



3.

Transitional Executive Committee

CONSTITUTION AND BYLAWS OF THE FIQP: ALIGNMENTS WITH THE CONSTITUTION AND OPERATING PROTOCOL OF THE RFIQ

Decision FIQP-A17-C-I-D3

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FIQ | SECTEUR PRIVÉ

1st CONVENTION

From November 27 to December 1, 2017
at the Lévis Convention and Exhibition Centre

CURRENT TEXT	PROPOSED ALIGNMENT	V/L	COMMENTS
<p>The FIQP adheres to the Statement of Principles of the FIQ², including its preamble, which is set out below.</p> <p>PREAMBLE</p> <p>By its orientations or actions, the Fédération interprofessionnelle de la santé du Québec–FIQ² is committed, in the field of labour, social and economic struggles, to promoting a society that recognizes the priority of human rights over economic imperatives and that seeks greater justice and an equitable distribution of wealth and power, and this, without affiliation to any political party.</p> <p>Hence, the Federation is committed to upholding and promoting the principles in the Quebec Charter of Human Rights and Freedoms.</p> <p>STATEMENT OF PRINCIPLES</p> <p>THE FIQ²</p> <p>La FIQ² is a labour organization that works primarily to uphold and promote the economic, social and professional interests of its members.</p> <p>It strives to be a collective tool for consciousness-raising and advocacy.</p>	<p>Replace the text with the following: “The FIQP adheres to the Statement of Principles of the Regroupement des FIQ, including its preamble, which is set out below.”</p> <p>PREAMBLE</p> <p>Whether by its orientations or actions, the Regroupement des FIQ is committed, in the field of labour, social and economic struggles, to promoting a society that recognizes the priority of human rights over economic imperatives and that seeks greater justice and an equitable distribution of wealth and power, without affiliation to any political party.</p> <p>Hence, the Regroupement des FIQ is committed to upholding and promoting the principles in the Quebec Charter of Human Rights and Freedoms.</p> <p>STATEMENT OF PRINCIPLES</p> <p>THE REGROUPEMENT DES FIQ</p> <p>The Regroupement des FIQ is a labour organization that works primarily to uphold and promote the economic, social and professional interests of its members.</p> <p>It strives to be a collective tool for consciousness-raising and advocacy.</p>	<p>1</p>	<p>Note that wherever FIQ² is mentioned, the name will be changed to Regroupement des FIQ.</p>

CURRENT TEXT	PROPOSED ALIGNMENT	V/L	COMMENTS
<p>AN ORGANIZATION THAT IS OPEN AND DEMOCRATIC</p> <p>The FIQ² is a democratic organization which promotes the participation of the largest number of members in decision-making by its internal structure.</p> <p>Its action rests on the mobilization of its members; it is therefore committed to ensuring that all its members have access to the same quality of union life.</p> <p>Thus, it recognizes the right to information, union education and the freedom of choosing a structure (local, regional or sectional) as essential to the practice of democracy within its ranks.</p> <p>AN ORGANIZATION DEDICATED TO IMPROVING WORKING CONDITIONS</p> <p>In the field of negotiations and labour relations, the FIQ², while taking into account the specificity of its membership, aims, by its actions, to promote and strongly uphold the right to free collective bargaining, and to decent working and living conditions, as well as the right to work in a sound environment.</p>	<p>AN ORGANIZATION THAT IS OPEN AND DEMOCRATIC</p> <p>The Regroupement des FIQ is a democratic organization which promotes the participation of the largest number of members in decision-making by its structure. It is also committed to ensuring the involvement of women at the different decision-making levels by using the appropriate measures.</p> <p>Its actions rest on the mobilization of its members and is therefore committed to ensuring that all its members have access to the same quality of union life by recognizing the right to information, union education and the choice of union structure (local, regional or sectional) as essential conditions to the practice of democracy within its ranks.</p> <p>AN ORGANIZATION DEDICATED TO IMPROVING WORKING CONDITIONS</p> <p>In the field of negotiations and labour relations, the Regroupement des FIQ while taking into account the specificity of its membership, aims, by its actions, to promote and strongly uphold the right to collective bargaining, and to decent working and living conditions, as well as the right to work in a sound violence-free environment.</p>		

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<p>AN ORGANIZATION FOCUSED ON HEALTH CARE</p> <p>Key actor in the health sector, the FIQ² has a leading responsibility in the debates on the accessibility, universality, free-of-charge nature and quality of healthcare services.</p> <p>The Federation is present in the debates on the choices that need to be made in the field of healthcare services and it makes it a point to denounce all sorts of abuse. It is committed, in this respect, to promoting and defending the public's right to health and the right of its members to deliver care in an atmosphere of respect and dignity.</p> <p>AN ORGANIZATION THAT PROMOTES WOMEN'S RIGHTS</p> <p>The FIQ² recognizes that a society cannot progress without promoting women's rights. For this reason, it is actively involved, together with other women's groups, in promoting and upholding these rights, and publicly denouncing the iniquities and prejudices suffered by women. More specifically, the Federation intends to pursue the struggle to counter poverty and violence, a struggle already begun by the international women's movement and is part of a broader movement of opposition to neo-liberal globalization that flaunts human rights and women's rights.</p>	<p>AN ORGANIZATION FOCUSED ON HEALTH CARE</p> <p>Key actor in the health sector, the Regroupement des FIQ has a leading responsibility in the debates on the accessibility, universality, free-of-charge nature and quality of healthcare services.</p> <p>The Regroupement des FIQ participates in the debates on the choices to be made in health services and makes it a point to denounce all sorts of abuse. It is committed, in this respect, to promoting and defending the public's right to health and the right of nursing and cardio-respiratory healthcare professionals to deliver care in an atmosphere of respect and dignity.</p> <p>AN ORGANIZATION THAT PROMOTES WOMEN'S RIGHTS</p> <p>The Regroupement des FIQ recognizes that a society cannot progress without promoting women's rights. For this reason, it is actively involved, together with other women's groups, in promoting and upholding these rights, and publicly denouncing the iniquities and prejudices suffered by women. More specifically, the Regroupement des FIQ pursues the struggle to counter poverty and violence, a struggle already begun by the international women's movement and is part of a context that threatens the fundamental rights of women.</p>		

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<p>AN ORGANIZATION UNDER THE BANNER OF SOLIDARITY</p> <p>The FIQ² participates, initiates and strengthens ties of solidarity with labour organizations and community groups, in accordance with its general orientations, whether at the regional, provincial or international level. The Federation also works to reinforce solidarity among its members.</p> <p>AN ORGANIZATION GRATEFUL FOR AND RESPECTFUL OF THE EMPLOYEES</p> <p>The FIQ² recognizes the crucial role of the employees in the organization achieving its mission. The Federation is committed to supporting and promoting the employees actions in a perspective of involvement and activism, at both the union and social level. It also commits to deploying the necessary means to develop and promote the employees' commitment.</p>	<p>AN ORGANIZATION UNDER THE BANNER OF SOLIDARITY</p> <p>The Regroupement des FIQ initiates and strengthens solidarity with other labour, feminist and community groups, in accordance with its general orientations, whether at the regional, provincial or international level. It is also also committed to reinforcing solidarity among its members.</p> <p>AN ORGANIZATION WHICH RECOGNIZES ITS UNION REPRESENTATIVES</p> <p>The Regroupement also recognizes the key role of the union representatives in the organization achieving its mission, namely for their invaluable knowledge of the work setting as healthcare professionals. It is committed to supporting and setting up the conditions that will ensure a succession for those who would want to get involved in the organization as elected officers, coordinators or employees.</p> <p>AN ORGANIZATION GRATEFUL FOR AND RESPECTFUL OF THE EMPLOYEES</p> <p>The Regroupement des FIQ recognizes the key role of the employees in the organization achieving its mission. It is committed to supporting and promoting the employees actions in a perspective of involvement and activism, at both the union and social level. It is also committed to deploying the necessary means to develop and promote the employees' commitment.</p>		

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<p>CHAPTER V - CONVENTION</p> <p>ARTICLE 1 - POWERS</p> <p>The Convention is the supreme body of the Federation. It adopts the political and union orientations and priorities. All unions endeavour to apply Convention decisions, while preserving their operational autonomy.</p> <p>The Convention has the following powers:</p> <ol style="list-style-type: none"> 1) to determine the orientations and action priorities; 2) to elect the Executive Committee every three (3) years; 3) to elect the members of the Internal Audit Committee; 4) to set up the committees that it deems necessary and elect the members; 5) to set the regular dues and any additional assessment payable to the Federation; 6) to adopt and amend the Constitution and Bylaws of the Federation; 7) to receive and adopt the reports of all activities of the Federation, including those of the committees; 8) to recommend any affiliation of the Federation; 9) to remove a union from the roll. 	<p>Replace the words “three (3)” with “four (4)”.</p>	<p>2</p>	

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<p>ARTICLE 2 – SITTING OF A CONVENTION OR SPECIAL CONVENTION</p> <p>1) A statutory meeting of the Convention is held every three (3) years, in the spring, usually contiguously with the Provincial FIQ² Convention. However, a Special Convention may be called as needed. The Executive Committee sets the time and place of the Convention.</p> <p>The agenda of the Convention is determined by the Federal Council and is sent to the delegates, along with the documents necessary for the debates, at least forty-five (45) days prior to the scheduled date of the Convention.</p> <p>In the event of force majeure, the Federal Council can decide to hold the Convention at another time than in the spring. However, the Federal Council cannot postpone the Convention for more than six (6) months past the spring.</p> <p>2) A Special Convention may be called by the Secretary at the request of the Convention, the Federal Council or the Executive Committee. The Special Convention must be held between the 45th and the 90th day following the decision, unless the Convention, the Federal Council or the Executive Committee sets a later date.</p> <p>The agenda of the Special Convention is set by the decision-making body which has decided to hold it and sent to delegates at least thirty (30) days before the date of the Special Convention.</p>	<p>In subparagraph 1), replace the words “three (3)” with “four (4)”.</p>	<p>3</p>	

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<p>However, if there is an emergency, a Special Convention can be held between the 15th and 45th day following the decision. In such a case, delegates are notified at least ten (10) days in advance that a Special Convention will be held as well as of the subjects which will be discussed.</p> <p>3) Delegates may send to the Secretary of the Federation the motions to be tabled for discussion at least three (3) weeks before the official opening of the Convention. These motions are submitted to delegates one week before the beginning of the Convention. No new motion can be presented unless authorized by a majority vote of Convention delegates. These provisions do not apply however when a Special Convention is called for an emergency situation.</p> <p>ARTICLE 3 - COMPOSITION</p> <p>The Convention is composed of:</p> <p>1) delegates from each local union and delegates from each certification held by a regional or sectional union, according to the following ratios:</p> <table border="1" data-bbox="184 1149 674 1442"> <thead> <tr> <th>Number of members</th> <th>Number of delegates</th> </tr> </thead> <tbody> <tr><td>0001 to 0050</td><td>1</td></tr> <tr><td>0051 to 0100</td><td>2</td></tr> <tr><td>0101 to 0200</td><td>3</td></tr> <tr><td>0201 to 0300</td><td>4</td></tr> <tr><td>0301 to 0400</td><td>5</td></tr> <tr><td>0401 to 0500</td><td>6</td></tr> <tr><td>0501 and more</td><td>7</td></tr> </tbody> </table>	Number of members	Number of delegates	0001 to 0050	1	0051 to 0100	2	0101 to 0200	3	0201 to 0300	4	0301 to 0400	5	0401 to 0500	6	0501 and more	7	<p>In subparagraph 1), replace the number of members and the number of delegates with:</p> <table border="1" data-bbox="793 1149 1276 1442"> <thead> <tr> <th>Number of members</th> <th>Number of delegates</th> </tr> </thead> <tbody> <tr><td>0001 to 0050</td><td>1</td></tr> <tr><td>0051 to 0100</td><td>2</td></tr> <tr><td>0101 to 0150</td><td>3</td></tr> <tr><td>0151 to 0250</td><td>4</td></tr> <tr><td>0251 to 0350</td><td>5</td></tr> <tr><td>0351 to 0500</td><td>6</td></tr> <tr><td>0501 and more</td><td>7</td></tr> </tbody> </table>	Number of members	Number of delegates	0001 to 0050	1	0051 to 0100	2	0101 to 0150	3	0151 to 0250	4	0251 to 0350	5	0351 to 0500	6	0501 and more	7	<p>4</p>	
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<ul style="list-style-type: none"> • the partial transfer of a certification to another employer, as a result of the application of Section 45 of the Labour Code, does not give the right to an additional delegation as long as there is a legal link with the initial certification; • notwithstanding the preceding paragraph, if there is a partial transfer of a certification to an institution where there is no union affiliated to the Federation, this part of the initial certification is entitled to a delegation as stipulated in this article; • when the number of delegates so permits, each union certified to represent various employee groups will ensure that its delegation is representative of at least two (2) of the job titles it represents for each certification it holds; <p>2) members of the Executive Committee;</p> <p>3) the president of a regional or sectional union, or her replacement.</p>			

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<p>ARTICLE 6 - RIGHT TO VOTE</p> <p>An official delegate, member in good standing of her union and who is present at the meeting, is entitled to a number of votes determined according to the following rules:</p> <ol style="list-style-type: none"> 1) the number of votes to which she is entitled is proportional to the number of members in her certification determined according to the list stipulated in Article 4 of this chapter; 2) this proportion is one (1) vote for fifty (50) members. A total of fifty (50) additional members must be reached to be entitled to an additional vote; 3) the number of votes thus determined is divided by the number of official delegates stipulated in Article 3 of this chapter; 4) notwithstanding the preceding, a delegates from a certification with more than fifty (50) but fewer than one hundred (100) members is entitled to one (1) vote; 5) the members of the Executive Committee, the president of a regional or sectional union or her substitute, are entitled to one (1) vote each. <p>Unless otherwise stipulated in the present Constitution and Bylaws or in the rules of order used, Convention decisions are made by majority vote.</p>	<p>Add the following paragraph to subparagraph 3): “Notwithstanding the above, the total number of votes may be divided among the delegates registered within the deadline, providing that the number of registered delegates represents a minimum of 70% of their total delegation;”</p>	<p>5</p>	

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<p>CHAPTER VI - FEDERAL COUNCIL</p> <p>ARTICLE 2 - SITTING OF THE FEDERAL COUNCIL OR SPECIAL FEDERAL COUNCIL</p> <p>1) Federal Council</p> <p>The Federal Council sits at least once (1) a year, usually contiguously with the Provincial Council of the FIQ². The Executive Committee sets the date and place of the Federal Council.</p> <p>The agenda for the Federal Council is set by the Executive Committee of the Federation and, except in the case of a Special Federal Council, it is sent to delegates at least thirty (30) days prior to the meeting.</p> <p>2) Special Federal Council</p> <p>The Executive Committee of the Federation and the Federal Council may, at any time, decide to hold a Special Federal Council meeting. The delegates are notified at least three (3) days in advance of a Special Federal Council meeting as well as of the subjects that will be discussed.</p> <p>Upon written request of 25% of the delegates to the Federal Council, the secretary must convene a Special Federal Council to be held in the thirty (30) days following receipt of the request.</p> <p>This request must be addressed to the Secretary and it must state the purpose and objectives of this Special Federal Council meeting.</p>	<p>In subparagraph 1), replace the words “one (1)” with “two (2)”</p>	<p>6</p>	

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<p>ARTICLE 3 – COMPOSITION</p> <p>The Federal Council is composed of:</p> <p>1) delegates from each local union and delegates from each certification of a regional or sectional union, according to the following ratio:</p> <table border="0"> <tr> <td>Number of members</td> <td>Number of delegates</td> </tr> <tr> <td>0001 to 0050</td> <td>1</td> </tr> <tr> <td>0051 to 0200</td> <td>2</td> </tr> <tr> <td>0201 to 0400</td> <td>3</td> </tr> <tr> <td>0401 to 0600</td> <td>4</td> </tr> <tr> <td>0601 and more</td> <td>5</td> </tr> </table> <ul style="list-style-type: none"> • the partial transfer of a certification to another employer, as a result of the application of Section 45 of the Labour Code, does not give the right to an additional delegation as long as there is a legal link with the initial certification; • notwithstanding the preceding paragraph, if there is a partial transfer of a certification to an institution where there is no union affiliated to the Federation, this part of the initial certification is entitled to a delegation as stipulated in this article; • when the number of delegates so permits, each union certified to represent the various employee groups will ensure that its delegation is representative of at least two (2) of the job titles it represents for each certification it holds; 	Number of members	Number of delegates	0001 to 0050	1	0051 to 0200	2	0201 to 0400	3	0401 to 0600	4	0601 and more	5	<p>Replace the number of members and number of delegates in subparagraph 1) with:</p> <table border="0"> <tr> <td>Number of members</td> <td>Number of delegates</td> </tr> <tr> <td>0001 to 0050</td> <td>1</td> </tr> <tr> <td>0051 to 0150</td> <td>2</td> </tr> <tr> <td>0151 to 0400</td> <td>3</td> </tr> <tr> <td>0401 to 0600</td> <td>4</td> </tr> <tr> <td>0601 and more</td> <td>5</td> </tr> </table>	Number of members	Number of delegates	0001 to 0050	1	0051 to 0150	2	0151 to 0400	3	0401 to 0600	4	0601 and more	5	<p>7</p>	
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<p>2) members of the Executive Committee; 3) the president of a regional or sectional union, or her substitute.</p> <p>ARTICLE 6 - RIGHT TO VOTE</p> <p>The official delegate who is a member in good standing of her union and who is present at the meeting is entitled to a number of votes determined according to the following rules:</p> <ol style="list-style-type: none"> 1) the number of votes to which she is entitled is proportional to the number of members in her certification determined according to the list stipulated in Article 4 of this chapter; 2) this proportion is one (1) vote is one (1) vote for fifty (50) members. A total of fifty (50) additional members must be reached to be entitled to an additional vote; 3) the number of votes thus determined is divided by the number of official delegates stipulated in Article 3 of this chapter; 4) notwithstanding the above, the delegates who come from a certification with more than fifty (50) members but less than one hundred (100) are entitled to one (1) vote each; 5) the members of the Executive Committee of the Federation, the president of a regional or sectional union or her substitute, are entitled to one (1) vote each. <p>Unless otherwise stipulated in the present Constitution and Bylaws and in the rules of order used, Federal Council decisions are made by majority vote.</p>	<p>Add the following paragraph to subparagraph 3): “Notwithstanding the above, the total number of votes may be divided among the delegates registered within the deadline, providing that the number of registered delegates represents a minimum of 70% of their total delegation.”</p>	<p>8</p>	

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<p>CHAPTER VII - EXECUTIVE COMMITTEE</p> <p>ARTICLE 1 - POWERS</p> <p>The Executive Committee assumes the responsibility for the planning, organization, leadership and control of the Federation. It follows up on debates, activities and mandates. It takes stands on all questions in line with the orientations of the organization, in the best interest of all.</p> <p>The Executive Committee of the Federation has the following powers:</p> <ol style="list-style-type: none"> 1) to execute the decisions of the Convention and Federal Council; 2) to administer the Federation; 3) to represent the Federation politically; 4) to prepare the action plans in accordance with the orientations adopted by the Convention; 5) to prepare the financial forecasts; 6) to formulate recommendations to the Convention and Federal Council; 7) to set up the committees that it deems necessary and appoint the members; 8) to ensure the Constitution and Bylaws are respected; 9) to establish the general policies and submit them to the Federal Council; 10) to hire personnel; 11) to determine the working conditions of the employees of the Federation; 			

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<p>12)to decide to hold a Federal Council, Special Federal Council, Convention or Special Federal Convention.</p> <p>CHAPTER VIII – DUTIES AND POWERS OF THE MEMBERS OF THE EXECUTIVE COMMITTEE</p> <p>ARTICLE 1 - PRESIDENT</p> <p>The responsibilities of the president are the following:</p> <ol style="list-style-type: none">1) to be the official spokesperson of the Federation;2) to chair the meetings of the Executive Committee, Federal Council and Convention. She may name another chairperson with the approval of the body concerned;3) to supervise the general activities of the Federation under the authority of the Executive Committee;4) to be an ex-officio member of all the committees;5) to fulfil all the duties that ensue from her office and that are assigned to her by the Convention, Federal Council or Executive Committee;6) to sign the documents prepared or issued in the name of the Federation, namely official documents, cheques and bills of exchange.	<p>Introduce the following paragraph after subparagraph 12): “to determine the second person who sits on the Provincial Executive Committee of the Regroupement des FIQ.”</p> <p>Introduce the following paragraph after subparagraph 6): “to sit as vice-president on the Provincial Executive Committee of the Regroupement des FIQ”.</p>	<p>9</p> <p>10</p>	

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