



**Constitution**

**of the**

**Concordia University Professional**

**Employees' Union<sup>1</sup>**

**(CSN)**

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<sup>1</sup> Including all amendments up to September 24th, 2015

# **Chapter 1: Preamble**

## **Article 1 - Name**

The Concordia University Professional Employee's Union (CSN), as established in Montreal on December 3, 1989, is an employee's association within the meaning of the Labor Code.

## **Article 2 - Headquarters**

The union headquarters is situated at 1601, De Lorimier, in Montreal (Quebec).

## **Article 3 - Jurisdiction**

The union's jurisdiction includes all employees in the non-academic professional sector and may also cover any other employee.

## **Article 4 - Union Objectives**

The union subscribes to the declaration of principles of the CSN. The union has as its objectives the examination and improvement of the social, professional, economic and political interests of its members. These goals shall be pursued collectively and include the negotiation and conclusion of a collective agreement, precluding any form of discrimination based on race, sex, language, disability, political opinion, religion or sexual orientation. The union shall also seek to ally itself with similar union organizations.

## **Article 5 - Affiliation**

- a) The union is affiliated to the Confédération des Syndicats Nationaux (CSN), the Fédération des professionnelles et professionnels, salarié-e-s et cadres du Québec, and the Conseil Central du Montréal Métropolitain.
- b) The union shall abide by the constitution of the organizations mentioned above in the present article, and shall act accordingly.
- c) The union agrees to pay monthly the per capita dues that have been set by these different organizations to which it is affiliated.
- d) Any officer or delegate of the above-mentioned bodies shall have the right to attend any union meeting and participate in the deliberations, but shall not be entitled to vote.

## **Article 6 - Disaffiliation**

- a) A resolution of dissolution of the union or disaffiliation from the CSN, the federation or the central council, cannot be discussed at a union meeting unless a prior notice of said motion has been given ninety (90) days beforehand to these bodies. The said notice of motion must be presented and discussed at a duly convened, regularly scheduled or special general meeting.
- b) The general assembly convocation notice must indicate the reasons for which a dissolution or disaffiliation proposal is demanded.
- c) Once a notice of motion for the discussion of dissolution or disaffiliation from the CSN has been presented, copy of the said motion must be forwarded to the secretary-general of the central council, of the federation and of the CSN. The said notice of motion must be forwarded at least ninety (90) days prior to the holding of the meeting.
- d) The authorized representatives of the central council, of the federation and of the CSN shall be duly entitled to attend the meeting where the resolution is to be discussed, and they may give their point of view if they so desire. For the resolution of dissolution or disaffiliation to be duly adopted, approval by the majority of the paid-up membership of the union is required.
- e) If the union should disaffiliate from the CSN, or be suspended or expelled from the latter, the union shall remit to the CSN union dues in the amount corresponding to the three months of dues immediately following the disaffiliation, suspension or expulsion.

## **Article 7 - Request for Certification**

The withdrawal of a request for certification cannot be decided without the agreement of a duly mandated CSN representative.

## **Chapter 2: Membership**

### **Article 8 - Definition**

Members shall enjoy the rights set out in the present constitution, provided that they satisfy the eligibility criteria defined in article 9, as well as the conditions specified in article 10. Each member has the right to obtain one copy of the collective agreement as well as one copy of the present constitution.

### **Article 9 - Eligibility**

To belong to the union and to remain a member, one must:

- a) Be an employee covered by the union's jurisdiction, or have been laid-off yet maintain the right to be recalled, or have been dismissed with a filed grievance sustained by the union, or be on paid or unpaid leave, or be on strike or locked-out;
- b) Abide by the present constitution and comply with the union's bylaws;
- c) Pay the initiation fee and the union dues set by the union's general meeting.

### **Article 10 - Application for Membership and Initiation Fee**

- a) Anyone wishing to belong to the union must pay his or her initiation fee to the vice-president finance, and sign an application for membership to the union, which must contain a promise to comply with the constitution of the union. The said application for membership must be accepted by the union's executive committee and ratified by the general meeting.
- b) Once accepted, membership shall be considered retroactive to the date that the application was signed. If refused, the applicant shall receive a refund of his or her initiation fee.
- c) The initiation fee for new members is \$2.00

### **Article 11 - Union Dues**

The union dues that each duly accepted member must pay to the union are determined by the union's general meeting.

## **Article 12 - Privileges and Advantages**

Only members in good standing shall benefit from the privileges and advantages conferred by the present union constitution. They may examine the union's books on the day of or during any union meeting, or when the union office is open, provided that a request is made at least seven days in advance.

## **Chapter 3: Resignation, Suspension, Exclusion and Rejoining the Union**

### **Article 13 - Resignation**

Any member submitting their resignation from the union shall forfeit all union advantages and privileges. The said resignation must be submitted in writing.

### **Article 14 - Suspension or Exclusion**

Shall be liable to a suspension or an exclusion from the union by the union's executive committee, any member who:

- a) Neglects to abide by commitments made to the union.
- b) Causes a serious prejudice to the union.

Any member who has been suspended or excluded from the union shall lose the right to all union benefits and advantages as long as the suspension or exclusion has not been lifted.

### **Article 15 - Suspension and Exclusion Procedures**

- a) The union's executive committee shall declare the suspension or exclusion of a member.
- b) Before declaring the suspension or exclusion, the executive committee must give the said member at least ten (10) days notice by registered mail, inviting him or her before the committee to explain and defend their position, and indicating, in writing, the charges against the member as well as the time and the place of the proposed encounter;
- c) The decision of the executive committee shall only take effect upon ratification by the union general meeting. The members must be advised in the notice of meeting that a vote will be taken to suspend or exclude a named member.

### **Article 16 - Recourse and Appeal Procedure**

The suspended or excluded member has the following recourse.

- a) If the member, whose suspension or exclusion has been declared by the union's executive committee and subsequently ratified by the general meeting, wishes to appeal the decision, he or she must do so by informing the vice-president operations within the ten (10) calendar days following the ratification vote by the general meeting;
- b) In the case of an appeal, the appellant shall nominate someone to act as his or her representative on the appeal panel, and the executive committee of the union shall do the same; both representatives shall then try to agree to the appointment of a presiding panel

member; failing such agreement the executive committee of the central council shall make the choice;

- c) The two respective panel representatives must be nominated within ten (10) calendar days from the date that the appeal is filed; the designation of the president by the executive of the central council must be accomplished within the ten (10) calendar days that they are seized of the matter;
- d) The designated panel shall itself determine the procedure it wishes to follow; however, the panel must hear the submissions of both parties before rendering a decision;
- e) The unanimous or majority decision of the panel shall be final and binding on both parties. It must be rendered within the shortest possible lapse of time, preferably within 10 calendar days;
- f) If the member should win his or her appeal, the union shall assume the entire cost of the appeal procedure, including any loss of earnings if applicable; however, should the member lose the appeal he or she must assume the responsibility of the payment of his or her representative's fees and expenses, as well as his or her share of other expenses incurred, resulting from the submission of the case to the appeal panel;
- g) The expenses of the president of the panel shall be assumed by the union;
- h) If both parties agree on the choice of a sole arbitrator, the union shall assume all the expenses of the case;

The suspension or exclusion of said member shall remain effective throughout the appeal procedure.

#### **Article 17 - Rejoining the Union**

- a) To rejoin the union, the union's executive committee must reaccept a member who has resigned.
- b) A member who has been suspended or excluded from the union can rejoin the union pursuant to the conditions determined by the union executive committee or by the general meeting, as the case may be.

#### **Article 18 - Union Structures**

The union shall be governed by the following structures:

- a) The general meeting
- b) The union council
- c) The executive committee

## **Chapter 4: The General Meeting**

### **Article 19 - Composition**

The general meeting shall be made up of all the members in good standing of the union.

### **Article 20 - Responsibilities of the General Meeting**

The general meeting is the supreme authority of the union.

More specifically, it has the following attributes:

- a) To determine the overall policies of the union.
- b) To elect the union's officers.
- c) To receive, amend, accept or reject all reports and accounts forwarded from members of the union, the union council and the executive committee.
- d) To ratify, to amend or to annul any decision forwarded from the union council or the executive committee.
- e) To create any committee that it deems necessary to fulfill the union's functions and particularly, to designate the bargaining committee for the collective agreement.
- f) To decide upon the union's contract proposals, to accept or reject the employer's offer(s), to decide on strike action or any other pressure tactic(s).
- g) To modify the union's constitution.
- h) To set the amount of union dues.
- i) To vote upon annual budgets that the union's executive committee has submitted for approval.
- j) To dispose of the auditing committee's report and all other documents related to the administration of the union's funds.
- k) To act upon and decide on all matters that are so judged to be in the interests of the proper functioning of the union.

### **Article 21 - The Annual General Meeting**

- a) The annual general meeting shall take place no later than 180 days after the end of the fiscal year, which terminates on December 31.
- b) The annual general meeting must be convened at least ten (10) days beforehand by internal mail to each union member and by means of notices posted on the union's bulletin board. The annual general meeting must be clearly designated as such on the notice.
- c) The notice of meeting must contain at least the following information:
  - 1) The date of the meeting
  - 2) The time of the meeting
  - 3) The location of the meeting

- 4) The agenda.
- d) In addition to all other business that is to be dealt with at the annual general meeting, the agenda must include items that are particular to the annual general meeting, namely:
  - 1) The presentation and adoption of the financial as well as the auditing committee's report and budgetary provisions for the upcoming year.
  - 2) The election of union officers whose term has ended.

## **Article 22 - Regular General Meetings**

There must be at least one regular general meeting every six (6) months, including the annual general meeting, convened in the same manner as the annual general meeting.

## **Article 23 - Special General Meetings**

- a) Special general meetings may be convened by the president of the union, upon approval of the executive committee of the union; usually after an official notice of at least forty-eight (48) hours; however, in an emergency situation, the executive committee of the union may call such a meeting within a reasonable lapse of time.
- b) The union council itself may also call a special general meeting by following the same procedure indicated above.
- c) The notice of meeting must indicate the reason(s) for the said meeting. Only this (these) subject(s) can be discussed at the said meeting. At any time, the number of members corresponding to the quorum of a general meeting, may obtain the calling of a special general meeting by submitting to the president of the union a written petition signed by them, indicating the purpose(s) or subject(s) of such a meeting.
- d) The president of the union must then proceed to convene the said special general meeting within the eight (8) days following his or her receipt of the petition, respecting the procedure and time limits outlined above.
- e) The executive committee of the union must call a special general meeting when requested by the executive committee of the federation, the central council or the CSN, when the reasons are serious and judged to be in the interest of the union's members and the labor movement in general.

## **Article 24 General Meetings - Quorum and Criteria for a Binding Vote**

- a) The quorum of a general meeting is equal to 10% of all members in good standing.
- b) Any vote of the general meeting indicating that the majority of the members present support a given resolution shall be a binding decision, except for the cases indicated in articles 6, 24 d) and 61 of the present constitution, which decisions shall be made according to the procedures described within said articles.
- c) Any vote of the general meeting shall be taken generally by a show of hands, except in the cases indicated in subparagraph d) of the present article. However, at any time a member may ask that a vote be taken by secret ballot and this without debate.
- d) The following decisions must necessarily be taken by a secret ballot vote to be binding, all the while respecting the following conditions:
  - i. Approval of the collective agreement

*A quorum of 20 % of all members in good standing and a common majority of the members present at the meeting must be in favor.*

ii. Strike vote

*A motion for strike action will be considered passed when 50 % + 1 of the membership is in favor.*

iii. Disaffiliation

*A common majority of the paid-up membership of the union.*

iv. Modifications to the present constitution

*A two-thirds (2/3) majority of the members present at the meeting.*

v. Dissolution of the union

*A common majority of the paid-up membership of the union.*

**Article 25 - Agenda**

The agenda proposed to the general meeting should be clearly indicated on the notice of meeting. Inasmuch as this can be determined in advance, any item that must be put to the vote must be included in the notice of meeting and on the agenda. Any proposed amendment to the constitution must be submitted in writing in sufficient detail and included as an attachment to the notice of meeting.

## Chapter 5: The Union Council

### Article 26 - Composition

The union council shall be made up of the following union members:

- a. The executive committee;
- b. The members designated as union delegates who are elected on the following basis:

*proportional representation of one delegate per thirty (30) members.*

- a. The members appointed by the Executive Committee, from time to time, to represent the union on various Inter-Union and University committees, who shall not have voting rights unless provided by virtue of a) or b);
- c. The proceeding shall constitute a minimum and the union council may increase the number of union delegates if it sees fit.
- d. Groups of thirty (30) or more individual union members with shared interests, which could include; but not necessarily be limited to: department, job function, employment status, length of service, contractual category or geographical distribution, wishing to have representation not currently covered, must submit a written request for recognition to the Union Council accompanied by the signatures of thirty (30) or more of individual voting members in good-standing that represent the unique grouping. Such delegate positions left vacant and not filled for a period of 24 months may be dissolved by a vote of the Union Council and must be reconstituted through the process set forth in this clause.

### Article 27 - Eligibility

- a) Any member in good standing of the union is eligible to become a union delegate.
- b) When an election for union delegates is held, a member unable to attend may present his or her candidacy to such a position, provided that his or her nomination is put forward by a member present at the election meeting, who must present a written signed procuracy from the absent member who wishes to stand for election.

### Article 28 - Responsibilities of the Union Council

The union council assumes authority between the general meetings. In particular, it has the following responsibilities:

- a) In conjunction with the vice-president operations, to research, develop, maintain, and, as necessary, refer to the general assembly for approval, Union By-Laws that:

- a. Expand, as necessary, on the roles, responsibilities, and duties of the:
  - i. union council and union council representatives; and
  - ii. executive committee and executive committee membership
 as described in this constitution;
- b. Set out in detail all union policies, procedures, and practices.
- b) To ensure that the executive committee follows through on the mandates given to it by the general meeting; it shall replace any union officer or union delegate who resigns, is unable to act or is absent; and thus, until the following general meeting; where an election shall be held to fill the vacant position(s);
- c) To elaborate on the policy and activities of the union between general meetings, especially those involving the collective agreement and inter-union matters;
- d) To create the appropriate committees to see to the proper functioning of the union and to elect the members to said committees;
- e) To name delegates to represent the union to the various bodies where the union participates;
- f) To prepare the general meetings.

#### **Article 29 - Meetings of the Union Council**

- a) The union council shall meet at least three times a year.
- b) Any member in good standing of the union may attend and participate in the union council, but the right to vote belongs only to those persons officially designated to the council.
- c) Meetings of the union council with the proposed agenda will be advertised to the membership with reasonable advance notice.

#### **Article 30 - Quorum and Criteria for a Binding Vote**

- a) The quorum of the union council is 50% of the people that, in fact, have been named to sit on the council.
- b) The decisions of the union council shall be made by a common majority vote of the members who are present.

#### **Article 31 - Responsibilities and Authority of the Union Delegate**

The responsibilities of the union delegate are as follows:

- a) To ensure that the collective agreement is respected, within the group of employees that he or she represents;
- b) To encourage newly hired personnel to join the union;
- c) To inform the group that he or she represents of the decisions made by the union council, and to defend in the union council the viewpoint(s) proposed by the unionized people in the group that he or she represents;
- d) To convene the people in the group that he or she represents to all general meetings, regardless of the prescriptions set out in article 21;

- e) He or she is elected by the group of people that they are to represent;
- f) He or she is replaced, if necessary, by said group;
- g) The term shall be two (2) years and upon completion, the delegate shall transmit to their successor, all the properties of the union in their possession, as well as all pertinent information or documentation.

## **Chapter 6: Executive Committee**

### **Article 32 - Leadership of the Union**

The union shall be headed by an executive committee.

### **Article 33 - Composition**

The executive committee shall be made up of eight (8) members, as follows:

- a) the president;
- b) a vice-president responsible for union operations;
- c) a vice-president responsible for finances;
- d) a vice-president responsible for communications
- e) a vice-president responsible for grievances
- f) a vice-president responsible for negotiations and professional development
- g) a vice-president responsible for union membership
- h) a vice-president responsible for special projects

For the purposes of continuity and organizational memory, the Executive Committee may invite the immediate past president to retain an honorary position of the Executive Committee – without voting rights – for a period of up to two years.

### **Article 34 - Eligibility**

- a) Any member in good standing is eligible to become a union officer.
- b) When an election for union officers is held, a member unable to attend may present his or her candidacy to any position, provided that their nomination is put forward by a member present at the election meeting, who must present a written signed statement from the absent member who so wishes to stand for election.

### **Article 35 - Responsibilities of the Executive Committee**

The responsibilities of the executive committee are as follows:

- a) To guide the union's affairs;
- b) To determine the time and place of union meetings and to convene when necessary the union council;
- c) To authorize expenditures set out in the budget, and whose maximum amount has been determined by the general meeting; to check the vice-president finance's accounting books and reports;
- d) In light of the priorities of the union, and taking into account the available resources, to adopt budgetary provisions for recommendation to the general meeting;

- e) To ensure that the rules and regulations adopted by the general meeting are respected;
- f) To set up any committee required to study, to discuss, to promote or to further the goals of the union;
- g) To name people to represent the union to the various bodies to which the union participates;
- h) To accept members;
- i) To receive member's complaints, to examine and dispose of them, in accordance with articles 14, 15 and 16 of the present constitution;
- j) To receive and examine all communications and information submitted by the general meeting to them, and to report back to the general meeting;
- k) To abide by the decisions made by the general meeting, which constitute a mandate to be executed on behalf of all of the members of the union;
- l) To submit to the general meeting any question or issue requiring a vote by the members;
- m) To present a report of the previous year's activities and accomplishments to the annual general meeting;
- n) To see to the temporary replacement of the president if he or she is absent for a short period of time;
- o) Authorize all the procedures and legal acts necessary for the best interest of the union.

### **Article 36 - Meetings**

- a) The executive committee shall meet at least once a month, in accordance with the provisions that they, themselves, shall determine.
- b) Any member in good standing with the union may attend and participate in the executive committee meetings. However, the only voting members are the executive officers. At all times, the executive committee has the power to invite a resource person to its meetings.

### **Article 37 - Quorum and Criteria for a Binding Vote**

The quorum of the executive committee is 50% of the people that, in fact, are effectively on the committee. The decisions of the executive committee shall be made by a majority vote of the members present.

## **Chapter 7: Responsibility and Authority of the Executive Officers**

**Note:** *The duties, responsibilities, and authority of the executive officers are defined by, but not limited to, the sub-sections that follow. Duties, responsibilities, and authority of executive officers are further defined and detailed in the Union by-laws*

### **Article 38 - President**

The responsibilities of the president are as follows:

- a) To be responsible for the internal operation of the union;
- b) To chair the meetings of the union, to preside over discussion, to share pertinent information and explanations with the members, regarding the issues and propositions being discussed by the meeting;
- c) The president must temporarily abandon the chair to one of the vice-presidents if he or she wishes to take a position in a debate.
- d) To represent the union in all formal matters;
- e) To oversee the proper application of the union's bylaws and to make sure that each officer of the union carefully executes their duties and mandate;
- f) To oversee overall union activities;
- g) To jointly sign the union's cheques with the vice-president finance;
- h) To instruct the convening of general meetings, union council meetings and executive committee meetings;
- i) To have the right to vote only in the case of a tie vote;
- j) To sign the minutes of all meetings, along with the vice-president operations;
- k) To sign the union's financial statements, along with the vice-president finance;
- l) To be the official spokesperson of the union (to the media, to the affiliated union bodies etc.);
- m) To sit ex-officio on all committees of the union.

### **Article 39 – Vice-president Operations**

The responsibilities of the vice-president operations are as follows:

- a) To define, document, publish, and archive all relevant processes, policies, and procedures of the Union in consultation with, and approval by, the Union Council; to assure that these processes, policies, and procedures are reflected, as necessary, in the constitution and by-laws of the Union.
- b) To assure, as best as possible, that action items established at executive committee meetings, union council meetings, and general assemblies are acted upon and deliverables prepared by their delivery date; to inform the president and/or the executive committee of any anticipated problems or delays.
- c) To assure that all critical documents belonging to the Union such as, but not limited to:

- i) This constitution,
- ii) Minutes,
- iii) By-laws,
- iv) Research,
- v) Membership lists,
- vi) Voting results; and
- vii) All relevant correspondence

are recorded, preserved, organized, and archived in paper or digital form, as appropriate; to assure that these documents are made accessible to Union representatives, members, and staff, as appropriate.

- d) To hire and supervise an Office Administrator to perform the following administrative support duties for the Union:
  - i) take the minutes of each meeting and distributes the minutes of each preceding meeting; files an official copy of the minutes, duly signed by the vice-president union operations and the president;
  - ii) convene meetings of the various union structures as instructed by the President or the vice-president union operations;
  - i) make the union minutes available for review by any member in good standing who so desires, given reasonable notice;
  - iii) compose and send correspondence at the request of any member of the Executive Committee;
  - iv) file and maintain all union documentation and information;
  - v) assure that all digital correspondence and records prepared by Executive Committee and Union Council members is regularly backed up and that a copy of said backup is stored in a safe and secure location union-accessible location;
  - vi) send to the various bodies to which the union is affiliated a copy of the union's constitution, the names of the officers of the executive committee, and any other information that the union desires to share or exchange; or
  - vii) perform such tasks as may be determined by the Executive Committee.

#### **Article 40 – Other Vice-Presidents**

- a) Each vice-president (with the exception of the vice-president special project) takes full responsibility for all aspects of their portfolio as defined within the Constitution and the Union Bylaws.
  - i) The vice-president grievance is responsible for the investigation of member complaints (including those related to university policies, municipal, provincial, or federal legislation) deriving from the administration and application of the collective agreement;

- ii) The vice-president negotiations and professional development is responsible for coordinating all aspects of:
  - a. the negotiations of the CUPEU collective agreement with the University; and
  - b. the administration of the CUPEU professional development fund;
- iii) The vice-president communications is responsible, along with the President, for all communications between the executive committee or union council and the union membership;
- iii) The vice-president membership is responsible for the coordination and administration of all aspects of the union membership from the moment they join the union to the moment they leave;
- iv) The vice-president (special projects) is assigned responsibilities by the president in consultation with the executive committee.
- i) In the absence of the president or in the case of his or her inability to act, the remaining members of the executive committee shall select one of the vice-presidents to temporarily take on the president's responsibilities.

#### **Article 41 – Vice-president Finance**

The responsibilities of the vice-president finance are as follows:

- a) To be responsible for the union's financial administration and the handling of the union's properties;
- b) To ensure that all financial transactions are properly recorded in the appropriate accounting statements and registers as per the system established by the CSN or in accordance with generally accepted accounting principles in Canada;
- c) To collect all union dues and any monies owed to the union;
- d) To present to the executive committee, upon request, or at least every four (4) months, the bank reconciliation and the union's financial statement;
- e) To make all disbursements authorized by the executive committee and to sign cheques jointly with the president;
- f) To make available to any member, who so desires, the accounts ledgers, as well as statements from the banking institution, in the course of union meetings;
- g) To deposit as soon as possible in the banking institution any funds on hand, and to send the appropriate amounts owed to the bodies to which the union is affiliated;
- h) To prepare the budgetary provisions, in collaboration with the executive committee, and to ensure their presentation to the executive committee, the union council and the general meeting;

- a) To prepare the annual financial statements at the end of the fiscal year and to ensure their presentation to the executive committee, the union council and the general meeting;
- a) To prepare, within two months of the end of the fiscal year and in collaboration with the executive committee, an interim operating budget for the following year and to ensure its presentation to the executive committee, the union council and the general meeting.
- i) To be empowered, at all times, to disclose the union's ledgers and all appropriate exhibits to the duly authorized representative of the executive committee of the CSN and to the union's own auditing committee.

**Article 42 - Length of Term of Office**

- a) The term of office of the executive committee officers shall be two (2) years.
- b) Half of the executive committee shall be elected on odd-numbered years and the other half on even-numbered years:
  - i. The positions whose terms end on odd numbered years are: president, vice-president operations, vice-president (communications), and vice-president (special projects).
  - i. The positions whose terms end on even numbered years are: vice-president finance, vice-president (grievance), vice-president (membership), and vice-president (negotiations and professional development).

**Article 43 - Completion of the Term of Office**

At the completion of their term of office, all of the executive committee officers must transfer to their successors all union properties, as well as all useful information and pertinent documentation.

**Article 44 - Election Procedure**

- a) The meeting at which union executive elections are held shall name a chairperson of the election, someone to take the minutes of the election and scrutineer to participate in the counting of the ballots. The preceding persons may not be nominated to any of the positions being filled.
- b) If only one person accepts the nomination to any of the positions to be filled, that person shall be declared elected by acclamation.
- c) If a vote is necessary, it is to be conducted by secret ballot. The scrutineer shall count the ballots and report the results to the chairperson of the election; the latter shall only vote in the case of a tie.
- d) To be elected, the candidate shall obtain the absolute majority (50% + 1) of the voting persons. If there are more than two candidates and no candidate obtains 50 % + 1 of the votes, the candidate who obtained the least votes is removed from the ballot and a new vote is taken. This procedure is repeated until there is a winner.
- e) Only those members in good standing, present at the meeting shall be entitled to vote.
- f) No election shall be held unless it has been included in the notice of meeting and on the agenda, and unless there has been a call for nominations in the notice of meeting.

## **Article 45 - Instatement into Office**

Each of the officers shall officially take on his or her position as soon as he or she is sworn into office.

- a) When proceeding with the swearing into office of the union executive, as much as possible, a representative from one of the bodies to which the union is affiliated should be invited to participate.
- b) The swearing in of the union's executive officers should be performed immediately after the elections are held, or at the subsequent meeting.
- c) The election secretary shall call the names of the elected officers, who shall take their respective places on the platform.
- d) The election chairperson shall request that the members present stand up, and he or she shall proceed with the swearing in procedure.
- e) The election chairperson shall repeat:

***Do you solemnly swear to fulfill the duties of your office, to honor the constitution, to further the interests of the union and its members, to remain in office until the nomination of your successors; do you so solemnly swear?***

Each of the officers shall reply:

***I so solemnly swear.***

The General Meeting shall answer:

***We bear witness.***

## **Article 46 - Compensation**

The officers of the executive committee of the union are not entitled to any remuneration or stipend (allowance for presence). However they shall be compensated for travel expenses, accommodation expenses, meal expenses, or childcare fees that are incurred in the course of union duties and as needed, subject to the limits established by the general assembly.

When union duties require an uncompensated absence from work, the remuneration allotted shall not exceed the regular pay of the member who has been discharged from work.

## **Chapter 8: Auditing the Union's Books and the Auditing Committee**

### **Article 47 - Examination of Financial Records by External Authorities**

At any time, a person authorized to represent the federation, central council or the CSN, may proceed with an audit of the books of the union. The vice-president finance shall submit all books and exhibits requested by this authorized representative to him or to her, so that they may pursue their audit.

### **Article 48 - Election of the Auditing Committee Members**

Three (3) members of the union shall be elected as the union's auditors in the same manner as the executive officers are elected.

No officer can be acting as a member of the auditing committee.

### **Article 49 - Meetings and Quorum**

The auditing committee shall meet at least once every six (6) months.

The vice-president finance must be present at the meetings of the auditing committee, unless the members of the committee decide otherwise.

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

### **Article 50 - Union's Auditing Committee and Responsibilities of the Auditing Committee**

The responsibilities of the auditing committee are:

- a) Examine all revenues and expenses;
- b) Examine and authenticate the reconciliation of the banking institution account, the vice-president finance's report, as well as all other financial accounts of the union (leisure, insurance, strike funds, etc.);
- c) Verify the adherence to the resolutions of the executive committee, the union council and the general meeting;
- d) Upon a unanimous decision of the auditing committee members present, to call a special general meeting;
- e) Prepare an audit of the union's finances on a yearly basis.

## **Article 51 - Annual Report**

Once a year, the union's auditing committee shall submit a written report of the findings of its audit, as well as any recommendations that they deem appropriate, to the annual general meeting. The report and recommendations shall be submitted beforehand to the union executive committee and the union council.

## **Chapter 9: Rules of Order**

*The following chapter shall apply to all of the meetings of the union.*

### **Article 52 - Calling the Meeting to Order and the Agenda**

The president shall call the meeting to order at the prescribed time. He or she shall not depart from the agenda unless the members so accept a motion to do in attendance.

### **Article 53 - 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 54 - 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 or she has so requested before the president has called for the vote.

However, concerning the regulations regarding secret ballot votes in article 24d) they shall apply notwithstanding the above.

### **Article 55 - Notice of Motion (Motion to Reconsider)**

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

- a) A notice of motion must be presented to a general meeting by a union member. Said notice of motion cannot be discussed at the meeting at which it is presented.
- b) At the following general meeting, 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 56 - Adjournment**

A motion to adjourn a meeting 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 meeting when the agenda has been completed.

### **Article 57 - Motion**

Every motion must be seconded, written down in the minutes by the secretary of the meeting and read to the meeting before discussion begins. At this point, the motion belongs to the meeting and it cannot be called back without the unanimous approval of the meeting. However, the mover and the seconder may agree to non-substantial changes as long as there is no objections from those entitled to vote.

### **Article 58 - 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 meeting.

### **Article 59 - Amendment**

An amendment must refer to the subject of the principal motion. The amendment cannot bring up a totally new matter, however it shall be received by the chair 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.

### **Article 60 - 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 61 - 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 meeting to immediately decide and vote on the question at hand. 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 62 - Privileged Motions**

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

### **Article 63 - Etiquette**

Once the meeting 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 address the chair. He or she must not stray from the subject under study and must avoid insults, contempt, 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 64 - 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 65 - 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 meeting, shall no longer recognize the member's right to speak for the duration of the meeting.

### **Article 66 - 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 meeting.

### **Article 67 - Procedural Dispute**

Where there is a dispute regarding a procedure not covered by the present constitution, the rules of order of the CSN shall prevail.

## **Chapter 10: Amendments to the Constitution**

### **Article 68 - Amendments**

Subject to article 69, the general assembly of members has the power to modify the present statutes within the framework of the statutes of the CSN, of the federation and of the central council.

Any motion aiming to modify, in total or in part, the present constitution, or wishing to change the name of the union must be presented, in writing, to the union council before being read to the general meeting.

Any modification of the constitution must be approved by a two-thirds (2/3) majority vote of the members present.

Moreover, copy of any such modification of the constitution must be forwarded to the federation and the central council.

### **Article 69 - Restriction to Amendments**

Articles 5, 6, 7, 69 and 70 of the present statutes cannot be abrogated without written consent from the CSN, the federation and the central council, except if the union has disaffiliated in accordance to the procedure provided for in article 6.

### **Article 70 - Dissolution of the Union**

When a resolution of dissolution of the union has been adopted, in accordance to the present statutes, the assets of the union shall be forwarded to the Professional Defense Fund (FDP) of the CSN, unless the general meeting has decided otherwise.