



SYNDICAT DU PERSONNEL PROFESSIONNEL DE L'ÉDUCATION
DU NUNAVIK ET DE L'OUEST DE MONTRÉAL
3300 Boul de la Côte-Vertu bur 220
Ville St-Laurent | Québec | H4R 2B7
T. 514.748.5983 | F. 514.748.5822
sppom@sppom.qc.ca

BY-LAW

May 2022

CHAPTER 1 - GENERAL	4
SECTION 1.1 NAME	4
SECTION 1.2 LEGAL REGIME	4
SECTION 1.3 DEFINITIONS	4
SECTION 1.4 JURISDICTION	5
SECTION 1.5 GOALS	5
SECTION 1.6 AFFILIATIONS	5
SECTION 1.7 HEAD OFFICE	5
SECTION 1.8 FISCAL YEAR	5
SECTION 1.9 RIGHTS, POWERS AND PRIVILEGES	5
CHAPTER 2 – MEMBERS	6
SECTION 2.1 ADMISSION REQUIREMENTS	6
SECTION 2.2 UNION DUES	6
SECTION 2.3 EXCLUSION AND SUSPENSION	6
CHAPTER 3 – GENERAL ASSEMBLY	8
SECTION 3.1 COMPOSITION	8
SECTION 3.2 COMPETENCIES	8
SECTION 3.3 MEETINGS	9
SECTION 3.4 QUORUM	9
SECTION 3.5 DECISIONS	10
CHAPTER 4 – REGIONAL COUNCIL	11
SECTION 4.1 COMPOSITION	11
SECTION 4.2 COMPETENCIES	11
SECTION 4.3 MEETINGS	12
SECTION 4.4 QUORUM	12
SECTION 4.5 DECISIONS	12
CHAPTER 5 – EXECUTIVE COUNCIL	13
SECTION 5.1 COMPOSITION	13
SECTION 5.2 COMPETENCIES	13
SECTION 5.3 TERM OF MANDATE	14
SECTION 5.4 CHAIRPERSON	14
SECTION 5.5 CO-CHAIR	15
SECTION 5.6 THE SECRETARY	15
SECTION 5.7 THE TREASURER	15
SECTION 5.8 CONVENING, QUORUM AND DECISIONS	16
CHAPTER 6 – ELECTION OF EXECUTIVE COUNCIL MEMBERS	17

SECTION 6.1 ELECTION COMMITTEE, COMPOSITION AND ROLE	17
SECTION 6.2 CANDIDATES	18
SECTION 6.3 RIGHTS AND PRIVILEGES OF CANDIDATES.....	18
SECTION 6.4 VOTING	18
SECTION 6.5 EXECUTIVE COUNCIL VACANCIES	19
CHAPTER 7 – LOCAL UNIT	20
SECTION 7.1 DELEGATES.....	20
SECTION 7.2 ROLE OF THE DELEGATE.....	20
SECTION 7.3 ROLE OF THE ASSOCIATE DELEGATE.....	20
SECTION 7.4 ELECTION OF THE ASSOCIATE DELEGATE	20
SECTION 7.5 LOCAL UNIT GENERAL ASSEMBLY	21
SECTION 7.6 AUTHORIZATION TO INITIATE A STRIKE.....	21
SECTION 7.7 AUTHORIZATION TO SIGN A COLLECTIVE AGREEMENT AND A LOCAL NEGOTIATION AGREEMENT.....	22
SECTION 7.8 AUTHORIZATION TO SIGN LOCAL ARRANGEMENTS OR ANY OTHER AGREEMENTS PROVIDED FOR IN THE COLLECTIVE AGREEMENT	22
CHAPTER 8 – COMMITTEES.....	23
SECTION 8.1 COMMITTEES.....	23
CHAPTER 9 – FINANCES	24
SECTION 9.1 REVENUES OF THE UNION	24
SECTION 9.2 PAYMENTS.....	24
SECTION 9.3 FINANCIAL STATEMENTS.....	24
CHAPTER 10 – DISSOLUTION	25
SECTION 10.1 AMENDMENTS TO BY-LAWS.....	25
SECTION 10.2 DISSOLUTION	26

CHAPTER 1 - GENERAL

SECTION 1.1 NAME

- 1.1.1 The name of the Union is the one authorized by the Inspector General of Financial Institutions, namely «**SYNDICAT DU PERSONNEL PROFESSIONNEL DE L'ÉDUCATION DU NUNAVIK ET DE L'OUEST DE MONTRÉAL**» and its acronym is “**SPPENOM**”.
- 1.1.2 The abbreviated name is “Syndicat des professionnelles et professionnels de l'ouest de Montréal.” The Union may use, at its discretion, the official name or the abbreviated name of the Union in the day-to-day management of its operations. Any agreement or document signed or identified by the Union on behalf of the “Syndicat des professionnelles et professionnels de l'ouest de Montréal” is deemed to refer to and refers to the “SYNDICAT DU PERSONNEL PROFESSIONNEL DE L'ÉDUCATION DU NUNAVIK ET DE L'OUEST DE MONTRÉAL”.

SECTION 1.2 LEGAL REGIME

- 1.2.1 The Union is established under the Professional Syndicates Act (CQLR, c. S-40).

SECTION 1.3 DEFINITIONS

The definitions in this section are established for the purpose of this by-law.

- 1.3.1 “Professional” means any employee exercising a function of a professional nature in a school board.
- 1.3.2 “Unit local” means all the professionals within the same school board.
- 1.3.3 “Union” and “SPPENOM” mean the “SYNDICAT DU PERSONNEL PROFESSIONNEL DE L'ÉDUCATION DU NUNAVIK ET DE L'OUEST DE MONTRÉAL”.
- 1.3.4 “Fédération” and “FPPE” mean the “Fédération des professionnelles et professionnels de l'éducation du Québec”.
- 1.3.5 “Centrale” and “CSQ” mean the “Centrale de l'enseignement du Québec.”
- 1.3.6 “School board” means any school board, any regional board or any other body that operates in accordance with the educational laws of Québec.
- 1.3.7 “Member,” means any person admitted as such to the Union in accordance with its by-law.
- 1.3.8 “Delegate or union delegate” means any member of the Union exercising the role described in section 7.2 of this by-law.
- 1.3.9 “Associate union delegate” means any member of the Union elected to perform the role described in this by-law.
- 1.3.10 “Union representative on the Labour Relations Committee” means any person who is elected by the Local General Assembly to sit on the Labour Relations Committee with the union delegate and on the Regional Council.

- 1.3.11 "Substitute union representative on the Labour Relations Committee" means any union member who is elected by the Local General Assembly to replace a member of the Labour Relations Committee who can no longer assume his or her role or to fill a vacant position. He or she is also a member of the Regional Council.

SECTION 1.4 JURISDICTION

- 1.4.1 The Union is responsible for representing school board professionals.
- 1.4.2 The jurisdiction of the Union extends to the territories of the following school boards:

Centre de service scolaires Marguerite-Bourgeoys, Centre de service scolaires des Trois-Lacs and Kativik School Board.

SECTION 1.5 GOALS

- 1.5.1 The Union aims to review, defend, develop and promote the economic, social and professional interests of its members, particularly in the negotiation and implementation of collective agreements. The Union can also work in collaboration with movements and public bodies whose interests are clearly in line with those of the Union.

SECTION 1.6 AFFILIATIONS

- 1.6.1 The Union is affiliated with the Centrale des syndicats du Québec and the Fédération des professionnelles et professionnels de l'éducation du Québec.
- 1.6.2 The Union can affiliate itself with any other public body whose interests are clearly in line with those of the Union.

SECTION 1.7 HEAD OFFICE

- 1.7.1 The head office of the Union is located in Ville Saint-Laurent.

SECTION 1.8 FISCAL YEAR

- 1.8.1 The fiscal year begins on July 1 and ends on June 30 of the following year.

SECTION 1.9 RIGHTS, POWERS AND PRIVILEGES

- 1.9.1 The Union is entitled to all the rights, powers and privileges granted to it under the Professional Syndicates Act (1977, CQRL, c. S-40) and any other applicable legislation.

CHAPTER 2 – MEMBERS

SECTION 2.1 ADMISSION REQUIREMENTS

- 2.1.1 To be considered a member of the Union, you must meet the following requirements:
- a) be a professional in the employment of a school board;
 - b) sign a membership card;
 - c) pay a one-time initiation fee of two dollars (\$2.00);
 - d) be accepted by the Executive Council;
 - e) pay union dues and any other fees required by the Union;
 - f) comply with the by-law and regulations of the Union.
- 2.1.2 Membership is also open to persons whom:
- a) are retired; or
 - b) for any other reason, are accepted by the Executive Council.

SECTION 2.2 UNION DUES

- 2.2.1 a) Union dues are set at 1.58% of a union member's gross salary. However, the initial contribution for new members of a bargaining unit already established in accordance with the law is set at 1.58% of the union member's gross salary minus the one-time initiation fee of two dollars (\$2.00);
- b) The General Assembly may fix a special contribution in addition to the regular contribution and determine its period of application.
- 2.2.2 The contribution for members who do not receive a salary or who are accepted under section 2.12 is set at one dollar (\$1.00) per month.
- 2.2.3 The contribution for members undergoing an accreditation is one dollar (\$1.00) per month until the accreditation is held; once the accreditation process has been completed, the contribution will be that provided for in section 2.21.
- 2.2.4 The terms for collecting and deducting union dues are established by the General Assembly.

SECTION 2.3 EXCLUSION AND SUSPENSION

- 2.3.1 Subject to section 3 of the Professional Syndicates Act, any member can be excluded from the Union for one of the following reasons:
- a) failure to pay regularly established contributions;
 - b) a serious breach of union by-laws and regulations;
 - c) moral or material prejudice caused to the union;

d) any other serious reason not provided for in this by-law and regulations.

- 2.3.2 In all cases, the exclusion can only be ordered by the Executive Board thirty (30) days after a notice was sent by the Union Chairperson or Secretary to the member concerned so that the latter can make the necessary representations, if necessary.
- 2.3.3 Any decision of the Executive Board, to exclude a member from the Union, may be brought before the Regional Council. The decision of the said council is binding.
- 2.3.4 Any member is automatically suspended from the moment he or she totally or partially exercises management functions. Such members may reclaim his or her rights as soon as the Union is advised that the conditions of his or her suspension no longer exist.

CHAPTER 3 – GENERAL ASSEMBLY

SECTION 3.1 COMPOSITION

3.1.1 The General Assembly is composed of the members of the Union.

SECTION 3.2 COMPETENCIES

3.2.1 The main functions of the General Assembly are to:

- a) elect members of the Executive Council;
- b) adopt or modify the by-laws of the Union;
- c) adopt or modify regulations of the Union;
- d) review and adopt budget forecasts;
- e) adopt financial statements;
- f) appoint an auditor to receive its report;
- g) determine regular union dues;
- h) determine extraordinary union dues if applicable;
- i) appoint an officer to collect union dues and to determine the procedures for collecting union dues;
- j) decide on the affiliation with the Federation, the CSQ and any other body whose interests are in line with its own interests;
- k) adopt the Union's action plan;
- l) read and make available reports submitted to it;
- m) review, judge and decide on all proposals submitted to it;
- n) decide on or express its opinion on any other matters submitted by the Executive;
- o) decide on the procedure to be followed in all cases not provided for in the rules of procedure.

SECTION 3.3 MEETINGS

3.3.1 Regular meeting

- a) The General Assembly meets at least once a year before June 1 of each year.
- b) The Executive Council shall determine the format of the meeting. Members may participate by electronic means of communication such as videoconference or conference call. The information shall be communicated to members in the notice of meeting.
- c) At the request of at least one (1) member of the Kativik unit, the Union shall, if possible, secure the services of an English interpreter.

3.3.2 The convening of a regular General Assembly meeting must be made in writing and sent by e-mail to each member at least ten (10) days before the date of the meeting. A draft agenda must be included in this mailing.

Any member who does not wish to receive this notice of meeting at their professional e-mail address may provide the Union with a mailing address or alternate e-mail address of their choice, as well as the duration of this alternative notification method.

3.3.3 Extraordinary meeting

- a) A written notice of at least forty-eight (48) hours is required to hold an extraordinary meeting. This written notice must be sent to the professional e-mail address of each member, with the exception noted in the previous paragraph. The agenda must expressly indicate all the topics that will be covered. No other matters may be added to this agenda.
- b) The Executive or, upon the request in writing by ten percent (10%) of members (including the subject and reason for the request), the Chairperson must hold within ten (10) days an extraordinary meeting according to the terms and conditions established in the previous paragraph. Only the reasons given in the request shall form the agenda.
- c) Extraordinary meetings may be held in several regions in order to cover the territory of the Union and the digital compilation of these meetings shall constitute proof of the general assembly.
- d) The Executive Council shall determine the format of the meeting. Members may participate by electronic means of communication such as videoconference or conference call. The information shall be communicated to members in the notice of meeting.
- e) At the request of at least one (1) member of the Kativik unit, the Union shall, if possible, secure the services of an English interpreter.

SECTION 3.4 QUORUM

3.4.1 The quorum of the General Assembly is constituted by the members present.

SECTION 3.5 DECISIONS

- 3.5.1 The decisions of the General Assembly shall be taken by a simple majority and by show of hands, unless the present by-law or rules of procedure provide for an alternative formulation. For meetings by videoconference or conference call, the voting procedure may be adapted accordingly.

CHAPTER 4 – REGIONAL COUNCIL

SECTION 4.1 COMPOSITION

4.1.1 The Regional Council is composed of:

- a) Members of the Executive Council;
- b) Union representatives of labour relations committees;
- c) Substitute union representatives of labour relations committees.

SECTION 4.2 COMPETENCIES

4.2.1 The main functions of the Regional Council are to:

- a) review amendments to by-laws and regulations submitted by the Executive Council and recommend them to the General Assembly for adoption;
- b) review the Union's action plan submitted by the Executive Council and recommend it to the General Assembly for adoption;
- c) review budget forecasts submitted by the Executive Council and recommend them to the General Assembly for adoption;
- d) review and decide, if necessary, on any matters submitted to it by the General Assembly or by the Executive Council;
- e) decide on the exclusion of a member, on the appeal of that member or on a decision of the Executive Council to exclude a member;
- f) adopt new regulations on an interim basis, until the General Assembly adopts, modifies or rejects them;
- g) review and decide on all matters relating to the observance of regulations and the implementation of principles that guide its actions;
- h) fill vacancies in the Executive Council;
- i) decide on any matters that are not specifically reserved for the Executive Council or the General Assembly;
- j) play, on request, an advisory role to the Executive Council;
- k) serve as the source for union education to pave the way for the next generation of unions activists.

SECTION 4.3 MEETINGS

4.3.1 Regular meeting

- a) The Regional Council meets at least twice per year at the date, time and location set by the Executive Council or by the Regional Council itself.
- b) Meetings may be held using electronic means of communication such as videoconference or conference call. The information shall be communicated to the regional council in the notice of meeting.
- c) The notice of a Regional Council meeting must be sent by e-mail to its members at least five (5) days prior to the said meeting.

4.3.2 Extraordinary meeting

- a) The Union Chairperson calls a Regional Council extraordinary meeting as often as it considers necessary and necessarily at the request of the Executive Council or by more than fifty percent (50%) of union delegates from local units. This request is made to the Chairperson and must specify the reason for convening such meeting.
- b) Notice of at least three (3) days is required to hold an extraordinary meeting. This notice must include each of the topics for discussion at the meeting; no other topics may be discussed other than those indicated on the notice.

SECTION 4.4 QUORUM

- 4.4.1 The quorum of the Regional Council is constituted by the majority of members present and when two of the three local units are represented.

SECTION 4.5 DECISIONS

- 4.5.1 Decisions are made by a majority vote unless this by-law or the rules of procedure provides for a different proportion of votes. For meetings by videoconference or conference call, the voting procedure may be adapted accordingly.

CHAPTER 5 – EXECUTIVE COUNCIL

SECTION 5.1 COMPOSITION

5.1.1 The Union is administered by an Executive Council made up of six (6) members who are elected by the SPPENOM General Assembly:

- a) Chairperson;
- b) Secretary;
- c) Treasurer;
- d) KI Co-Chair;
- e) CSSMB Co-Chair;
- f) CSSTL Co-Chair.

In case of absence, refusal or inability to act on the part of one of the Executive Council members, the Executive Council will decide who will assume the duties of the member concerned.

SECTION 5.2 COMPETENCIES

5.2.1 The main functions of the Executive Council are to:

- a) manage the affairs of the Union;
- b) execute the decisions of the General Assembly and of the Regional Council;
- c) accept new members;
- d) expel a member in accordance with section 2.31 of this by-law;
- e) initiate a strike for a bargaining unit after having been authorized to do so, in accordance with section 7.41;
- f) authorize the signing of a collective agreement, a local negotiation agreement, local arrangements and any other agreement provided for in the collective agreement according to sections 7.5 and 7.6 of this by-law;
- g) deal with daily and routine business;
- h) authorize all legal or other proceedings in the interests of the Union, with the exception of those that, by law, require a resolution of the General Assembly;
- i) convene regular meetings of the General Assembly and of the Regional Council, and resolve all matters related thereto;
- j) submit an annual report to the General Assembly;
- k) appoint the persons authorized to sign commercial bills on behalf of the Union;

- l) decide, by resolution or by mandate, on the presentation of grievances in arbitration;
- m) ratify, if applicable, the execution of a mandate related to the presentation of a grievance in arbitration;
- n) appoint union delegates for bargaining units, to represent the Union to the employer;
- o) prepare and submit an action plan and budget forecasting for the Union and submit them to the Regional Council for recommendation to the General Assembly.;
- p) submit, if applicable, amendments to by-laws and regulations to the Regional Council for recommendation to the General Assembly;
- q) as needed, modify the action plan adopted by the General Assembly to adapt it to circumstances;
- r) as needed, modify budget forecasting adopted by the General Assembly to adapt it to circumstances;
- s) create committees, designate its members and adopt its action plan;
- t) appoint official union delegates to public bodies with which the latter is affiliated and to receive the report.

SECTION 5.3 TERM OF MANDATE

5.3.1 Executive Council members are elected for three fiscal years starting on July 1 following the election and ending on June 30, three (3) years later:

- a) for the positions of SPPENOM Chairperson and CSSTL Co-Chair, the reference year is 2017 and every three (3) subsequent years.
- b) for the positions of SPPENOM Treasurer and Local KI Co-Chair, the reference year is 2018 and every three (3) subsequent years.
- c) for the positions of SPPENOM Secretary and Local CSSMB Co-Chair, the reference year is 2019 and every three (3) subsequent years.

At the end of a mandate, the person who assumed a function on the Executive Council must return to the head office all documents (paper or electronic) and all other property belonging to the Union.

SECTION 5.4 CHAIRPERSON

5.4.1 The Chairperson:

- a) presides over meetings of the Executive Council, Regional Council and General Assembly; maintains order, leads the discussion and ensures the application of Assembly regulations and procedures. He or she may be replaced;
- b) performs all other duties that may arise therefrom as well as those assigned by other union structures;

- c) has a single voting right and in case of a tied vote, can make a casting vote;
- d) is an ex-officio member of all committees;
- e) officially represents the Union;
- f) signs cheques, minutes and other documents with the Secretary or the Treasurer, as the case may be;
- g) submits the Executive Council's report to the General Assembly;
- h) ensures that union elected officials fulfill their mandates;
- i) is automatically invited to participate in all local general assemblies without voting rights, with the exception of his or her local unit;
- j) sign any agreement (collective agreement, local arrangement, local agreement);

SECTION 5.5 CO-CHAIR

5.5.1 The Co-Chair:

- a) fulfills, upon appointment by the Executive Council, the duties of the union delegate for the school board he or she represents;
- b) performs all the functions assigned to him or her by the Executive Council;
- c) co-signs any local arrangement or agreement with the school board he or she represents.

SECTION 5.6 THE SECRETARY

5.6.1 The Secretary:

- a) drafts or has drafted the minutes of the meetings of the Executive Council, the Regional Council and the General Assembly, and signs them jointly with the Chairperson;
- b) performs all the functions assigned to him or her by the Executive Council.

SECTION 5.7 THE TREASURER

5.7.1 The Treasurer:

- a) receives and collects dues and memberships fees, and other revenues;
- b) keeps accounting records approved by the Union;
- c) ensures that union revenues are deposited in one or more accounts held by a financial institution, chosen by the Executive Council;
- d) signs cheques and other commercial bills jointly with the Chairperson or any other person authorized to do so by Executive Council resolution;
- e) submits its annual report to the General Assembly at the end of each fiscal year;

f) performs all the duties assigned to him or her by the Executive Council.

SECTION 5.8 CONVENING, QUORUM AND DECISIONS

- 5.8.1 The Executive Council meets at least seven (7) times per year at the date, time and location set by the Chairperson or by the Executive Council itself. Meetings may be held using electronic means of communication such as videoconference or conference call.
- 5.8.2 The notice of a meeting of the Executive Council must be sent to members by e-mail at least three (3) days prior to the meeting.
- 5.8.3 A majority of Executive Council members shall form a quorum.
- 5.8.4 Decisions shall be taken by a simple majority and by show of hands, unless the present by-laws or rules of procedure provide for an alternative formulation. For meetings by videoconference or conference call, the voting procedure may be adapted accordingly.

CHAPTER 6 – ELECTION OF EXECUTIVE COUNCIL MEMBERS

SECTION 6.1 ELECTION COMMITTEE, COMPOSITION AND ROLE

- 6.1.1 The Election Committee is composed of four (4) members: the Election Chairperson, the Election Secretary and two (2) scrutineers. At least two different local units must be represented by at least one member of this committee. Members designated for these positions and who apply for one of the Executive Council positions must be immediately replaced by members designated by the Regional Council.
- 6.1.2 Election Committee members are mandated by the Regional Council at its first meeting of the school year for a period of one (1) year. Failure to do so, the Executive Council consults the Regional Council for the nomination of Election Committee members.
- 6.1.3 The nomination period, the election campaign and voting are the responsibility of the Election Committee.
- 6.1.4 The Executive Council and the Election Chairperson agree on the date of the general meeting and on the time of voting.
- 6.1.5 The Election Committee initiates the election process, forty-five (45) days before the general meeting, by announcing the start of the nomination period to members and by making the nomination form available to them. The notice to members must also include the sections of the by-law on the election of Executive Council members as well as a clear description of the roles of the positions being elected.
- 6.1.6 The Election Chairperson accepts nomination forms for twenty-five (25) days following the start of the election process. Five (5) working days before the end of the nomination period, the Chairperson sends an e-mail to members if the committee has not received any applications.
- 6.1.7 The Chairperson of the Election Committee publishes the list of candidates and their official communication provided for in section 6.3.1, at least ten (10) days prior to the election.
- 6.1.8 The Election Committee prepares the ballots for each Executive Council position up for election, according to section 6.4.3.
- 6.1.9 At the scheduled time of the election, the Chairperson of the Election Committee explains the election process to General Assembly members, reminds them of the candidates, oversees the counting of the votes and announces the election results.
- 6.1.10 Scrutineers distribute the ballots to members, using the verified roster, collect them and proceed to a count of the votes.
- 6.1.11 The Secretary of the Election Committee draws up a report on the conduct of the election that same night, signs it jointly with the Election Chairperson and gives it to the Union Secretary or to the person designated by the Executive Council.

SECTION 6.2 CANDIDATES

- 6.2.1 Any member in good standing as defined in section 2.1.1 of this by-law is eligible to serve as Chairperson, Secretary or Treasurer of the Executive Council.
- 6.2.2 Only members in good standing as defined in section 2.1.1 of this by-law and who are from the local unit concerned are eligible to serve as Co-Chair of that unit's Executive Council.
- 6.2.3 The nomination form includes the name of the person applying, his or her address, his or her employment group, his or her school board, and the desired position. The form must be signed by two (2) other union members in good standing. The candidate must also sign the form confirming his or her candidacy. The form must be sent by e-mail to the address provided by the Election Committee.
- 6.2.4 If no one applies for a position by the end of the nomination period set out in section 6.1.6, the position is considered vacant and is filled according to the provisions of section 6.5.

SECTION 6.3 RIGHTS AND PRIVILEGES OF CANDIDATES

- 6.3.1 A candidate has the right to issue one (1) written communication to all members, according to the means provided by the Election Committee. This communication is limited to one 8.5" X 11" page.
- 6.3.2 At the time indicated on the General Assembly agenda, the Election Chairperson gives each candidate three (3) minutes to introduce themselves, followed by a question period whose duration is determined by the Assembly. The order is determined at random.

SECTION 6.4 VOTING

- 6.4.1 Voting is organized based on the vacant positions on the Executive Council and is scheduled for the Annual General Meeting in accordance with section 5.3.1 of this by-law.
- 6.4.2 Any member in good standing as defined in section 2.1 in this by-law and who is present at the general meeting shall have the right to vote. Members are called on to vote by ballot intended for this purpose.
- 6.4.3 To be elected to an Executive Council position, a candidate needs the absolute majority of the votes cast.
 - a) If only one (1) person applies for a position, members of the General Assembly vote by indicating on the ballot if they are FOR or AGAINST. If the candidate does not obtain the absolute majority, the position is considered vacant and is filled according to the provisions set out in section 6.5.
 - b) In the event that there are many candidates and the absolute majority is not achieved after the first round of voting, the candidate who obtained the least number of votes is eliminated and the Assembly proceeds with as many rounds of voting as needed until a candidate achieves the absolute majority of votes,

SECTION 6.5 EXECUTIVE COUNCIL VACANCIES

- 6.5.1 A vacancy occurs in the Executive Council when a member therefrom resigns, dies or is declared incapable by a civil court of properly filling the position for which he or she was elected; or when one of its members is absent from three (3) or more consecutive regular meetings of the Executive Council or when a position is not filled by the General Assembly.
- 6.5.2 The Regional Council appoints a person to fill the vacancy. The election to fill the vacancy must be announced in the notice of a meeting of the Regional Council. The elected person exercises his or her mandate until the following round of elections are held for that position, as provided for in section 5.3.1.
- 6.5.3 The Regional Council may ask the Election Committee to add the vacant position to the electoral process at the next general meeting, provided that this request ensures compliance with timelines provided for in Chapter 6 of this by-law. An election carried out under this section allows the elected person to exercise his or her mandate until the next elections for the position under section 5.3.1.

CHAPTER 7 – LOCAL UNIT

SECTION 7.1 DELEGATES

The Co-Chairs, appointed in accordance with section 5, act as delegates of their local unit.

SECTION 7.2 ROLE OF THE DELEGATE

7.2.1 The main functions of the delegate are to:

- a) respond to any inquiries or questions asked by the Union;
- b) call and preside over the General Assembly of the local unit;
- c) animate local unit union activities;
- d) ensure the application of union policies within the local unit;
- e) cast, in the case of a tie, the deciding vote even in those cases provided for in sections 7.4 and 7.5.

SECTION 7.3 ROLE OF THE ASSOCIATE DELEGATE

7.3.1 The Associate Delegate:

- a) replaces the Delegate in all his or her functions in case of absence, refusal or inability to act;
- b) fulfils all the duties assigned by the Delegate or by the Executive Council;
- d) participates, as an observer, in Executive Council and Regional Council meetings.

SECTION 7.4 ELECTION OF THE ASSOCIATE DELEGATE

7.4.1 On the recommendation of the Delegate and of the Executive Council, the Local Assembly proceeds with the election of the Associate Delegate.

7.4.2 Members in good standing as defined in Section 2.1.1 of this By-law, and from the local unit concerned are eligible for membership.

7.4.3 Members in good standing with the Union from the local unit concerned at the time of election are eligible to vote in that election.

7.4.4 The Associate Delegate is elected for a term of one (1) year or at the local unit meeting of the following school year. Associate delegates are eligible for re-election.

7.4.5 Persons who wish to run for election must announce their nomination at the assembly at the time provided for in the agenda or, in case of absence, must submit their nomination in writing to the delegate before the assembly. Each nomination must be supported by a duly seconded motion.

- 7.4.6 The vote shall be by secret ballot.
- 7.4.7 Any vacancy is filled according to the election process set out in section 7.3 of this By-law.
- 7.4.8 The result of the election is sent to the Union which proceeds with the nomination of the elected person and transmits this information to the school board concerned.

SECTION 7.5 LOCAL UNIT GENERAL ASSEMBLY

- 7.5.1 The Local Unit General Assembly is made up of union members in good standing and who belong to a local unit.
- 7.5.2 The Local Unit General Assembly meets at least once a year. Meetings may be held using electronic means of communication such as videoconference or conference call.
- 7.5.3 The main functions of the Local Unit General Assembly are to:
 - a) elect, upon the recommendation of the Executive Council and the Local Unit Delegate, the Associate Delegate for the local unit;
 - b) elect two union representatives to the Labour Relations Committee and a substitute union representative;
 - c) elect representatives of the Development Committee, if applicable;
 - d) approve, by secret ballot, all local negotiations;
 - e) prepare draft resolutions for the Regional Council;
 - f) approve local unit expenses if applicable;
 - g) generally speaking, decide on any collective action specific to the local unit;
- 7.5.4 At the request of at least one third (1/3) of local unit members, the union delegate calls the Local Unit General Assembly.
- 7.5.5 The quorum for the local unit's General Assembly is constituted by the members of the local unit present.
- 7.5.6 Notwithstanding clauses 7.3.1 to 7.3.5 inclusively, the SPPENOM Executive may decide to proceed otherwise in all matters concerning the Kativik Local General Assembly.

SECTION 7.6 AUTHORIZATION TO INITIATE A STRIKE

- 7.6.1 For a bargaining unit within the meaning of the Quebec Labour Code, a strike can only be called by the Executive Council after having been authorized by secret ballot by the majority of votes cast by the members of such a bargaining unit present at a general assembly convened for this purpose no less than forty-eight (48) hours before by the Executive Council of the Union. At the request of the local unit, this assembly may be held in the territory in which the unit is located.

Notwithstanding the foregoing, the SPPENOM Executive may decide to proceed otherwise with the Kativik bargaining unit.

SECTION 7.7 AUTHORIZATION TO SIGN A COLLECTIVE AGREEMENT AND A LOCAL NEGOTIATION AGREEMENT

- 7.7.1 For a bargaining unit within the meaning of the Quebec Labour Code, the Executive Council of the SPPENOM shall only sign a collective agreement and a local negotiation agreement after having been authorized by secret ballot by the majority of votes cast by the members of such a bargaining unit present at a general assembly convened for this purpose no less than forty-eight (48) hours before. The union delegate must also sign; if there is no delegate, the signature of the SPPENOM Executive Council is sufficient.

Notwithstanding the foregoing, the SPPENOM Executive may decide to proceed otherwise in order to obtain the authorization of members of Kativik's local bargaining unit.

SECTION 7.8 AUTHORIZATION TO SIGN LOCAL ARRANGEMENTS OR ANY OTHER AGREEMENTS PROVIDED FOR IN THE COLLECTIVE AGREEMENT

- 7.8.1 Any local arrangement or any agreement provided for in the collective agreement, to be valid, must be signed jointly by the SPPENOM Chairperson and by a local delegate. If there is no local delegate, the signature of the Executive Council is sufficient.

CHAPTER 8 – COMMITTEES

SECTION 8.1 COMMITTEES

- 8.1.1 The General Assembly, the Regional Council and the Executive Council may create committees based on the needs and action plan of the Union.
- 8.1.2 Committees report to the body that formed them at the time determined by the said body.

CHAPTER 9 – FINANCES

SECTION 9.1 REVENUES OF THE UNION

- 9.1.1 The Union's sources of revenue are:
- a) one-time initiation fees for new members set out in section 2.11 c);
 - b) contributions from members and contributors;
 - c) special donations, grants and subsidies which it may receive;
 - d) interest on investments.

SECTION 9.2 PAYMENTS

- 9.2.1 All payments are made electronically or by cheque. Transactions must be approved by two (2) persons, namely the Chairperson and the Treasurer of the Union, or by two persons authorized for this purpose by the Executive Council.

SECTION 9.3 FINANCIAL STATEMENTS

- 9.3.1 Each year, the General Assembly appoints an auditor who must submit a report within one hundred (100) days of the fiscal year-end, ending on June 30 of each year (in accordance with section 3.31). The General Assembly may choose a member of the Union on the condition that this person is not a member of the Executive Council.
- 9.3.2 The General Assembly adopts the financial statements following a review of the auditor's report.
- 9.3.3 Any member can obtain a copy of the Union's financial statements free of charge.

CHAPTER 10 – DISSOLUTION

SECTION 10.1 AMENDMENTS TO BY-LAWS

- 10.1.1 For any amendment to repeal, modify or replace a section of this by-law, a notice of motion must be sent to all union members at least ten (10) days prior to the meeting in which this notice of motion will be discussed.
- 10.1.2 For an amendment to the by-law intended to disaffiliate the Union from the CSQ, the following conditions must be met:
- a) a proposal to hold a referendum on disaffiliation cannot be discussed unless a notice of a motion has been given at least thirty (30) days prior to the holding of the general meeting; the notice of motion must be sent to the Centrale and to the Fédération within the same period;
 - b) a disaffiliation, to be valid, must receive, by referendum, the support of the majority of members. All members in good standing must be notified of the location and time of the vote. The time and location must be chosen in a manner to facilitate voting;
 - c) the Centrale may delegate an observer during the conduct of the referendum.
- 10.1.3 For an amendment to the by-law intended to disaffiliate the Union from the Fédération, the following conditions must be met:
- a) a proposal to hold a referendum on disaffiliation cannot be discussed unless a notice of a motion has been given at least thirty (30) days prior to the holding of the general meeting; the notice of motion must be sent to the Centrale and to the Fédération within the same period;
 - b) a disaffiliation, to be valid, must receive, by referendum, the support of the majority of members. All members in good standing must be notified of the location and time of the vote. The time and location must be chosen in a manner to facilitate voting;
 - c) the Fédération may delegate an observer during the conduct of the referendum.
- 10.1.4 A notice of motion for an amendment to the by-law must include the drafting of the proposed amendment.
- 10.1.5 Subject to sections 10.12 and 10.13, an amendment in whole or in part to these sections requires a favourable vote of at least two thirds (2/3) of the members present.
- 10.1.6 Amendments to section 1.4 may not take effect without the prior authorization of the Congress of the Fédération.
- 10.1.7 Any amendment to the by-law will come into force at the time of adoption unless the provisions of the Act stipulate otherwise.

SECTION 10.2 DISSOLUTION

- 10.2.1 The Union cannot be dissolved as long as fifteen (15) active members wish to maintain the Union.
- 10.2.2 In the event of dissolution, the liquidation must be made in accordance with the provisions of the Professional Syndicates Act (CQLR, c. S-40).