for reimbursing pay and expenses. The policies outlined in this document are applicable to the MUHCEU-CSN membership.

## Guidelines

- The union reimburses authorized justified expenses incurred by a member in the course of union activities, in accordance with the standards set out in this policy.
- For a person who is a delegate to an instance of the CSN, the federation and the central council, reimbursement of salaries and expenses is based on the effective reimbursement policy in force, not the larger organization's policy.
- When an employee is liberated to work outside their workplace in the context of union activities, the employee will benefit from an allowance established according to the rates included in the present policy.
- Expense amounts specified in this document include taxes and tips, where applicable.
- Expenses are only reimbursed when they are actually incurred and claimed, i.e., when the activities have actually given rise to expenses.
- Expense claims are not automatically reimbursed. A claim may or may not be justified depending, for example, on the time of year and the weather conditions.
- The rates used in these policies are those used by the CSN, and are indexed to the Canadian Price Index (CPI) for Montreal, on June 1<sup>st</sup> of each year. (See annexe 1)
- These policies may only be modified by the union's general membership meeting.

## Breakfast\*

### **Breakfast is reimbursed if:**

1. Accommodation out of town the night before is reimbursed.
2. The person leaves home unusually early in the morning to get to an obligated activity.  
For the purpose of this rule, unusually early is defined as *6:00 am*.

## Lunch\*

### **Lunch is reimbursed if:**

1. All meetings beginning in the morning and continuing in the afternoon or continuing after 12:00 pm and outside the MUHC sites, excluding union councils, regardless of where the activity is taking place. It is understood that the expression MUHC site applies to all MUHC addresses or CSN members.
2. When calculating the time of transport necessary to return to the office at the end of the activity exceeds 1 pm.
3. For preparations of arbitration and all arbitration (including TAT) the rate of the delegates on the files will be paid and only the bill of the member is refunded up to max of the rate.
4. There is an exceptional activity that requires the executive to work during the lunch hours; no more than 3 per year, the executive can pay lunch/supper.

## Supper \*

### **Supper is reimbursed if:**

1. An afternoon obligated meeting ends after 7:00 pm (indicate the time on the activity report)
2. An evening activity obliges a person to have dinner away from home.
3. An accommodation is eligible for the same night.

\*In the event that a meal is provided, no refund is allowed.

## Accommodations

**Reservation and room charges are brought to the union's credit card if necessary up to a maximum cost of the CSN scales (including tax); therefore, no accommodations will be directly handed. In the event that there is a cancellation or sharing of a room, it is the militant person's responsibility to notify the hotel property 48 hours in advance. Any additional costs (upgrade, additional orders of product, etc.) will be paid by the militant person.**

## **Allowance for hotel accommodations**

In the event that circumstances require a hotel room to be used, the expenses incurred are reimbursed as follows.

### ➤ **For the night before the activity if:**

1. The activity begins the next morning and when more than 200 km (one-way) of travel is required to get there.
2. It is understood that the term “next morning” refers to an activity that starts before 10:00 am

For example, when the union activity is scheduled to begin at 10:00 a.m., the reference time is defined as the time corresponding to the start of the activity on the notice of the activity. This includes the registration period or other activities from the reference time used to calculate whether the person is entitled to reimbursement of accommodations.

### ➤ **For the day of the activity if:**

1. The activity continues the next day and the distance travelled is greater than 100 KM.
2. Given that ending time of the activity leads to a return home past 20:00 and that the distance is greater than 100 km

## **Reimbursement of childcare expenses\***

A member who is liberated attends union activities, outside their regular shift hours and who incurs **additional** childcare expenses, is to have these costs reimbursed.

1. These expenses are only reimbursed upon presentation of a childcare form signed by the childcare provider indicating the date and time of the activity. (See annexe 2)
2. To be eligible for reimbursement, the expenses must have actually been incurred, by people who have children 16 years of age or younger.
3. Childcare expenses in accordance with these rules may be claimed for a child between the ages of 17 and 18 who needs child care because of a physical or mental handicap.
4. If either parents or spouses participate in meetings during the same period of time, childcare expenses are only reimbursed to one of the two; childcare expenses must not be used as compensation for a parent or spouse.

## Salary of liberated Members

1. When a person who is scheduled to work, and must be liberated from work for a union activity, the union sees to it that the employer continues to pay the person's wages.
2. No wages are paid by the union to a person liberated.
3. The pay actually lost is what a person scheduled to work would receive if they were at work, including any applicable social benefits and premiums but excluding overtime outside regular shifts.
4. A person who is on sick leave, workers' compensation, salary insurance, unemployment insurance or receiving benefits from a private or a public compensation plan is considered to be on authorized leave and is therefore not eligible for reimbursement of pay.
5. Days worked during a vacation period or on weekly days off may be requested as time owed and at regular time equivalent to a regular work day within the year following the activity
6. Overtime is never reimbursed or taken as time owed.
7. If the distance and time at which an activity starts make it feasible, travel should be done without using leave time. One must be realistic about the travel time required, assuming acceptable conditions.
8. Any wages for time spent on union activities that are not paid or re-invoiced by the employer are paid using the request for payment of wages to the person on leave for union work, based on the form available from the CSN Administration/Accounting, so as to ensure that the proper source deductions and contributions to universal benefits plans are made.

## Reimbursement of travel expenses

**Reimbursement of the cost of transportation of all networks (Montreal) is maintained as a guiding principle.**

\*A receipt must be provided

The inefficiency or lack of public transportation may justify an expense claim on the basis of the number of kilometres travelled.

However, the use of an automobile should not result in a person being able to claim reimbursement of more expenses and pay than what they would be entitled to if they had used public transportation.



## **Transport will be refunded if:**

### ➤ **The activity takes place within the MUHC sites:**

1. Travel expenses may be reimbursed for inter-site activity in exceptional situations only. (The exceptional situations should be indicated along with the time on the activity report).
2. Transport costs are reimbursed if the union representative is not scheduled to work, but is required to execute union work.

### ➤ **The activity takes place away from the individual's home base:**

1. Travel expenses higher than those normally incurred for work are reimbursed from their **home base** when the person is on leave for union work to a maximum of the cost of public transportation, providing public transportation is available and applicable.

It is understood that the term "home base" refers to the address where the person would perform their duties corresponding to their MUHC job-title

### ➤ **Travel expenses are reimbursed in accordance with the following amounts:**

1. The cost of public transportation or mileage (indexed on June 1<sup>st</sup> each year), when public transportation is not applicable, is reimbursed to a person who in fact uses public transportation or their vehicle.
2. It is logical, desirable and an appropriate application of union values for the people travelling to a meeting to do so collectively; in such a case, only the expenses incurred by the person actually using their vehicle are claimed and reimbursed.
3. The names of the people car-pooling should be indicated on the activity report of the person claiming the expenses.
4. The number of mileage or travel expenses reimbursed is based on the necessary distance actually travelled for union activities from work home base.
5. The union does not reimburse cost related to any parking, traffic or other tickets incurred as result of using a vehicle.
6. The cost of public transportation outside of Montreal, and actually incurred, may be claimed as a travel expense. The receipt for the bus, train, plane or ferry must be submitted.
7. A member who uses their own vehicle or rental vehicle must ensure that it is in good working order; consequently, no expenses incurred by the member for mechanical problems or breakdowns may be claimed for reimbursement by the union.
8. When a pickup or deliver is required and public transportation cannot be used due to the weight and volume of the package, the kilometer can be claimed or reimburse from the union upon prior approval from the president, secretary/treasurer or the executive.

## Reimbursement of parking expenses

Parking expenses for a union activity are reimbursed, taking into consideration that public transportation and carpooling cannot be applied due to medical condition, upon presentation of supporting documents (receipts) when the activity takes place away from the MUHC sites.

In exceptional situations only, parking expenses for inter-site activities may be reimbursed when the MUHC shuttle service or public transportation are not applicable or available. Presentation of the receipt(s) and appropriate information must be provided with an activity report.

## Reimbursement of cab fares

1. Cab fares may be reimbursed to delegates for meetings outside the MUHC sites upon presentation of supporting documents (receipts).
2. This method of transportation may be used when it is more economical for the union.
3. This method of transportation may be used within the MUHC sites when the MUHC shuttle service is not available or applicable. The activity and time must be indicated on the activity report, along with the receipts.

## Advances

1. The union provide a member with an advance (which excludes the last meal) when an activity takes place outside the locality (Montreal) where the MUHC sites are situated. The amounts are adjusted after the member's return in accordance with the activity report and upon presentation of the necessary supporting documents.

## Activity report

**Is used to record the expenses incurred by a member in the course of union activities, and in accordance with the standards policy.**

1. Only expenses actually incurred may be claimed.
2. To be reimbursed, expenses incurred can be claimed twice a month on the form used by the union (see attachment) and accompanied by the appropriate supporting documents (receipts).

**The activity report of the person making the claim must indicate: (Please refer to the numbered form attached)**

1. The name of the member;
2. The Personal Address;
3. The "Home base" of the member;
4. The date corresponding to the activity;
5. The time and description of the activity;
6. The amounts being claimed under its proper heading (KM, Taxi, Meals, etc.);
7. The date and the signature of the member.

## REQUEST FOR CHILD CARE EXPENSES

Date and time of the activity: \_\_\_\_\_

Name (s) of the child (ren): \_\_\_\_\_

Child's Date of Birth: \_\_\_\_\_

Children usually at daycare or babysat:

Yes: \_\_\_\_\_ No: \_\_\_\_\_

Reasons for childcare costs: \_\_\_\_\_

\_\_\_\_\_

Regular working hours: \_\_\_\_\_

Name of daycare or babysitter: \_\_\_\_\_

Family Relationship: \_\_\_\_\_

Phone: \_\_\_\_\_

Note that the costs must be actually incurred and should be located outside of usual working hours.

The baby sitter should not be the parent of the child.

The daily allocation of costs is made according to the rates established by the CSN.

Parent Signature: \_\_\_\_\_

Babysitters' signature: \_\_\_\_\_

# EXECUTIVE CODE OF CONDUCT

## THE MEETING

- Executive meetings are times for information and making decisions
- The annual calendar (September to June) is sent out by the secretary
- The Executive meets every two weeks as per our Stats and Bylaw
- Everyone's attendance and participation is required and mandatory
- Executive committee meetings take priority over other meetings
- Absences are authorized in accordance with the constitution and by-laws; they must be justified by valid reasons
- When there is a scheduling conflict, the Executive members tries to reschedule his/her 'meeting'; if this is impossible, he/she informs the union secretary as soon as possible (ASAP)
- Cell phones must be turned off. An Executive member who has an urgent reason for wanting to leave his/her phone on must so advise the Executive before the start of the meeting.
- Laptop computers must only be used for taking notes

## THE SCHEDULE

- Meeting hours are known (8:30 – 3:30\*), with a lunch break of 1 hour exactly
- Members are expected to arrive on time
- Late arrivals and early departures are not acceptable unless they are justified by the member and accepted by the Executive
- The Executive will decide on the measures to be taken in such cases (possibility, for example, that some of the meeting time will not be paid)

\*Executive meetings can be short or longer than the schedule time indicated. The Executive is expected to respect the days' work shift.

## PROPOSALS AND MOTIONS

- Aimed at solutions
- Use motions as much as possible, to avoid lengthy debates and opinions
- Formulate a clear motion (goal and steps to achieve it).
- Rally to the Executive's decision if dissidence was not stated

## **THE DEBATE**

*To proceed rapidly and hold Executive meetings that are not too long*

- Preparation of detailed reports: use or write out documents if possible
- Members pay attention to how the meeting proceeds
- Avoid individual discussions
- Signal to the chair that you want to speak, and make sure that the chair has understood you
- Speak when the chair recognizes you. Speak or ask questions to the chair, to avoid discussions
- Avoid repetitions
- Rally to decisions

## **INTERNAL OPERATIONS**

- All questions of internal operations should be discussed ASAP (the following Executive meeting or an emergency meeting). (Eg: union finances, reimbursements, schedule, etc.)
- Debates must be conducted in a positive spirit with a view to identifying solutions
- Vacations are announced at least two weeks in advance, in order to ensure the continuity of services for members

## **MUHCEU CODE OF ETHICS**

1. Carry out their responsibilities in a manner to bring respect to the union.
2. Practice with integrity, honesty, and adherence to trust placed in them both in fact and in appearance.
3. Maintain in confidence the affairs of any member, colleague or union and shall not disclose confidential information obtained in the course of delegate activities.
4. Hold themselves free of any interest, influence, relationship in respect to any activity when dealing with members which could impair judgment or objectivity or which in reasonable view of the observer, has that effect.
5. Be mindful that they are representatives of the union membership and shall represent the overall community interest.
6. Keep the union office informed about the progress and efforts of the assigned tasks.
7. Openly share information with the union body and according to protocols established by that body.
8. Cooperate with peers to the betterment of technique, ability, and practice, and to strive to perfect themselves in their delegate abilities or through training and educational opportunities.
9. Assure that all union activities are conducted with equality of opportunity for all segments of the membership without regard to race, religion, sex, sexual orientation, national origin, political affiliation, disability, age, marital status, or socioeconomic status.
10. Abide by the principles established in this code and comply with the rules of conduct as promulgated by MUHCEU.

# MUHCEU CODE OF CONDUCT

The Code is organized into categories, as follows:

## **Service**

1. Always act with fairness, honesty, integrity and openness; respect the opinions of others and treat all with equality and dignity without regard to gender, race, color, creed, ancestry, place of origin, political beliefs, religion, marital status, disability, age, or sexual orientation.
2. Promote the Stats and By-Law and objectives of the MUHCEU in all dealings with the members and public on behalf of the MUHCEU.
3. Provide an honest and valued experience for those receiving service within the MUHCEU.

## **Accountability**

1. Act with honesty and integrity and in accordance with any professional standards and / or governing laws and legislation that have application to the responsibilities performed for or on behalf of the MUHCEU.
2. Comply with both the letter and the spirit of any training or orientation provided by the MUHCEU / CCMM / FSSS / CSN, in connection with those responsibilities.
3. Adhere to the policies and procedures of the MUHCEU and support the decisions and directions of the General Assembly and its delegated authority.
4. Take responsibility for your actions and decisions. Follow reporting lines to facilitate the effective resolution of problems. Ensure that the mandate of the elected position is not exceed.

## **Conflict of interest**

Conflict of interest arises when a person participates in a decision about a matter which may benefit or be seen to benefit that person because of his/her direct or indirect monetary or financial interests affected by or involved in that matter.

It is the duty of any person taking part in the operations of the MUHCEU to adhere to the Conflict of Interest Policy at all times. In the event that such a matter arises, the person shall formally disclose the interest, refrain from attempting to persuade or influence other persons participating in the decision, and shall not cast any vote on the matter.

## **Confidentiality**

1. Respect and maintain the confidentiality of information gained as a volunteer or employee, including, but not limited to, all computer software and files, the MUHCEU documents and printouts, and all volunteer, employee membership, donor and supporter records.
2. Respect and maintain the confidentiality of individual personal information about members gained through your role in the MUHCEU, for example, in support groups, meetings or in service programs.

## **Violence and/or Bullying**

Violence is behaviors, physical, verbal or written, in the work place by an individual or a group of individuals (Mobbing), intentional or non-intentional, which have a negative effect on the security, physical, psychological integrity of another individual or group of individuals. (It is important to establish the difference between conflict in the workplace and violence.)

## **Psychological or sexual harassment**

Sexual harassment is any conduct by an individual or group of individuals who's, comment, gesture or contact of a sexual nature that one would find to be unwanted or unwelcome by any individual, or that might, on reasonable grounds, be perceived by that individual as placing a condition of sexual nature.

Psychological harassment means any conduct by an individual or group of individuals whether verbal or physical that is discriminating in nature, based upon another person's race, color, ancestry, place of origin, political beliefs, religion, marital status, physical or mental disability, sex, age or sexual orientation. It is discriminatory behavior, directed at an individual that is unwanted or unwelcome and causes substantial distress in that person and serves no legitimate work-related purpose.

Psychological Harassment can also mean any conduct by an individual or group of individuals which violates the Quebec Charter of Rights and Freedoms and / or Canadian Charter of Rights and Freedoms.

## **The MUHCEU has a zero tolerance policy with respect to Violence and Psychological /Sexual Harassment.**

1. The MUHCEU Executive has a defended legal and moral obligation to investigate the Violence, Psychological/Sexual Harassment complaints they receive. Violence, Psychological/Sexual Harassment in any form is strictly prohibited and could be grounds for the suspension of liberations, for just cause without notice, after an Executive decision.
2. The MUHCEU Executive may also suspend or expel any member found guilty of Psychological/Sexual Harassment according to the procedure found in Article 15 & 59 of the MUHCEU Stats and Bylaws.

The member who receives a sanction has the right to recourse as explained in Article 16 of the MUHCEU Stats and Bylaws.



## **Implementation**

Strict observance of the Code is fundamental to the activity and reputation of the MUHCEU. It is essential that all delegates, volunteers, executive members, any other service provider adhere to this Code.

They will certify this by signing a Declaration that they have read and understand and will abide by this Code.