

**TOWARDS THE  
CENTENNIAL PDF**

REPORT ON THE  
REVIEW OF PROFESSIONAL  
DEFENCE FUND RULES

**TOGETHER  
FOR EACH OTHER**



**66<sup>th</sup> CSN Convention  
VIRTUAL | 2021**



# Brothers and Sisters,

**The Professional Defence Fund was established almost 70 years ago, on January 1, 1952, after extensive debate when the unions affiliated with the Confédération des travailleurs catholiques du Canada—the forerunner of our CSN—decided to do away with special assessments, funding campaigns and collections to create a new collective tool for supporting union struggles. Since then, the PDF has provided support to all of our affiliated unions, large and small, giving them the means to fight their battles in every sector of Québec's economy and every part of Québec.**

**No other union in Québec** has a fund like the PDF; it makes the CSN unique—a fund to which every CSN union contributes, the embodiment of our belief that a victory for any of our unions is a victory for us all. As the presentation on the history of CSN struggles so eloquently showed, the PDF expresses the spirit of solidarity that is so dear to the heart of our union.

**At the 65<sup>th</sup> convention of the CSN**, the delegates gave the CSN Confederal Bureau a mandate to form a committee to review the existing rules governing the PDF for the purpose of establishing new rules that would be fairer to all members of our organization. The mandate called for this committee to submit its report with its recommendations before this 66<sup>th</sup> convention. I will now be giving you a report on the work done by this committee. I will then present the committee's proposals, which this convention will then have to debate.

**This committee** came under my political responsibility in my role as CSN Treasurer. Its members were appointed in June 2018. They were Véronique De Sève, then Vice-President of the CSN; Stéphanie Gratton, Vice-President of the FEESP-CSN; Annette Herbeuval, President of the Conseil central de la Montérégie-CSN; Francine Ranger, then President of the Conseil central de Lanaudière-CSN; and Michel Valiquette, Treasurer of the Fédération du commerce-CSN. These committee members unanimously agreed to put themselves at the movement's service by carrying out this important task under a confederal mandate. I should also note that Liane Flibotte, the current director of the PDF, participated in the work of this committee.

**Of course**, the committee could not have carried out its mandate successfully without the help of many other people. I'd like to mention the members of our mobilization and regional affairs support team, who work throughout Québec and who interact the most with the PDF as part of their jobs. I'd also like to mention Carmelle Vigneault and Daniel Deblois, both former directors of the PDF; Mario Maranda, who was working for the CSN Unionization Department at the time; Isabelle Lacas, then co-ordinator

of the CSN's Legal Department; Lucie Michaud, then comptroller; and Karyn Chartrand, executive secretary. I want to recognize the contributions of all these people. They provided the committee members with all of the information that they needed to do their job.

**Originally**, the committee's primary mandate was to review the conditions for eligibility for strike benefits. But the committee members soon agreed that because the fund was nearly 70 years old, they should take this opportunity to analyze all of the ways in which it provides support and to make any recommendations that they considered useful, even though this meant that their work would take longer.

**In all**, it took 12 meetings and 18 months, at the end of which the committee produced a report of some 50 pages with several appendixes and 20 major recommendations. In December 2019, the committee submitted this report to the CSN Executive Committee and then to the Confederal Bureau, which after receiving it held a special meeting to debate it on January 24, 2020.

**The committee's recommendations** call for a variety of steps. Some would require the convention to amend the PDF Constitution and By-laws. Others would require the Confederal Bureau to revise current policies or adopt new ones. Still others, which simply call for improving certain practices or developing certain tools, come under the purview of the CSN Executive Committee and the CSN departments for which it is responsible. While I will not go into the details of all of these recommendations, I would now like to provide the convention with a brief overview.

**The basic purpose** of some of the recommendations is to make the PDF Constitution and By-laws and their underlying principles easier to understand. The committee thus recommends that some more accessible documents be written and that a general preamble be added to the PDF Constitution and By-laws, as well as section preambles. The committee also recommends adding definitions to clarify certain concepts and taking certain steps to familiarize members with this fund which is unique in the Québec trade union movement.

**Other recommendations** call for certain sections of the PDF Constitution and By-laws to be made clearer and certain new sections to be added so that these documents spell out the conditions that must be met in order to receive certain types of support from the PDF, in particular when companies shut down completely and permanently.

**Still other recommendations** call for adjustments to make the allowances that unions receive for strike expenses better suited to the various types of labour disputes that occur nowadays, while ensuring that the PDF continues to reimburse all authorized strike expenses.

**Other recommendations** call for removing ceilings on the amounts of support that affiliated unions can access or adapting this support to the specific situations with which they are dealing.

**A number of recommendations** involve maintaining the current features of the benefits paid to workers during strikes and lockouts, and in particular the provision that this emergency support is paid as a fixed weekly amount that cannot be further divided. The committee also recommends that these benefits continue to be non-taxable.

**There are also** some recommendations to increase the amount of these benefits while ensuring that the PDF can continue to provide support for all of its unions' labour disputes and to play its role in the other areas where it is active. Specifically, the committee has recommended that the CSN make every possible effort to raise the amount of the weekly benefit to \$300 during the 2020-2023 period. As you will see, the CSN has indeed made every possible effort, for the motion that will be tabled regarding the strike or lockout benefit goes even further.

**Yet other recommendations** concern the eligibility conditions for receiving a first benefit payment when a strike is called or a lockout is imposed.

**A number** of the recommendations call for the Confederal Bureau to revise existing policies or adopt new ones, including a policy on payment of benefits when a member is dismissed or suspended without pay because of union activities and a policy on celebrating the anniversaries of unions' founding, as a form of support for union life.

**There are also** recommendations to revise some tools used by employees and to develop new tools for the members of our mobilization and regional affairs support team, whose job involves presenting the PDF rules when unions hold general meetings and take strike votes.

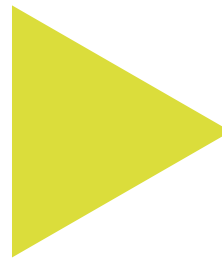
**Lastly, the committee**, noting that some aspects of managing the fund place heavy demands on unions' time and energy, has recommended that this burden be lightened whenever that can be done in a way that is consistent with the continued sound management of the fund.

**Although as Treasurer** of the CSN, I have political responsibility for the management of the PDF, it is important for you to know that regulatory and decision-making authority over this fund is shared among various bodies of the CSN. You can thus rest assured that every one of the committee's recommendations will be dealt with in accordance with the Constitution and By-laws of the CSN.

**As you have seen** from this brief overview of the committee's deliberations and recommendations, this is a substantive report that will require a variety of work now and in future. I want to take this opportunity to thank the committee members for their contributions.

**Obviously**, the current public-health crisis has had and will continue to have an impact on the pace of this work, but will in no way weaken our determination to proceed with the gradual, prudent implementation of the recommendations in the PDF rules review committee report. Some parts of this work have already been done, while others are already in progress.

**In the current state of affairs**, the CSN's 66th convention is one where we must deal with imperative issues and decide on the most pressing questions for the movement. The Pre-Convention Committee therefore decided to submit for debate the recommendation that is most central to the work on the PDF, the one concerning eligibility for strike or lockout benefits. We will be debating this recommendation shortly.



# Sisters and Brothers,

**As the centennial of our union central approaches, we have every reason to feel tremendous gratitude toward our predecessors who decided to found the PDF. The CSN's affiliates take various paths to achieve their goals, even as the circumstances under which they do so continue to change. That is why the PDF has continued to evolve over the years, why it has become active in more and more areas, and why it supports many different forms of action. None of this must change.**

**But I am firmly convinced** that the PDF must remain, first and foremost, the tool that it was forged to be—a tool for supporting workers in their struggles to improve their working conditions and in the battles that they must sometimes fight to do so. In this regard, the PDF must continue to support all CSN unions, including those that do not have the right to strike or whose right to strike is too often limited by the Québec Labour Code provisions concerning essential services or by special legislation forcing their members back to work during labour disputes.

**It is time now** for us to revise some of the PDF's rules and some of the methods used in managing it. Since the time that this fund was established, the world of work has changed considerably. When the rules for the PDF were first decided upon, workers generally held just one, full-time job; public services were very limited or non-existent; and there were not yet any provisions regarding essential services. So when unions declared strikes, they were almost always unlimited general strikes. Today, that is no longer necessarily the case. Atypical conflicts, which were once the exception, are becoming the rule. We must acknowledge this fact and adapt the PDF so that it can continue to provide the most effective support possible for the struggles that we are waging now and those that we will have to wage in future.

**All of the committee's recommendations** will let the PDF continue to evolve and to heighten its impact in a way that keeps faith with its fundamental mission. I believe that as a result of the current review exercise, we will define an even clearer vision for this fund that sets the CSN apart.

**As the CSN *Statement of Principles*** tells us, the members of the CSN share the conviction that nothing is gained without effort and that no victory can be won without putting the necessary conditions in place. The first of these conditions is solidarity: tangible, active solidarity that is constantly nurtured and enriched.

**Today we are called upon** to continue the work of the unions that founded the PDF, so that it will continue to embody solidarity as we understand it in the CSN for many years to come. We must have vision, we must enhance the PDF in various ways when possible, and we must adapt it so that it can more and more effectively address the changing realities of the world of work, the new types of labour disputes and the many struggles that unions face. And just like the union activists who came before us, we must carefully steward this fund that is our movement's very own, a precious jewel that, once we have enhanced it, will become for all of our affiliates the PDF of the CSN's second century.





# Motions concerning the PDF

Contrary to what we would have liked, we have to hold our 66<sup>th</sup> Convention under unusual limitations. Nevertheless, we will be able to deal with some critical questions and some of the most pressing issues for our movement. The Pre-Convention Committee is therefore submitting for debate the proposal at the core of the PDF Rules Review Committee's mandate, namely that pertaining to eligibility for strike or lockout benefits. Among the Committee's recommendations to the Convention, this is the one it deems to be a priority if the PDF is to support the bargaining power of CSN-affiliated unions ever more effectively.

Given the special format of this convention, we want to devote the time allotted to the PDF to a substantive discussion of the proposed changes and the questions they are likely to raise. We believe this would be more productive than attempting to draft articles of the Constitution and By-laws in a very large group on a virtual platform, which would be a daunting and tedious task.

As a first step, we therefore want the Convention to debate a motion setting out clearly and in detail the general direction that should be reflected in the amendments to the PDF Constitution and By-laws, which will be drafted later.

After this first debate, the delegates will be asked to pass a motion referring the matter to the Confederal Council and entrusting it with responsibility for deciding on the new wording of the PDF's Constitution and By-laws, in accordance with the directions adopted by the 66<sup>th</sup> Convention.

Here then is the first motion we are submitting for debate:

1 That Article 13, *Right to Benefits*, of the PDF Constitution and By-Laws be amended to:

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- a. Provide that three or more working days of strike or lockout in one week entitles a member to the weekly benefit;

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  - b. Provide that only one weekly benefit may be paid per 7-calendar-day period;

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  - c. Amend the provisions for benefits in the case of intermittent or sporadic strikes or lockouts accordingly;

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  - d. Establish that in order to be entitled to benefits, a striker must have suffered a loss of income;

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  - e. When a dispute begins, no longer consider income from other sources.
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And, in view of the above:

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- f. Abolish the provision that entitlement to benefits begins on the 8th day of a dispute;

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  - g. Eliminate the benefit payment for the week following the return to work.
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The subsequent referral motion reads as follows:

That the 66<sup>th</sup> Convention of the CSN refer to the Confederal Council the responsibility for framing the new wording of article 13 of the PDF Constitution and By-laws, based on the principles adopted by the said Convention, and for making all appropriate amendments to other articles for consistency.

**“Members of the CSN share the conviction that nothing is gained without effort, that no victory can be won without putting in place the necessary conditions. The first of these conditions is solidarity: tangible, active solidarity that is constantly nurtured and enriched.”**

**—Excerpt from the CSN’s Statement of Principles**

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