

- Constitution, Bylaws and Operating Protocol
- Union Defence Fund RFIQ-A21-C-I-D4

OUR CONVICTIONS THE DNA OF OUR ACTIONS

2nd CONVENTION JUNE 7, 9 AND 10, 2021





AMENDMENTS - CONSTITUTION, BYLAWS AND OPERATING PROTOCOL

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
CHAPTER I – NAME – PURPOSE – HEAD OFFICE	CHAPTER I – NAME – PURPOSE – HEAD OFFICE		
ARTICLE 3 – PURPOSE	ARTICLE 3 – PURPOSE		
The Regroupement des FIQ's purpose is:			
 to represent the Fédération interprofessionnelle de la santé du Québec-FIQ and the Fédération interprofessionnelle de la santé du Québec Secteur privé-FIQP; 			
 to study, safeguard, defend and develop the economic, professional and social interests of its members; 			
3) to ensure the representation of its members;			
 to negotiate the provincial collective agreement; 	Strike out point 4.	1	This point is in the FIQ and FIQP's Constitution and Bylaws. The Article's
 to fight against all forms of discrimination and violence; 			numbers will be adjusted.
to foster relationships between the member unions of its federations to create and maintain unity and harmony within the organization;			
 to implement a union code of ethics, with the help of the member federations, and ensure that it is followed by the affiliated unions. 			

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
CHAPTER III - PROVINCIAL CONVENTION	CHAPTER III - PROVINCIAL CONVENTION		
ARTICLE 3 – COMPOSITION	ARTICLE 3 – COMPOSITION		
The Provincial Convention is composed of:			
 Delegates from each certification held by a local union and delegates from each certification held by a regional or sectional union according to the following ratios: 	"Add that the photo of the delegates be taken when the decision-making meeting is called." Cyril Gabreau - Jesse Jomphe	2	Not specific.
Number of members Number of deleg. 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 to 0800 7 0801 to 1100 8 1101 to 1400 9 1401 to 1700 10 1701 to 2000 11 2001 to 2300 12 2301 to 2600 13 2601 to 3000 14 3001 to 3400 15 3401 to 3800 16 3801 to 4200 17 4201 to 4600 18 4601 to 5000 19 5001 and more 20 Add two (2) delegates to this per former CSSS or per institution with more than 400 members or from a transfer of more than 400 members that was not a CSSS for every CISSS and CIUSSS.			

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
 members of the Provincial Executive Committee (nine (9) members of the FIQ Executive Committee, and two (2) members of the FIQP Executive Committee); 			
 members of the FIQP Executive Committee; 			
 the president of a regional or sectional union or her replacement; 			
5) two (2) delegates from the RIIRS.			
CHAPTER IV - PROVINCIAL COUNCIL	CHAPTER IV - PROVINCIAL COUNCIL		
ARTICLE 1 – POWERS	ARTICLE 1 – POWERS		
The provincial council is the supreme body between provincial conventions. It plays an important political role between provincial conventions. It is responsible for making decisions that are in line with the orientations of the provincial convention and serving the collective interests of the members. It is a preferred forum for debates and union consensus-building. All unions ensure that the decisions of the provincial council are enforced while preserving their operational autonomy.			
The provincial council has the following powers:			
 to adopt the action plan based on the orientations of the provincial convention; 			
 to rule on Union Defence Fund (FDS) appeal cases and exercise all the powers which it has under its bylaws; 			
 to receive the Union Defence Fund and equalization reports between provincial conventions; 			

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
 to receive and adopt the activity reports from the Provincial Executive Committee and provincial committees; 			
 to receive and adopt the report on the follow-up of the recommendations from the provincial convention every two (2) years; 			
 to fill the vacancies on the Provincial Executive Committee and other provincial committees; 			
 to set up the committees that it deems necessary, elect the members of these committees and adopt the reports; 			
8) to make recommendations to the provincial convention;			
 to convene a special provincial council or special provincial convention; 			
10) to determine the negotiation structures;			
 to turn itself into nurse, licensed practical nurse, respiratory therapist and clinical per- fusionist commissions on the recommenda- tion of the Provincial Executive Committee; 	Strike out point 11.	15	
 to receive and adopt the reports from the nurse, licensed practical nurse, respi- ratory therapist and clinical perfusionist commissions; 			
 to receive the reports from the consensus- building tables. 	Strike out point 13.	3	
CHAPTER V - PROVINCIAL EXECUTIVE COMMITTEE	CHAPTER V - PROVINCIAL EXECUTIVE COMMITTEE		
The Provincial Executive Committee is responsible for the planning, management and control of the RFIQ. It ensures follow-up on the debates, activities and mandates. It takes stands on all questions in line with the orientations of the organization, in the best interest of all.			

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
It encourages, in collaboration with the presidents of the federations' affiliated unions, the presence and influence of the RFIQ in the regions. Lastly, it ensures consistency in union action in the implementation of the action plans.			
ARTICLE 1 – POWERS	ARTICLE 1 – POWERS		
The Provincial Executive Committee has the power:			
 to execute the decisions of the provincial convention and the provincial council; 			
 to ensure political representations for the RFIQ; 			
 to prepare the action plans based on the provincial convention and provincial council decisions; 			
 to make recommendations to the provincial convention and the provincial council; 			
 to set up the committees that it deems necessary and appoint the members; 			
 to ensure that the Constitution, Bylaws and Operating Protocol are enforced; 			
 to determine the general policies and submit them to the provincial council; 			
8) to decide to hold a provincial council, special provincial council, provincial convention or special provincial convention;			
 to recommend that the provincial council turn into nurse, licensed practical nurse, respiratory therapist and clinical perfusionist commissions; 	In point 9, replace "that the provincial council turn into" with "hold".	16	Align with the amendments in chapter VII - Commissions.

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
 to promote and encourage solidarity and mobilization between the federations and their affiliated unions; 			
 to encourage pooling of regional realities and circulate the main findings; 			
 to ensure and participate in the consulta- tion of the affiliated unions on set subjects; 			
 to study any issue submitted by the provincial convention, provincial council and executive committees of the federations; 			
14) to receive the activity reports from the provincial committees and sectors and services of the FIQ;			
15) to make a report on its activities to the provincial convention;			
16) to monitor the use of the Union Defence Fund (FDS) and administer the equalization system.			
CHAPTER VI – DUTIES AND POWERS OF THE MEMBERS OF THE PROVINCIAL EXECUTIVE COMMITTEE	CHAPTER VI – DUTIES AND POWERS OF THE MEMBERS OF THE PROVINCIAL EXECUTIVE COMMITTEE		
ARTICLE 1 – PRESIDENT	ARTICLE 1 – PRESIDENT		
The president of the RFIQ is by right the president of the FIQ.			
The president's responsibilities are:			
1) to be the official spokesperson of the RFIQ;			
 to chair the meetings of the Provincial Executive Committee, provincial council and provincial convention. She may name another chairperson for the meeting with the consent of the body concerned; 			

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
 to monitor the general activities of the RFIQ under the authority of the Provincial Executive Committee; 			
4) to be a member of all the committees by right;			
to fulfill all the duties that ensue from her office and those that are assigned to her by the provincial convention, provincial council and Provincial Executive Committee;			
 to sign the documents prepared or issued on behalf of the RFIQ, notably the official documents, cheques and bills of exchange. 	In point 6, strike out "cheques and bills of exchange".	4	
ARTICLE 2 - VICE-PRESIDENTS	ARTICLE 2 - VICE-PRESIDENTS		
The vice-presidents of the FIQ, members of the Provincial Executive Committee, have the same powers and duties for the RFIQ as for their federation. The members of the Provincial Executive Committee who come from the FIQP are considered vice-presidents of the RFIQ.			
The vice-presidents' responsibilities are:			
 to assist the president in the performance of her duties; 			
 to replace the president, when absent, with the same powers and duties according to the established order of precedence; 			
 to carry out all the mandates entrusted to them by the Provincial Executive Committee; 			
4) to chair the nurse, licensed practical nurse and respiratory therapist commissions corresponding to the reserved positions. Another chairperson may be appointed with the consent of the body concerned.	In point 4, replace "the body" with "the commission".	5	

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
ARTICLE 3 – SECRETARY	ARTICLE 3 – SECRETARY		
The secretary of the FIQ, member of the Provincial Executive Committee of the RFIQ, has the same duties and powers for the RFIQ as for the FIQ.	Add the word " general " before the word secretary and make the necessary adjustments in the current Constitution and Bylaws.	6	
The secretary's responsibilities are:			
 to be the secretary of the Provincial Executive Committee, provincial council and provincial convention by right. She can appoint another meeting secretary with the consent of the body concerned; 			
 to keep a register of the minutes of the meetings of the Provincial Executive Committee, regular and special provincial council, regular and special provincial convention, and co-sign them with the president; 			
 to send the minutes of the last meeting of the Provincial Executive Committee to the members of the latter, at least ten (10) days before the next meeting; 			
 to be responsible for the records and official documents of the RFIQ; 			
to convene the meetings and prepare the agendas;			
6) to write official correspondence;			
 to certify the copies or excerpts of the minutes and correspondence; 			
 to keep a register of the unions affiliated with each one of the federations; 			
9) to fulfill all other duties assigned to her by the various bodies of the RFIQ;			

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
 to pass on all the documents and other goods belonging to the RFIQ to her successor. 			
CHAPTER VII – COMMISSIONS	CHAPTER VII – COMMISSIONS		
There are four (4) types of commissions: nurse, licensed practical nurse, respiratory therapist and clinical perfusionist.	In the second paragraph of the preamble, replace "provincial council" with "Provincial Executive Committee".	7	
The commissions are a special forum for discussion or analysis of the important issues affecting the job-titles groups concerned. The commissions have the power to make recommendations to the provincial council.			
ARTICLE 1 - SITTING OF THE COMMISSIONS	ARTICLE 1 – SITTING OF THE COMMISSIONS	9	Has a level 10 vote.
The commissions are held at least twice (2) between every provincial convention.	Replace the article with "The commissions are held at least once (1) between every provincial convention. If the Provincial Executive Committee deems it necessary, the commissions may be called from time to time by job title group based on the project at hand."		
	Amendment:		
	Replace the 2 nd sentence by:		
	"The Provincial Executive Committee can call the commissions from time to time by job title group based on the project at hand."	8	
	Denis Provencher - Cédric Desbiens		
	Or		
	"Commissions are held upon request or when deemed necessary."	10	
	Patricia Lajoie - Pierre-Olivier Bradet		

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
ARTICLE 2 – COMPOSITION	ARTICLE 2 – COMPOSITION		
The commissions are composed of the delegates from the job title groups linked to the commission.	Replace "delegates" with "members of the executive committees and the intermediary councils of affiliated unions".	11	
	And add a second paragraph, "Should a job title group not be represented by a member of the executive committees or the affiliated unions' intermediary councils, then they can appoint a member of their unions to act as a representative on the commission in question."		
ARTICLE 3 – QUORUM The quorum is 50% of the delegation covered by each commission.	Strike out ARTICLE 3 – QUORUM	12	The Article's numbering will be adjusted.
ARTICLE 4 - VOTE	ARTICLE 4 – VOTE		
Each official delegate, member of a commission, is entitled to one vote.	Strike out " official delegate, " and remove the comma after the word commission.	13	
ARTICLE 5 - REFERRAL TO THE PROVINCIAL COUNCIL	ARTICLE 5 - REFERRAL TO THE PROVINCIAL COUNCIL	14	
All recommendations from a commission taken by a majority of the votes cast in a	In the title, replace "provincial council" with "Provincial Executive Committee".		
commission are submitted to the provincial council for decision.	Replace "provincial council for decision" with "Provincial Executive Committee for analysis. A report is submitted to the provincial council for adoption."		
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CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
CHAPTER IX – ELECTIONS	CHAPTER IX - ELECTIONS		
PART I – ELECTION RULES	PART I – ELECTION RULES		
ARTICLE 3 - ELECTION NOTICE	ARTICLE 3 - ELECTION NOTICE		
The president of the elections sends the election notice for the position of president and positions on the provincial committees to every member, at least sixty (60) days prior to the date of the provincial convention. This notice must list the positions up for election.	Add the following paragraph: "When the president's position is vacant or there is a vacancy on the provincial committees, the president of the elections sends the election notice to all official delegates at least thirty (30) days before the scheduled date of the provincial council. The notice must mention all of the positions up for election."	17	
ARTICLE 8 – DISMISSAL FROM THE POSITION OF PRESIDENT AND PROVINCIAL COMMITTEES	ARTICLE 8 – DISMISSAL FROM THE POSITION OF PRESIDENT AND PROVINCIAL COMMITTEES		
The president or a member of one of the provincial committees may be dismissed for any of the following reasons:			
 causing serious harm to the RFIQ or one of its federations; 			
 being absent from more than three (3) meetings of the Provincial Executive Committee or provincial committees without valid reason; 	In the French version of Article 8, point 2, replace the word "assemblées" with "réunions". (Does not apply to English version)	18	
 refusing or being incapable of accomplishing the duties and obligations related to her position. 			
The president or a member of a provincial committee who may be dismissed must be notified by registered mail at least two (2) weeks before the provincial council meeting at which her dismissal will be proposed. This member is entitled to be heard by the provincial council before the decision is rendered.			

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The provincial council sanctions the dismissal following a vote by secret ballot; an absolute majority of votes is required. Voided ballots do not count in the calculation of the absolute majority.			
PART II - ELECTION COMMITTEE	PART II - ELECTION COMMITTEE		
ARTICLE 9 - FORMATION OF AN ELECTION COMMITTEE	ARTICLE 9 - FORMATION OF AN ELECTION COMMITTEE		
The provincial convention elects the three (3) members of the Election Committee and the two (2) substitutes. The three (3) members elected decide among themselves who will act as president of the elections.	Replace "the two (2)" with "some".	19	
CHAPTER XII – MISCELLANEOUS PROVISIONS	CHAPTER XII – MISCELLANEOUS PROVISIONS		
ARTICLE 1 – PROCEDURES AT MEETINGS			
Unless otherwise stated in this Constitution, Bylaws and Operating Protocol, the decision-making meetings of the RFIQ are governed by the procedures for meetings described in Victor Morin, Procedures at Deliberative Assemblies or by any other rules of order adopted by the meeting in question.			

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
ARTICLE 2 – UNION REPRESENTATIVES ON DISABILITY	Add the following article: ARTICLE 3 - EXCEPTIONAL MEASURE	22	
A union representative on disability who is entitled to a benefit must cease all union activities during this period.	The Provincial Executive Committee may modify, postpone or cancel meetings, forums, commissions, assemblies or any other meeting stipulated in the Constitution and Bylaws or that stems from the adoption of a resolution in a decision–making meeting, if justified by a health emergency declared by government authorities or a similar emergency declaration.		
	It may also extend the time limits set out in the Constitution and Bylaws under the same conditions.		
	The Provincial Executive Committee reports on the reasons justifying the application of this article to the appropriate body following the decision.		
	Amendment:		
	"The exceptional measure does not cover the postponement or cancellation of a convention or provincial council."	20	Has a level 21 vote.
	Denis Provencher - Cédric Desbiens		
	Or		
	"That all cancellations or modifications to the holding of provincial councils or conventions be adopted by the delegation."	21	
	Kathleen Bertrand - Cindie Soucy		

AMENDMENTS - UNION DEFENCE FUND (FDS)

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
ARTICLE 1 - NAME AND PURPOSE	ARTICLE 1 – NAME AND PURPOSE		
1.02 PURPOSE	1.02 PURPOSE		
The Union Defence Fund's purpose is to increase the efficiency of union action by ensuring support for the defence or at the time of the defence of workers' rights in the following ways:			
 a) financial assistance during a strike or lockout; 			
 b) financial assistance for mobilization during local negotiations; 			
c) financial assistance for local actions;			
d) legal expenses;			
 e) costs related to union organizing and consolidation; 			
f) exceptional expenses;			
g) loan to the federations providing such a loan does not interfere with the general use of the Union Defence Fund;			
 h) liability insurance premium for the administrators and leaders of the federations and their affiliated unions; 			
 i) financial assistance for labour organizations that represent nurses, licensed practical nurses, respiratory therapists and clinical perfusionists in other Canadian provinces; 	Add the following paragraph: k) financial assistance for members trying	1	
j) financial assistance for union representatives who endeavour to have their union rights respected.	to ensure their union rights are respected by defending the rights and interests of patients (advocacy).		

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
ARTICLE 7 – PROCEDURES FOR GRANTING FINANCIAL ASSISTANCE a) To be considered, a request for financial assistance, stipulating the motive for the request, must be sent to the Union Defence Fund Committee. However, requests from the RFIQ Provincial Executive Committee within the meaning of Articles 12 and 13 of these bylaws, must be submitted to the provincial council.	ARTICLE 7 – PROCEDURES FOR GRANTING FINANCIAL ASSISTANCE		
b) A request must include supporting documents in order that the Union Defence Fund Committee may conduct a complete examination of each case.			
 Assistance cannot be granted if the Union Defence Fund Committee deems the file to be incomplete. 			
d) To be entitled to financial assistance from the Union Defence Fund, a union must be a member in good standing with its federation and must not be more than three (3) months late in the payment of its dues, except in special circumstances which are determined by the Provincial Executive Committee.			
e) In the case of dismissal, suspension, or reassignment for union activities and in the case of exceptional expenses, the request for assistance must include a copy of the complaint for dismissal, suspension or reassignment for union activities to the Ministry of Labour, or the grievance contesting the dismissal, suspension or reassignment and it must be submitted to the Union Defence Fund Committee within three (3) months of the event which gave rise to the complaint.	In point e), after "union activities", add ", including playing their role as an advocate,".	2	

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
f) In the case of mobilization for local negotiations, a request for financial assistance must be accompanied by the documents stipulated in Article 9 – Financial assistance for mobilization for local negotiations.			
g) In the case of strikes or lockouts, a request for financial assistance from the Union Defence Fund cannot be accepted if it is made more than one (1) month after the end of the conflict.			
 h) In the case of legal expenses, all requests must be made within three (3) months of the receipt of the lawsuit or of the possibil- ity of a lawsuit. 			
ARTICLE 9 – FINANCIAL ASSISTANCE FOR MOBILIZATION	ARTICLE 9 - FINANCIAL ASSISTANCE FOR MOBILIZATION		
9.02 Financial assistance for local mobilization	9.02 Financial assistance for local mobilization		
The Union Defence Fund is also designed to support members during the implementation of an action and mobilization plan in order to:			
 support them during pressure tactics to counter the shortage of healthcare professionals; 			
 protest against an employer who unilaterally modifies the working conditions negotiated at the local level; 			
 fight against the closure of a facility or a public institution in favour of the private sector; 			

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
4) support the re-opening of the local provisions of the collective agreement, whether they arise from the application or not of the provincial provisions of the collective agreement.			
The mobilization must always be organized with the knowledge of the Provincial Executive Committee. The action plan may cover an institution, site, centre of activities or a category of healthcare professionals.			
 a) The union receives an amount equal to \$5 per member to support the action plan, based on the group concerned. 			
 b) A copy of the action plan and the adopted recommendation must be sent to the treasurer in the six (6) months following its adoption. 			
 c) All requests covered by subparagraph a) are examined by the treasurer. If a request poses a problem, the Union Defence Fund Committee is convened in order to dispose of the request. 			
d) If the pressure tactic consists of a spontaneous work stoppage, an indemnity of \$15 per hour not worked and per hour of fine following the application of Bill 160, is allocated to the members concerned. To this end, after having received the required supporting documents from the union, the treasurer pays the amount due to the union in order that it is remitted to its members.	In point d), replace "\$15" with "\$25".	3	
e) The union reports on the use of the amounts received in subparagraphs a) and d) to the general assembly of the institution.			

CURRENT TEXT	PROPOSED AMENDMENTS	V/L	COMMENTS
ARTICLE 10 – DISMISSAL OR SUSPENSION FOR UNION ACTIVITIES	ARTICLE 10 -DISMISSAL OR SUSPENSION FOR UNION ACTIVITIES		
Another purpose of the Union Defence Fund is to financially assist members of a union affiliated with one of the federations of the RFIQ, or in the process of being organized, who are victims of dismissal, suspension or reassignment for union activities carried out with the knowledge of the union or her federation.	In the title and preamble, add ", including playing the role of an advocate," after "union activities".	4	

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NOTES





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