

**REPORT OF THE BY-LAWS COMMITTEE
TO THE
NINTH PSAC-QUEBEC CONVENTION**

**APRIL 21-23, 2017
MANOIR SAINT-SAUVEUR**

Subject to ratification by the Convention, the following delegates were appointed to the By-Laws Committee:

Chair:

André Roberge President of the Saguenay/Lac-St-Jean/Chibougamau/Chapais
Area Council

Co-chair:

Huguette Breton Women's Director

Members:

André Bélanger President of the Union of Taxation Employees (UTE 10005)

Jean Cloutier President of the Québec City Area Council

The By-Laws Committee met at the PSAC-Quebec regional office on January 31 and February 1 and 2, 2017.

During its deliberations, the Committee received 19 resolutions. It reviewed 12 of these and did not deal with the other seven because they were deemed inadmissible by National President Robyn Benson. Unless otherwise indicated, all were submitted in French as the language of origin.

To reduce document reproduction at the Convention and "go green," PSAC-Quebec developed a new way of presenting its committee reports.

The title and the source (the originating organization) of the resolutions are incorporated in the report.

The resolutions appear in the report instead of in a separate binder, in the order of priority determined by the Committee.

Combined resolutions appear in Appendix A, in the established order of priority.

To streamline the text, Appendix B lists the acronyms of the sources that submitted the resolutions dealt with in this report.

The Committee determined the following order of priority:

Resolution S-1	Convention venue
Resolution S-3	Title of REVP
Resolution S-4	Area council elections (encompasses Resolution S-5)
Resolution S-7	National Young Workers' Committee (NYWC)
Resolution S-6	<i>Ex officio</i> delegates to the PSAC National Convention
Resolution S-9	Bargaining teams (encompasses Resolutions S-10 and S-11)
Resolution S-12	Striking of a committee to review PSAC disciplinary procedures to ensure greater fairness, transparency and respect for members
Resolution S-2	Young workers' representative to the FTQ General Council
Resolution S-8A	Change to <i>per diem</i> procedures in the event of a strike

The By-Laws Committee was tasked with reviewing a number of resolutions. The review process was meticulous, carefully thought out and very respectful. I would like to thank all the members of the By-Laws Committee for their hard work and contributions.

The Committee wishes to thank Nathalie Grenier (Committee Secretary), Normand Pelletier (Committee Technical Advisor) and the PSAC staff, who contributed to the Committee's work and to the preparation of this report.

Respectfully submitted on behalf of the committee by

A handwritten signature in black ink, appearing to read "André Roberge". The signature is fluid and cursive, with a large initial 'A'.

André Roberge
Committee Chair

AR/ng
SEAQ/SEESOCQ
encl.

Resolution S-1
CONVENTION VENUE

SOURCE: Quebec Council

The Committee recommends the **adoption** of Resolution S-1, which reads as follows:

WHEREAS the costs involved in organizing the Convention in Montreal and Québec City are high;

WHEREAS regional conventions are not fully funded;

WHEREAS other regions of Quebec have infrastructure that can accommodate us at reasonable cost;

WHEREAS there is little flexibility in the current provisions of the PSAC-Quebec By-Laws;

BE IT RESOLVED THAT By-Law 6, section 1(b) be amended as follows:

The PSAC-Quebec Triennial Convention shall alternate between ~~Montreal and Québec City (the cycle shall start with Montreal in 2005)~~ the regions in eastern Quebec and the regions in western Quebec, and shall take into account the requirements and costs relating to the organization of the Convention.

Rationale

The Committee is aware that this Resolution would reduce the cost of organizing the Convention because most of the organization already takes place outside Montreal and Québec City.

Resolution S-3
TITLE OF REVP

SOURCE: Quebec Council

The Committee recommends the **adoption** of Resolution S-3, which reads as follows:

WHEREAS the REVP is the official spokesperson for the region;

WHEREAS the title of Regional Executive Vice-President does not accurately represent the officer's duties;

WHEREAS the title of REVP is vague and unclear from a public relations perspective;

BE IT RESOLVED THAT the titles of REVP and Alternate REVP of the region be changed to President and Alternate President of the region throughout the PSAC Constitution and Regulations.

Rationale

The Committee acknowledges the merits of this resolution and would like to see it debated at the PSAC Triennial Convention.

Resolution S-4 (which encompasses S-5)

AREA COUNCIL ELECTIONS

SOURCE: Quebec Council

The Committee recommends the **adoption** of Resolution S-4, which reads as follows:

WHEREAS it is difficult to participate fully in the various regional bodies with a one-year term only;

WHEREAS the area councils need stability in order to carry out their mandates;

WHEREAS regional and national conventions operate on a three-year cycle;

BE IT RESOLVED THAT Section 14, Sub-Section 12(a), of the PSAC Constitution be amended as follows:

- a) Area council meetings shall be held at least four (4) times a year. One such meeting shall be designated the annual meeting, at which officers shall be elected for a three-year (3) term, and/or financial and other reports shall be presented.

Rationale

The Committee acknowledges the merits of this resolution and would like to see it debated at the PSAC Triennial Convention.

Resolution S-7

NATIONAL YOUNG WORKERS' COMMITTEE (NYWC)

SOURCE: UNDE 10526

The Committee recommends the **adoption** of Resolution S-7, which reads as follows:

WHEREAS the next generation of union activists is a priority shared by all PSAC regions;

WHEREAS a network of regional young workers' committees is already being developed in all PSAC regions;

WHEREAS a PSAC national young workers' task force has already been set up, with no guaranteed funding or operation;

WHEREAS a NYWC, funded by PSAC and supported by the AEC, would be better equipped to organize and develop the next generation of union activists;

BE IT RESOLVED THAT, at the PSAC Convention, PSAC-Quebec support the motion for the creation of a PSAC National Young Workers' Committee, funded by PSAC and supported by the AEC.

BE IT FURTHER RESOLVED THAT PSAC-Quebec encourage all PSAC locals to join the network of Regional Young Workers' Committees (RYWC) in their region.

Rationale

The Committee acknowledges the merits of this resolution and would like to see it debated at the PSAC Triennial Convention.

Resolution S-6

EX OFFICIO DELEGATES TO THE PSAC NATIONAL CONVENTION

SOURCE: PSAC-Quebec Regional Women's Committee

The Committee recommends the **adoption** of Resolution S-6, which reads as follows:

WHEREAS not all members of PSAC's Area Councils, such as the Alternate REVP, the women's director and others, automatically become delegates to the PSAC National Convention;

WHEREAS the aforementioned officers work on key portfolios between conventions;

WHEREAS they have knowledge and expertise that would contribute to the effectiveness of the discussions and would provide considerable support during the PSAC National Convention;

WHEREAS PSAC acknowledges the importance of interregional discussion and strategy development for various portfolios;

BE IT RESOLVED THAT all members of area councils automatically become delegates to the PSAC National Convention.

Rationale

The Committee acknowledges the merits of this resolution and would like to see it debated at the PSAC Triennial Convention.

Joint Resolution S-9 (which encompasses Resolutions S-10 and S-11)

BARGAINING TEAMS

SOURCE: ASSEP 17753

The Committee recommends the **adoption** of Resolution S-9, which reads as follows:

WHEREAS bargaining teams must represent all members of the bargaining unit at the table and play a crucial role in the bargaining process;

WHEREAS directly chartered locals often include several job categories;

WHEREAS bargaining team members should not lose any income as a result of their union involvement;

WHEREAS PSAC presently caps at three (3) the number of members on union leave for the purpose of attending contract negotiations;

WHEREAS the bargaining teams of directly chartered locals in fact often consist of more than three (3) members to ensure adequate member representation;

BE IT RESOLVED THAT the bargaining teams of directly chartered locals can have up to five (5) members on union leave.

Rationale

The Committee acknowledges the merits of this resolution and would like to see it debated at the PSAC Triennial Convention.

Resolution S-12

STRIKING OF A COMMITTEE TO REVIEW PSAC DISCIPLINARY PROCEDURES TO ENSURE GREATER FAIRNESS, TRANSPARENCY AND RESPECT FOR MEMBERS

SOURCE: MUNACA 17602

SOURCE LANGUAGE: E

The Committee recommends the **adoption** of Resolution S-12, which reads as follows:

WHEREAS a number of locals in Quebec have been disciplined by PSAC;

WHEREAS some members of these locals have expressed concern over the transparency and fairness of the disciplinary procedures;

WHEREAS the locals need to ensure fair and effective leadership of their unions;

WHEREAS PSAC-Quebec members and leaders have claimed that PSAC disciplinary procedures are ethically and procedurally flawed and warrant revision;

BE IT RESOLVED THAT the Quebec Area Council ask the National Board of Directors to strike a committee to make recommendations on the PSAC disciplinary procedures;

BE IT FURTHER RESOLVED THAT this committee consist of eight (8) PSAC members, seven (7) of whom shall be delegated by locals (one per region) appointed by the PSAC Triennial Convention;

BE IT FURTHER RESOLVED THAT this committee be tasked with investigating and evaluating whether PSAC disciplinary procedures respect the principles of natural justice, due process, the rights of the respondent and the best interests of the locals' members. The committee shall study the option of decentralizing disciplinary procedures to allow locals and their members more say in disciplinary procedures.

BE IT FURTHER RESOLVED THAT the recommendations be brought before the National Board of Directors and disseminated directly to all PSAC locals.

Rationale

The Committee acknowledges the merits of this resolution and would like to see it debated at the PSAC Triennial Convention.

Resolution S-2

YOUNG WORKERS' REPRESENTATIVE TO THE FTQ GENERAL COUNCIL

SOURCE: UNDE 10526

The Committee recommends the **rejection** of Resolution S-2, which reads as follows:

WHEREAS the FTQ General Council has a duty to represent the diversity of its members;

WHEREAS the 31st FTQ Convention urged its affiliates to foster the next generation of union activists within its delegations to the General Council;

WHEREAS PSAC-Quebec is already proactively involved in developing the next generation of union activists;

WHEREAS participatory mentorship is an excellent tool for providing guidance for and preparing emerging union activists;

BE IT RESOLVED THAT PSAC-Quebec amend its by-laws to reserve one delegate seat on the FTQ General Council for a young worker.

Rationale

The Committee feels that, in view of the limited number of PSAC-Quebec positions on the FTQ General Council, this Resolution would be prejudicial to all members who are delegates to the FTQ Convention. The current process is democratic and gives everyone interested in serving on the FTQ General Council an opportunity to stand for election.

Resolution S-8A

CHANGE TO PER DIEM PROCEDURES IN THE EVENT OF A STRIKE

SOURCE: SÉTUE 10721

The Committee recommends the **rejection** of Resolution S-8A, which reads as follows:

WHEREAS part-time work is precarious in nature;

WHEREAS *per diem* payments are important in encouraging participation in strike action in the event of a labour dispute;

WHEREAS the workers in the university locals are in a precarious position;

BE IT RESOLVED THAT PSAC-Quebec not discriminate between full-time and part-time employees in the matter of *per diem* payments and that, accordingly, *per diem* payments be the same for everyone.

Rationale

Regulation 6.1(b) of the PSAC Constitution and Regulations stipulates that members who [normally] work less than 20 hours per week receive daily strike benefits of \$53 compared to members working more than 20 hours per week, who receive \$75 for each day under Regulation 6.1(a).

In the Committee's estimation, the current strike benefit procedure is fair to both full-time and part-time employees.

APPENDIX A RESOLUTIONS

COMBINED RESOLUTIONS

BY-LAWS

S-5

(combined with S-4)

AREA COUNCIL ELECTIONS

SOURCE: Montérégie Area Council

LANGUAGE OF ORIGIN: F

WHEREAS it is difficult to participate fully in the various regional bodies with a one-year term only;

WHEREAS the area councils need stability in order to carry out their mandates;

WHEREAS regional and national conventions operate on a three-year (3) cycle;

BE IT RESOLVED THAT Section 14, Sub-Section 12(a), of the PSAC Constitution be amended as follows:

- a) Area council meetings shall be held at least four (4) times a year. One such meeting shall be designated the annual meeting, at which officers shall be elected for a three-year (3) term, and/or financial and other reports shall be presented.

BY-LAWS

S-10

(combined with S-9)

BARGAINING TEAMS

SOURCE: ASTRE 12555

LANGUAGE OF ORIGIN: F

WHEREAS bargaining teams must represent all members of the bargaining unit at the table and play a crucial role in the bargaining process;

WHEREAS directly chartered locals often include several job categories;

WHEREAS bargaining team members should not lose any income as a result of their union involvement;

WHEREAS PSAC presently caps at three (3) the number of members on union leave for the purpose of attending contract negotiations;

WHEREAS the bargaining teams of directly chartered locals in fact often consist of more than three (3) members to ensure adequate member representation;

BE IT RESOLVED THAT the bargaining teams of directly chartered locals can have up to five (5) members on union leave.

BY-LAWS

S-11

(combined with S-9)

BARGAINING TEAMS

SOURCE: STEP 10800

LANGUAGE OF ORIGIN: F

WHEREAS bargaining teams must represent all members of the bargaining unit at the table and play a crucial role in the bargaining process;

WHEREAS directly chartered locals often include several different job categories; and

WHEREAS bargaining team members should not be subjected to loss of income due to their union involvement;

WHEREAS PSAC presently caps at three (3) the number of members on union leave for the purpose of attending contract negotiations;

WHEREAS directly chartered locals' bargaining teams are often made up of more than three (3) members to ensure adequate representation of their members;

BE IT RESOLVED THAT the bargaining teams of directly chartered locals can have up to five (5) members on union leave.

APPENDIX B

ACRONYMS

of sources that have submitted resolutions covered in this report

AEC:	Alliance Executive Committee
ASSEP:	Association pour une solidarité syndicale de l'École Polytechnique
ASTRE:	Association syndicale des travailleurs(es) étudiants(es) de l'UQTR
FTQ:	Fédération des travailleurs et travailleuses du Québec
MUNACA:	McGill University Non-Academic Certified Association
NYWC:	National Young Workers' Committee
RYWC:	Regional Young Workers' Committees
SÉTUE:	Syndicat des étudiant-e-s employé-e-s de l'UQAM
STEP:	Syndicat des travailleurs et travailleuses étudiants et postdoctoraux de l'Université Laval
UNDE:	Union of National Defence Employees