

Conseil provincial des affaires sociales

Constitution

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CONSEIL PROVINCIAL DES AFFAIRES SOCIALES

Constitution

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Article 1

Role of the Conseil provincial des affaires sociales

- 1.01 The role of the Conseil provincial des affaires sociales will be to
- a) Promote the social, economic and political advancement of its members from a union perspective;
 - b) Promote unionism in Québec;
 - c) Influence the policy directions of the union organizations to which its members are affiliated to ensure that such organizations take into account the needs and objectives of the Conseil provincial des affaires sociales and its members;
 - d) Support its affiliated Local Unions in their demands;
 - e) Foster dialogue among its affiliated Local Unions in order to facilitate union life across Québec and to enhance workers' quality of life in their respective workplaces to the greatest extent possible;
 - f) See to the preparation, negotiation and application of the Québec-wide collective agreement pertaining to its affiliated Local Unions, in close collaboration with CUPE/SCFP;
 - g) Foster as many joint actions as possible among the Local Unions in regard to local bargaining;
 - h) Promote informational and educational programs;
 - i) Encourage its members to become affiliated with and involved in activities organized by various union organizations, particularly the labour councils in each region.

Article 2

Composition of the Conseil

- 2.01 The CPAS will be comprised of all the Local Unions that hold a CUPE charter covering a group of employees in the health and social services sector and that pay the dues stipulated in the current Constitution.

Article 3

Convention

- 3.01 a) A convention assembling all the Local Unions in the CPAS will be held every two (2) years in even-numbered years at the call of the Executive Board of the Conseil Provincial des affaires sociales.

The call to convention must be issued with at least 60 days' notice. The convention will be the Conseil's decision-making body. Before the biennial convention is held, the Executive Board will establish committees composed of persons recognized as delegates at the convention. The committees will report to convention participants and will be dissolved at the close of the convention. At the opening of the convention, the delegates will ratify the establishment of the committees.

- b) A special convention may be ordered pursuant to a decision of the Executive Board or to a request signed by at least 25% of the CPAS's Local Unions. No business will be transacted at the special convention other than that listed in the abovementioned request or in the decision issued by the Executive Board.

The convention must be convened at least 30 days in advance when called by the Executive Board, or within 30 days of the Executive Board's receipt of the request.

- c) The Executive Board determines the location where the biennial or special conventions are to be held.
- d) The quorum for the purpose of deliberations will be one-half of the registered delegates at the convention.

- 3.02 The title of honorary member of the Conseil provincial des affaires sociales will be assigned to Brother Claude Turcotte, designated by the CPAS as an observer at the conventions.

Article 4 Representation at the Convention

4.01 a) Each Local Union will be entitled to the following representation at the convention:

- 1 to 150 members: 2 delegates
- 151 to 300 members: 3 delegates
- 301 to 500 members: 4 delegates
- 501 to 750 members: 5 delegates
- 751 to 1050 members: 6 delegates
- 1051 to 1350 members: 7 delegates
- 1351 to 1650 members: 8 delegates
- 1651 to 1950 members: 9 delegates
- 1951 to 2250 members: 10 delegates
- 2251 to 2550 members: 11 delegates
- 2551 to 2850 members: 12 delegates
- 2851 to 3150 members: 13 delegates
- 3151 to 3450 members: 14 delegates
- 3451 to 3750 members: 15 delegates
- 3751 to 4050 members: 16 delegates
- 4051 to 4350 members: 17 delegates
- 4351 to 4650 members: 18 delegates
- 4651 to 4950 members: 19 delegates
- 4951 to 5250 members: 20 delegates
- 5251 to 5550 members: 21 delegates
- 5551 to 5850 members: 22 delegates
- 5851 to 6150 members: 23 delegates

Each Local Union will be entitled to the same number of observers as the number of admitted delegates. The same representation will apply in the case of special conventions. In both cases, only delegates will have voting rights. Observers will be permitted voice but will not have voting rights.

The President will pass the floor to a person who is neither a delegate nor an observer, when the President deems it appropriate.

- b) A Local Union whose dues are in arrears for more than three (3) accounting periods may not register any delegates to the convention unless the Local Union makes an agreement with the Executive Board.
- c) The members of the Executive Board will be ex officio delegates at any convention of the CPAS.

Article 5

General Council

- 5.01 a) The General Council will be the decision-making body between conventions. Notwithstanding the foregoing, it may not reverse any resolution taken at the convention.
- b) The General Council will be composed of members of the Executive Board and delegates from each Local Union affiliated to the CPAS, as follows:
- 1 to 150 members: 2 delegates
 - 151 to 300 members: 3 delegates
 - 301 to 500 members: 4 delegates
 - 501 to 750 members: 5 delegates
 - 751 to 1050 members: 6 delegates
 - 1051 to 1350 members: 7 delegates
 - 1351 to 1650 members: 8 delegates
 - 1651 to 1950 members: 9 delegates
 - 1951 to 2250 members: 10 delegates
 - 2251 to 2550 members: 11 delegates
 - 2551 to 2850 members: 12 delegates
 - 2851 to 3150 members: 13 delegates
 - 3151 à 3450 members: 14 delegates
 - 3451 to 3750 members: 15 delegates
 - 3751 to 4050 members: 16 delegates
 - 4051 to 4350 members: 17 delegates
 - 4351 to 4650 members: 18 delegates
 - 4651 to 4950 members: 19 delegates
 - 4951 to 5250 members: 20 delegates
 - 5251 to 5550 members: 21 delegates
 - 5551 to 5850 members: 22 delegates
 - 5851 to 6150 members: 23 delegates
- c) A simple majority of delegates from the affiliated Local Unions will constitute a quorum.

- d) Unless circumstances prevent it, the members of the General Council will hold a meeting at least every two (2) months on the date and at the time and place set by the President in consultation with the Executive Board, except during the months of July and August;
- e) To the extent possible, the recommendations of the Executive Board and the various committees involved, and all documents pertaining to the business on the agenda of a meeting of the General Council, will be transmitted to the President of each Local Union along with the notice of meeting and the agenda.

5.02 Powers of the General Council

- a) May inspect any decision or project of the Executive Board;
- b) Ratifies administrative expenses and approves special expenditures;
- c) Approves loans suggested by the Executive Board for the proper conduct of CPAS business;
- d) Determines the mandates of the bargaining committee and the strategy to follow during negotiations;
- e) Debates and approves the resolutions and constitutional amendments that the Conseil provincial des affaires sociales transmits to the conventions of the union organizations to which it is affiliated.

Article 6

Bureau and Extended Bureau

- 6.01 a) The role of the Bureau is to oversee CPAS operations between General Council meetings and is accountable to the latter.
- b) The Bureau is composed of:
1. One (1) President;
 2. One (1) Secretary General;
 3. Four (4) Vice-Presidents from a job title in each of the following categories:
 - ⇒ Category 1 : nursing and cardio-respiratory personnel,
 - ⇒ Category 2 : para-technical, auxiliary services, and trades,
 - ⇒ Category 3 : office staff, technicians, and administrative personnel,
 - ⇒ Category 4 : technicians and health and social services professionals;

However, a job category must have more than 1,000 members to be represented by a Category Vice-President.

The delegates elect Category Vice-Presidents, according to the number of members that the Local represents in the same Category, as determined by article 4.01 a) of the statutes, during the biennial convention.

4. One (1) Vice-President, Public Sector;

The delegates elect Public Sector Vice Presidents, based on the number of members that the Local represents in the Public Sector, as determined by article 4.01 a) of the statutes, at the biennial convention.

5. One (1) Vice-President, Mixed Sector;

However, the mixed sector must have more than 1,000 members to be represented by a vice-president.

The delegates elect Mixed Sector Vice-Presidents, according to the number of members that the Local represents in the Mixed Sector, as determined by Article 4.01 a) of the statutes, at the biennial convention.

6. One (1) Vice-President, Occupational Health and Safety;
7. One (1) Vice-President, Info/Mobilization;
8. One (1) Vice-President, Equity. When female representation at the Bureau is not 50% a woman fills this position.

The Vice-President, Equity, is elected by the delegates to the convention and takes place after the election of the other members of the Bureau. This mandate is then of the same duration as those of the other members of the Bureau, regardless of its composition during this period.

The President, the Secretary General, the Occupational Health and Safety and the Info/Mobilization Vice Presidents are elected by delegates at the biennial convention.

The mandate of the Bureau is two (2) years.

- c) Quorum: the quorum is a simple majority.
- d)
 1. The position of a President or of a Secretary General resigning or not responding to the call of three (3) duly convened meetings during their mandate, without valid reason, is filled by the persons delegated to an extraordinary convention. Such an extraordinary convention shall be held on a date coinciding with the meeting of a General Council.

However, if there are less than six (6) months left before a biennial convention, a person is designated by and among the members of the Bureau.

2. The position of a Category Vice-President who resigns or does not respond to the call of three (3) duly convened meetings during his or her term, without valid reason, is filled by the delegates of the category involved at a CPAS General

Council meeting, as determined in article 5.01 b) of the statutes;

3. The position of a Vice-President, Public Sector who resigns or does not respond to the call of three (3) meetings duly convened during his term, without valid reason, is filled by the CPAS General Council delegates of the sector involved;
 4. The position of a Vice-President, Mixed Sector who resigns or does not respond to the call of three (3) meetings duly convened during his term, without valid reason, is filled by the CPAS General Council delegates of the sector involved.
 5. The position of a Vice-President, Occupational Health and Safety who resigns or does not respond to the call of three (3) meetings duly convened during his term, without valid reason, is filled by the CPAS General Council delegates.
 6. The position of a Vice-President, Info/Mobilization who resigns or does not respond to the call of three (3) meetings duly convened during his term, without valid reason, is filled by the CPAS General Council delegates
 7. A Vice-President, Equity who resigns or does not respond to the call of three (3) duly convened meetings during his or her mandate, without valid reason, is filled by the CPAS Council General delegates
- e) A Vice-President who is absent for a foreseeable period of more than two (2) months is replaced in his/her role during his/her absence by a substitute person elected at a General Council meeting.
- f) The Bureau meets five (5) times a year.
- g) The Bureau, if approved by the General Council, may form any committees it deems necessary for the proper administration and the interests of the Council. A member of the Bureau is an ex-officio member of each of the CPAS committees.
- h) The Bureau may invite one or more members of a committee to participate in the discussions and projects that will lead to recommendations on issues related to the mandate of this committee.

6.02 Extended Bureau

- a) The role of the Extended Bureau is to oversee CPAS operations between meetings of the General Council and is accountable to the latter.
- b) The Extended Bureau has the following structure :
 - 1. Four (4) directors representing each of the following regions :
 - Québec, Chaudière-Appalaches and Bas-Saint-Laurent;
 - Estrie and Montérégie;
 - Montréal, Lanaudière and Laurentides;
 - Abitibi-Témiscamingue and Nord-du-Québec.

The General Council, on the Bureau's recommendation, may modify the boundaries of a region or determine a new region.

Regional Directors are elected by delegates from their region at the biennial convention.

- c) The position of a regional director who resigns or does not respond to the call of three (3) meetings duly convened during his term, without valid reason, is filled by the General Council by delegates of the region involved.
- d) The Extended Bureau meets at least three (3) times a year with the Bureau including the Summer Bureau.

The mandate of the Extended Bureau is two (2) years.

Article 7

Role of members of the Executive Board

7.01

1. Bureau

a) President

1. He or she is the chief executive officer of the Council;
2. He or she manages and organizes the Council;
3. He or she signs all documents pertaining to his or her duties;
4. He or she presides over all CPAS conventions, general councils, meetings, and representations;
5. He or she submits a written report of his or her activities at the biennial convention;
6. He or she is an ex-officio member of all committees;
7. He or she is our official representative to various organizations;
8. Is given leave from the Local Union five (5) days per week, at the expense of the CPAS;

b) Secretary General

1. He or she is responsible for the CPAS books, records, finances, and properties. Upon request, he or she must provide the Bureau with information relating to these elements;
2. He or she sends notices for CPAS conventions, general council meetings and activities and oversees their organization;
3. He or she must keep minutes of all meetings and submit them to the appropriate body for approval;
4. He or she sends a copy of the general council minutes to

affiliated locals within reasonable delay;

5. He or she administers CPAS funds in accordance with the provisions of the statutes and he or she submits a financial report once a year;
6. He or she signs checks and bank documents. Notwithstanding the foregoing, checks over \$1,000 must also bear the signature of the President;
7. He or she must submit a written report of his or her activities at the biennial convention;
8. He or she must be protected by liability insurance, the amount of which is defined by the Bureau.
9. Is given leave from the Local Union five (5) days per week, at the expense of the CPAS

c) Vice-President, Category

1. He or she replaces the President, when designated;
2. He or she is the liaison between the Board and the Locals representing members of his Category;
3. He or she is in charge of the policies for the committee of his Category;
4. He or she may participate, by invitation, in a general meeting of Locals representing members of his or her Category;
5. He or she must submit a written report at the first CPAS Autumn General Council meeting;
6. He or she must submit a written report of his or her activities at the biennial convention;
7. He or she convenes, as needed, meetings for Locals representing members of his or her Category.

d) Vice-President, Public Sector

1. He or she replaces the President, when designated;
2. He or she is the liaison between the Bureau and the Public Sector Locals;
3. He or she is responsible for national labor relations;
4. He or she is responsible for the National Grievance Coordinating Committee;
5. He or she may participate, by invitation, in a general assembly of Public Sector Locals.
6. He or she must submit a written report at the first CPAS Autumn General Council meeting;
7. He or she must submit a written report of his or her activities at the biennial convention.

e) Vice-President, Mixed Sector

1. He or she replaces the President, when designated;
2. He or she is the liaison between the Bureau and the Mixed Sector Locals;
3. He or she may participate, by invitation, in a general assembly of the Mixed Sector Locals;
4. He or she must submit a written report at the first CPAS Autumn General Council meeting;
5. He or she must submit a written report of his or her activities at the biennial congress.

f) Vice-President, Occupational Health and Safety

1. He or she replaces the President, when designated;

2. He or she is in charge of the policies for the OHS Committee;
3. He or she is the representative at ASSTSAS;
4. He or she is responsible for all occupational health and safety files;
5. He or she must submit a written report at the first CPAS Autumn General Council meeting;
6. He or she must submit a written report of his or her activities at the biennial convention.

g) Vice-President, Information/Mobilization

1. He or she replaces the president, when designated;
2. He or she is in charge of the policies for the Action Committee;
3. He or she is in charge of the policies for the Information Committee;
4. He or she is in charge of the policies for the Mobilization Committee
5. He or she is responsible for all information and mobilization files;
6. He or she must submit a written report at the first CPAS Autumn General Council meeting;
7. He or she must submit a written report of his or her activities at the biennial convention.

h) Vice-President, Equity

1. He or she replaces the president, when designated;
2. He or she is charge of the policies for the Job Evaluation Committee;

3. He or she is in charge of the policies for the Nomenclature of job titles committee;
4. He or she is in charge of the policies for the Women's Committee;
5. He or she must submit a written report at the first CPAS Autumn General Council meeting;
6. He or she must submit a written report of his or her activities at the biennial convention.

2. Role of the person in charge of policies

1. The person in charge of policies ensures the liaison between the committee and the Bureau;
2. He or she liaises between the committee and the General Council;
3. He or she ensures that the objectives and deadlines of the committee are imparted to the Bureau and the General Council;
4. He or she ensures that the status of the work and activities carried out by the committee is transmitted to the Bureau and to the General Council;
5. He or she ensures that the committee submits a report of its activities in writing during the first CPAS autumn general council meeting;
6. He or she ensures that the committee submits a written report of its activities at the biennial convention.

7.02 Extended Bureau

a) Regional Director

1. He or she is a member of the CPAS Mobilization Committee;

2. He or she establishes contacts to introduce CPAS to new Locals;
3. He or she is the liaison between the Bureau and the Locals in his or her region;
4. He or she is the facilitator of regional union activities for CPAS;
5. He or she is the first CPAS representative in his or her region during negotiations, conflicts or any file relating to health and social services, etc.;
6. He or she may participate, by invitation, in a general meeting of the Locals in his or her region;
7. He or she promotes the affiliation and participation of Locals in the Labor Council of his or her region;
8. He or she convenes regional meetings on a regular basis;
9. He or she must submit a written report at the first CPAS Autumn General Council meeting;
10. He or she must submit a written report of his or her activities at the biennial convention.

Article 8

Auditors

8.01 The fiscal year begins on January 1 of each year and ends on December 31 of the same year.

The auditors' report outlines the financial situation of the CPAS and contains the recommendations the auditors deem relevant. The report must be submitted to the Executive Board first, after which it will be presented to the General Council.

A copy of the annual financial report must be transmitted to the National Secretary-Treasurer of the Canadian Union of Public Employees.

The Secretary General's books must be audited once per year by three (3) auditors.

Auditors will be elected alternately at each biennial convention to serve a six- (6) year term. In the event that a position falls vacant during the term, the General Council will elect a replacement to serve out the rest of the term.

Article 9 Bargaining Committee

9.01 a) Composition

The bargaining committee consists of four (4) members from a job title in each of the following job classes:

- 1 Nursing and cardio-respiratory care person
- 2 Para technical auxiliary services and trades personnel
- 3 Office personnel and administrative technicians and professionals
- 4 Health and social services technicians and professionals

The election takes place during the General Council and is between the unions representing personnel in the class concerned. Voting rights in this class depend on the number of persons represented by the union in this class, as determined by paragraph 5.01 b) of the Constitution.

In the absence of any candidate to fill the position with the job title in the class, the bargaining committee position will then be open to all the delegates.

In addition:

- The President is an ex-officio member of the central table bargaining committee
- The Secretary General of the executive board and/or the public sector vice-president is an ex-officio member of the sectoral table bargaining committee.

Lastly, the CPAS standing committees will be involved when their respective responsibilities include a bargaining issue.

b) Obligations of committee members

1. Produce a detailed report on the progress of negotiations at each General Council and as needed.
2. Attend all bargaining sessions.

c) Ratification of the new collective agreement

Following the General Council's approval of an agreement in principle regarding the renewal of the Québec-wide collective agreement, the relevant Local Unions will hold a separate secret ballot with each bargaining unit they represent.

The Local Unions will transmit the results of the vote to the CPAS within the prescribed time periods for each bargaining unit that voted.

For the purpose of determining the outcome, the CPAS will tally the results of the votes by considering the number of members who cast a vote for each bargaining unit. A simple majority of all members will be required to approve an agreement in principle.

d) Procedure for obtaining a strike mandate

The procedure set out in paragraph 9.01 c) will apply mutatis mutandis when the CPAS General Council makes the decision to obtain a strike mandate.

9.02 The CPAS will assume the expenses incurred by a maximum of two (2) members of each Local Union affiliated with the CPAS that must negotiate its own collective agreement. These expenses will be related to participation in study and bargaining sessions pertaining to the Local Union's collective agreement or contract.

The reimbursement of such expenses will follow the CPAS's reimbursement policy.

Any additional requests must be transmitted to the CPAS and will be processed by the Executive Board.

Article 10

Representation on Union Instances

- 10.01 a) The expenses incurred by the President and the Secretary General (registration, lodging, per diem allowances, mileage, etc.) to take part in the various union organisations to which the CPAS is affiliated are paid by The Conseil provincial des affaires sociales when their Local Union agrees to register them.
- b) Any office that falls vacant during the period between the convention of organization on which the CPAS is represented will be filled by the General council at a regular meeting of the CPAS.
- 10.02 a) Among the directors representing the CPAS on the SCFP-Québec General Council, at least one must not be a member of the CPAS executive board or extended board. This number will increase to two directors who are not members of the executive board or extended board when the total number of directors is six or more.

In the event that the executive board and extended board are unable to fill all positions, the position(s) will be filled by members who are not members of the executive board or the extended board.

Article 11

Revenues

11.01 a) Regular dues

The dues to the CPAS will be 0.09% of the Local Union's total regular salaries.

The dues must be remitted to the Executive Board's Secretary General at the end of each accounting period. They must be accompanied by a form duly completed for this purpose as well as the employer's report showing the total amounts to date.

Of this amount (0.09%), 37.5% will be transferred to the bargaining account at the time of each deposit.

11.02 a) Payment of dues

The Executive Board may decide to eliminate or reduce the payments owed by some Local Unions that are in the process of negotiating their initial collective agreement.

b) The Local Unions covered by a decision made under article 11.02 a) will be considered Local Unions in good standing of the CPAS.

c) A new Local Union that wishes to disaffiliate from the CPAS must return the amounts that were paid during the first round of current negotiations under article 9.02 of the CPAS Constitution, or it must make the reimbursement if fewer than two (2) years have lapsed between the end of negotiations and the Local Union's disaffiliation.

Article 12**Affiliations**

12.01 The CPAS may affiliate to any organization selected by the General Council.

Article 13**Resolutions and Amendments to the Constitution**

- 13.01 Amendments to this Constitution may be approved at the convention by a vote of two thirds (2/3) of the delegates present at the time of the vote, unless such amendments conflict with the Constitutions of CUPE and CUPE-Québec.
- 13.02 To be addressed at the convention, the amendments must have been received at the organization's headquarters at least 30 days before the date of the convention.
- 13.03 To be addressed at the convention, the resolutions must have been received at the organization's headquarters at least 30 days before the date of the convention.

Article 14 Headquarters

14.01 The headquarters of the CPAS is located in Montréal.

Article 15 **Expenses**

- 15.01 The CPAS will assume the expenses incurred for the operation of committees and will be responsible for the Executive Board's expenses.

- 15.02 The Conseil provincial des affaires sociales has a remuneration and expense reimbursement policy. The policy must be approved by the General Council upon the Executive Board's recommendation.

- 15.03 Expense policy amounts for the regular and bargaining accounts are increases on January 1 of each year in accordance with the Québec cost-living index established for the previous year.

- 15.04 Expenses for events or purchases dated from more than one year ago will not be reimbursed by the CPAS.

Article16 Emergency Fund

16.01 Purpose

The purpose of the emergency fund is to help Local Unions send a delegate to the conventions, conferences and General Councils organized by the Conseil provincial des affaires sociales. The Local Unions must be affiliated to the Conseil provincial des affaires sociales and meet the criteria of the emergency fund.

16.02 Funding

The CPAS emergency fund will earmark a maximum of \$5,000 for each authorized activity.

16.03 Eligibility criteria

To be eligible, a Local Union must be deemed financially unable, in the eyes of the CPAS Executive Board, to send a delegate to the conventions, conferences and General Councils of the Conseil provincial des affaires sociales.

However, the Local Union must have 150 members or fewer, or be affiliated to the CPAS for less than one (1) year.

In addition, the Local Union must maintain dues payments of at least 1.5% and have less than \$15,000 in funds.

16.04 Annual maximum

A Local Union may use the emergency fund no more than three (3) times per year.

Article 17 Equalization Fund

17.01 Purpose

The purpose of the equalization fund is to help the Local Unions affiliated to the Conseil provincial des affaires sociales take part in events organized by the CPAS.

17.02 Terms and conditions of use

The fund is solely intended to cover travel expenses for one trip per Local Union.

Travel expenses will be reimbursed in accordance with the table shown on the equalization fund claim form.

If an automobile is used, the effective rate in the CPAS expense policy will apply.

Article 18**Voting rights**

- 18.01 Only the delegates in attendance at the various official meetings of the Conseil provincial des affaires sociales have the right to vote in an election or on a motion, or to vote on amending the Constitution;
- 18.02 Individuals registered by proxy will not have voting rights.