



100 ANS
1921-2021



PROFESSIONAL DEFENCE FUND

2021 EDITION

100 ANS 1921-2021

Publication **Secrétariat général-CSN**

Production **Service des communications-CSN**

Printing **Accent Impression**

Distribution **distribution@csn.qc.ca**

Legal deposit **BANQ – LAC, 2021**

BY-LAWS FOR THE CSN'S
PROFESSIONAL
DEFENCE FUND
2021 EDITION

**INCLUDING THE AMENDMENTS
MADE BY THE JANUARY 2021 CONVENTION,
WITH CHANGES FOR THE SAKE
OF INTERNAL CONSISTENCY**

*N.B.: In the event of differences in interpretation,
the French version prevails.*

TABLE OF CONTENTS

GENERAL PROVISIONS

Article 1 — Definition and purpose of the fund	7
Article 2 — Source of funds.	8
Article 3 — Forbidden use of funds.	8
Article 4 — Ownership of PDF dues	9
Article 5 — Authority of the Confederal Bureau	9
Article 6 — Responsibility of the CSN Treasurer	9
Article 7 — Banking	10
Article 8 — Financial statements	10
Article 9 — Surveillance Committee.	10
Article 10 — Definitions	10

STRIKE OR LOCKOUT BENEFITS

Article 11 — Strike call	12
Article 12 — Executive Committee authorization	12
Article 13 — Right to benefits	12
Article 14 — Eligibility for benefits after a strike ends.	14
Article 15 — Partial strikes	15
Article 16 — Formalities and conditions.	15
Article 17 — Late claims	16
Article 18 — Amount of benefits.	17
Article 19 — By-laws on participation.	17
Article 20 — Method of paying benefits	18
Article 21 — Undelivered cheques	18
Article 22 — No supplementary benefits	18
Article 23 — Allowances to unions for strike expenses	19
Article 24 — Payment of the per capita to the CSN in the event of a strike	21

BENEFITS IN THE EVENT OF DISMISSAL, SUSPENSION OR REPRISALS FOR UNION ACTIVITY

Article 25 — Executive Committee authorization	22
Article 26 — Conditions and formalities.	22
Article 27 — Amount of benefits.	23
Article 28 — Repayment of benefits	24

LEGAL COSTS

Article 29	25
-----------------------------	-----------

EXTRAORDINARY EXPENSES

Article 30	26
-----------------------------	-----------

ADVERTISING

Article 31	27
-----------------------------	-----------

**SPECIAL ASSISTANCE FOR THE PUBLIC AND
PARAPUBLIC SECTOR**

Article 32	28
-----------------------------	-----------

AMENDMENTS TO THE BY-LAWS

Article 33	29
-----------------------------	-----------

MISCELLANEOUS INFORMATION

Strike vote	30
-----------------------	-----------

Rate of per capita to the PDF	32
---	-----------

Date of the end of a dispute in the event of bankruptcy	33
--	-----------

Amount of strike and lockout benefits	33
---	-----------

Adjustment of benefits in the event of a surplus in the fund	33
---	-----------

Model of By-laws suggested to unions concerning members' participation in strike or lockout activities .	34
---	-----------

Amount of allowances to unions for strike expenses . .	36
--	-----------

Collective support for unions in the event of an establishment's closing or bankruptcy	36
---	-----------

Amount of benefits in the event of dismissal, suspension or reprisals for union activity	38
---	-----------

Benefits in the event of dismissal or suspension for union activity in connection with a petition under section 45 of the labour code	38
---	-----------

Preventive advertising	39
----------------------------------	-----------

Special assistance for the public and parapublic sector	40
---	-----------

CSN OFFICES	42
--------------------	-----------

GENERAL PROVISIONS

ARTICLE 1 – DEFINITION AND PURPOSE OF THE FUND

1.01 The CSN's Professional Defence Fund is a unique special fund created for the following purposes:

- a) to come to the aid of workers and their union organization affiliated with the CSN when they face difficulties as a result of a strike or lockout;
- b) to financially assist workers who belong to a union affiliated with the CSN or are in the process of being organized by the CSN, and who are dismissed or suspended for union activities related to:
 - organizing,
 - consolidation,
 - a strike or lockout,
 - pressure tactics decided by the union;or who are, as a result of performing their union duties, subjected to disciplinary measures resulting in lower pay for them;

- c) to assume financial responsibility for fees and expenses arising from legal proceedings taken in connection with strikes or lockouts, as well as legal action resulting from dismissals or suspensions for union activities as described above;
- d) to assist union organizations of workers affiliated with the CSN or in the process of being organized by the CSN that are confronted with exceptional labour problems whose implications are of general interest.

ARTICLE 2 – SOURCE OF FUNDS

2.01 The fund is constituted by a special per capita tax, the amount of which is set by the CSN Convention, and by special assessments, donations and contributions.

2.02 For all dues collected from members and all equivalent contributions paid by employees under the terms of a special union security system, each affiliated union pays a specific per capita for the PDF directly to the CSN.

2.03 The PDF per capita is paid to the CSN Treasurer at the same time as the CSN per capita.

2.04 The PDF per capita is reduced by 50% for unions that do not have the right to strike.

ARTICLE 3 – FORBIDDEN USE OF FUNDS

3.01 The PDF may not be used for any loan, endorsement, guarantee or other such commitment.

3.02 No amount may be transferred from the PDF to any other fund whatsoever, except for amounts budgeted when the Operating and PDF budgets are adopted. No PDF monies may be used for any other purpose than those provided for in these By-laws.

3.03 No portion of the per capita intended for the PDF may be used for any purpose whatsoever prior to being deposited in the PDF fund.

ARTICLE 4 – OWNERSHIP OF PDF DUES

All amounts paid into the PDF are the exclusive, full and entire property of the CSN, which must use them in accordance with these By-laws.

ARTICLE 5 – AUTHORITY OF THE CONFEDERAL BUREAU

5.01 The fund is placed under the authority of the Confederal Bureau of the CSN.

5.02 Providing aid and assistance to members of unions affiliated with the CSN and to organizations affiliated with the CSN is the responsibility of the Confederal Bureau, in accordance with these By-laws.

5.03 The Confederal Bureau has the authority to decide on the controls to be used in the distribution of benefits.

ARTICLE 6 – RESPONSIBILITY OF THE CSN TREASURER

6.01 The Treasurer of the CSN is responsible for the collection of PDF dues and for authorized payments.

6.02 The Treasurer of the CSN may not pay out any sum of money from the PDF without the authorization of the Confederal Bureau or its authorized representatives.

ARTICLE 7 – BANKING

7.01 The funds are deposited in a PDF account at a caisse populaire or a credit union.

7.02 All payments must be made by cheque, co-signed by the President or one of the Vice-Presidents and the Treasurer of the CSN.

7.03 All PDF benefits are paid by cheque made out to each eligible person.

ARTICLE 8 – FINANCIAL STATEMENTS

8.01 The Confederal Bureau must give status reports on the fund to the Convention and the Confederal Council.

8.02 It must present the Convention with a debt repayment plan, if need be.

8.03 The PDF's financial report must be audited at the same time as the CSN's books.

ARTICLE 9 – SURVEILLANCE COMMITTEE

9.01 The Surveillance Committee provided for in Article 60 of the CSN's Constitution and By-laws oversees the administration and application of the PDF's By-laws.

9.02 This Committee reports periodically to the Confederal Bureau.

9.03 It must also make recommendations to regular Confederal Councils and report to the Convention.

ARTICLE 10 – DEFINITIONS

10.01 For the purpose of these By-laws, unless the context dictates a different interpretation, the following terms mean:

- a) week: period of seven working or non-working days during a given dispute, beginning with the first day of the strike;
- b) striker: a member of a union affiliated with the CSN who is deprived of his or her regular work and has experienced a loss of income because of a strike or lockout and who participates regularly in the union's activities during such a strike or lockout in accordance with the By-laws on participation adopted under Article 19.

STRIKE OR LOCKOUT BENEFITS

ARTICLE 11 – STRIKE CALL

A union is the sole authority for deciding, by secret ballot, to call a strike.

ARTICLE 12 – EXECUTIVE COMMITTEE AUTHORIZATION

It is up to the CSN Executive Committee to decide whether the CSN supports an affiliated organization that asks for assistance in a dispute. The decision may be appealed to the Confederal Bureau and Confederal Council.

ARTICLE 13 – RIGHT TO BENEFITS

13.01 The right to weekly strike or lockout benefits is acquired for each week of a dispute in which at least three days of strike are held.

13.02 For the purpose of this article, the days of strike or lockout may or may not be consecutive in a given dispute.

13.03 In the case of intermittent or sporadic strikes or lockouts, five accumulated days of loss of work in a given dispute are equal to seven days of strike or lockout, for the purpose of this article.

13.04 To be entitled to weekly strike or lockout benefits, strikers must have experienced a loss of income as a result of the dispute.

13.05 Benefits are payable within six days of each of the above-mentioned periods.

13.06 If retroactive payments are received from the Employment Insurance Commission or health or accident insurance, strikers must repay the amounts received from the PDF in accordance with Article 13.07. The union will co-operate with the CSN to recover these sums.

13.07 Strikers who receive employment insurance benefits, health or accident insurance benefits or employment income giving them a net weekly income equal to or greater than the PDF benefits are not entitled to these benefits.

13.08 Notwithstanding Article 13.07, employment income from another source or retirement income already received by a striker at the start of the strike or lockout does not affect entitlement to benefits.

13.09 In the case of collective activities organized by the union to improve PDF benefits, the Executive Committee may authorize PDF benefits to be kept at their regular level. It must then so inform the Confederal Bureau.

ARTICLE 14 – ELIGIBILITY FOR BENEFITS AFTER A STRIKE ENDS

When a strike or lockout ends, workers registered under these By-laws who are not called back to work are entitled to benefits until the first of the following events occurs:

a) their return to work:

However, in the case of part-time workers who had a regular schedule when the dispute began, the return to work means a return to their regular schedule;

b) a period for which they are entitled to employment insurance, workers' compensation or insurance benefits;

c) the end of the fourth week following the end of the strike or lockout;

d) following a labour dispute that leaves strikers ineligible for employment insurance benefits, strikers who are not called back to work are entitled to four weeks of benefits after the return to work;

However, benefits may be paid to workers who are not called back to work at the end of a dispute who would normally be entitled to employment insurance benefits but are denied them solely because the company has only resumed partial operations. Payment of PDF benefits stops as soon as the worker is called back to work or would no longer be eligible for employment insurance benefits.

ARTICLE 15 – PARTIAL STRIKES

In the event of partial or rotating strikes in which only part of the bargaining unit is affected, the CSN Executive Committee determines the units used to calculate eligibility and payment of benefits on a striker/week basis, it being understood that each period of five working days for the group concerned constitutes a week.

ARTICLE 16 – FORMALITIES AND CONDITIONS

16.01 To be eligible for benefits, except in circumstances that the CSN Executive Committee deems unusual, the union must meet the following requirements:

- a) be in good standing with the CSN in accordance with Article 56.05, unless an agreement for the reimbursement of these dues and per capita is reached between the parties in accordance with Article 59.04 of the CSN's Constitution and By-laws;
- b) work with the union staff representative for mobilization who will be responsible for advising the union in its struggle;
- c) the staff representative must attend the meeting at which the strike vote is taken and explain the PDF's By-laws before the strike vote is held;
- d) send the CSN a copy of its By-laws on participation in strike or lockout activities, as adopted by the general meeting in accordance with Article 19, i.e., a certified excerpt of the minutes.

Individual forms

16.02 As soon as a strike or lockout begins, the union fills out one form per member, using the form prescribed by the CSN Executive Committee. This form must be signed by the member. Refusing to sign the form amounts to renouncing one's right to individual benefits from the PDF. A striker must sign the form each time he or she receives benefits.

Individual forms and lists

16.03 The union sends the CSN Treasurer:

- a) a copy of registered members' individual forms, duly filled out;
- b) the list of dues-paying members for the last three months of per capita paid to the CSN; for seasonal businesses, the list may cover more than three months.

16.04 The union sends additions, deletions and corrections to the CSN Treasurer weekly.

Individual forms turned in

16.05 Four weeks after the end of a strike or lockout, the union turns in all strikers' forms to the CSN Treasurer.

ARTICLE 17 – LATE CLAIMS

17.01 No claim to the PDF may be accepted if submitted more than eight weeks after the strike or lockout has ended, except for claims related to employment insurance, workers' compensation or insurance benefits.

ARTICLE 18 – AMOUNT OF BENEFITS

18.01 The amount of benefits is set by the Convention.

18.02 If the PDF's revenue is insufficient, the Confederal Council has the right to reduce benefits.

The Confederal Council may also restore benefits to the level voted by the Convention.

In both cases, the Confederal Council's decision requires a two-thirds majority.

ARTICLE 19 – BY-LAWS ON PARTICIPATION

19.01 The general meeting of the union must adopt By-laws governing members' participation in strike or lockout activities. Such By-laws must include the following Articles 1 to 8:

- 1- All members must register on the form provided for this purpose within seven days of the start of a strike.
- 2- All members must sign up for a picketing team or strike committee.
- 3- Each member is required to picket according to the schedule established by the committee in charge and/or participate in committee work, as the case may be.
- 4- All members are required to attend weekly information meetings.
- 5- The union will see to organizing union education sessions, which members are required to attend. Such education sessions replace picket duty for that day.
- 6- A member who refuses to abide by the By-laws on participation is not entitled to receive PDF strike benefits.

- 7- Each union member must receive a copy of these By-laws in writing.
- 8- Consumption of alcohol or drugs on the picket line or union premises will not be tolerated.

However, the union's general meeting may add any other provisions that it deems useful.

The general meeting must see that members are informed of the PDF's By-laws and the By-laws on participation in strike or lockout activities.

19.02 The union must send a copy of the By-laws to the CSN Executive Committee, which verifies that they are in compliance.

When necessary, the CSN Executive Committee may step in and require remedial measures if the participation of a union's members in a strike or lockout is deemed to be insufficient.

ARTICLE 20 – METHOD OF PAYING BENEFITS

20.01 Benefits are paid by individual cheque delivered to each striker by a representative of the CSN or, exceptionally, sent by mail.

20.02 In the cases described in Article 15, the CSN Executive Committee may agree on another method of payment.

ARTICLE 21 – UNDELIVERED CHEQUES

Three days after benefits are distributed, the union returns cheques that have not been delivered to strikers to the CSN Treasurer.

ARTICLE 22 – NO SUPPLEMENTARY BENEFITS

If supplementary benefits become necessary, it is not up to the PDF to provide them. The PDF does not pay any benefits beyond the stipulated rates.

ARTICLE 23 – ALLOWANCES TO UNIONS FOR STRIKE EXPENSES

23.01 Allowances are paid to unions upon presentation of a budget for strike expenses (rental of rooms, strike trailers, canteens, and including expenses for patrols, gasoline, etc.) that have received prior authorization from the CSN Executive Committee or its authorized representative, and upon presentation of reports on strike activities.

Collective support can be extended and the amounts adjusted for a period of not more than four weeks after the end of a strike or lockout, if there are workers who are not called back to work at the end of a dispute who would normally qualify for employment insurance benefits but who are denied them solely because the company has only resumed partial operations.

This collective support also applies to unions forced back to work as a result of proceedings that restrict their right to strike.

A union is entitled to an amount equal to one week's allowance to do an assessment of its strike.

These payments are not automatic. They must be approved upon presentation of a plan of union activities.

23.02 The amount of the allowances is determined by the Convention.

23.03 Allowances are increased on the same basis as individual benefits.

23.04 This concept of collective financial support is in addition to that of the minimum individual financial support constituted by benefits for strikers.

23.05 A part of a week consisting of three or more working days is considered to be a week. The allowance for the union begins the first week of the strike.

23.06 This collective support applies in the case of an establishment that closes or goes bankrupt, in accordance with the rules and regulations adopted by the Confederal Bureau and starting on the date set by the latter.

23.07 For the purpose of applying this article, the membership of the union or the bargaining unit involved in the dispute, as the case may be, is calculated on the basis of the number of persons paying dues in the last month paid before the strike or lockout.

23.08 The CSN's auditor has access to the union's books to vouch that the allowances are actually used for strike expenses.

ARTICLE 24 – PAYMENT OF THE PER CAPITA TO THE CSN IN THE EVENT OF A STRIKE

24.01 In the event of a strike, including a rotating or partial strike, unions must pay their per capita on the basis of the dues collected, if any, during and after such a strike.

24.02 After the return to work, unions must pay the per capita on the basis of the dues collected.

BENEFITS IN THE EVENT OF DISMISSAL, SUSPENSION OR REPRISALS FOR UNION ACTIVITY

ARTICLE 25 – EXECUTIVE COMMITTEE AUTHORIZATION

25.01 No financial assistance for workers who are dismissed, suspended or subjected to reprisals for union activities related to organizing or consolidating a union or union local or to a strike, pressure tactics or lockout can be paid without the authorization of the CSN Executive Committee. This decision may be appealed to the Confederal Bureau and Confederal Council.

25.02 The CSN Executive Committee's authorization is only valid for a maximum of ten weeks and may be renewed for periods of no more than five weeks.

ARTICLE 26 – CONDITIONS AND FORMALITIES

26.01 The request for assistance must be accompanied by the complaint to the Ministry of Labour for dismissal, suspension or reprisals for union activities or the grievance contesting the dismissal or suspension.

26.02 If an employee is not covered by the Québec Labour Code, the Executive Committee decides whether it is a case of dismissal, suspension or reprisals for union activity and decides whether benefits can be paid.

26.03 The Executive Committee of the CSN cannot authorize payment of PDF benefits once the person who is dismissed or suspended receives employment insurance, salary insurance, workers' compensation or income security benefits, unless the amount received is less than PDF benefits.

In the case of retroactive payment of employment insurance, salary insurance, workers' compensation or income security benefits, the person dismissed, suspended or subjected to reprisals must repay the amounts received from the PDF.

26.04 The Executive Committee of the CSN cannot authorize payment of PDF benefits once a person who is dismissed, suspended or subjected reprisals receives, as an employee, a weekly income equal to or greater than PDF benefits.

26.05 If a person who is dismissed, suspended or subjected to reprisals had more than one job, he or she is not entitled to benefits if the other job pays him or her an amount equal to the benefits.

ARTICLE 27 – AMOUNT OF BENEFITS

27.01 The amount of benefits is set by the Convention.

27.02 If the PDF fund's revenue is insufficient, the Confederal Council has the right to reduce benefits.

The Confederal Council may also re-establish benefits to the level voted by the Convention.

In both cases, the Confederal Council's decision requires a two-thirds majority.

ARTICLE 28 – REPAYMENT OF BENEFITS

28.01 A worker who benefits from such assistance must sign an acknowledgment of debt for each sum of money received.

28.02 In the event that an employee who is dismissed, suspended or subjected to reprisals recovers some or all of his or her pay for the said weeks as a result of a decision rendered by a labour commissioner, a court judgment, an arbitration award or an agreement with the employer, this acknowledgment of debt is valid for the portion of pay recovered. The union will co-operate with the CSN to recover these sums.

LEGAL COSTS

ARTICLE 29

The PDF assumes fees and expenses arising from legal proceedings taken in connection with strikes, collective pressure tactics or lockouts, as well as legal proceedings resulting from dismissals, suspensions or reprisals for union activities, providing that they are authorized by the Executive Committee of the CSN, with the right to appeal to the Confederal Bureau and the Confederal Council.

EXTRAORDINARY EXPENSES

ARTICLE 30

30.01 In the case of union organizations whose members are legally denied the right to strike, or organizations confronted with labour problems whose implications are of general interest, the CSN Treasurer may, at the recommendation of the Confederal Bureau, reimburse the extraordinary costs incurred by these organizations as a result of the particular situation in which they find themselves.

30.02 Before assuming such costs, the Confederal Bureau must inquire into the financial situation of the petitioning organizations, given their needs.

ADVERTISING

ARTICLE 31

31.01 A special fund for preventive and strike advertising is created within the PDF, under the responsibility of the Confederal Bureau.

31.02 The amount set aside for this purpose is decided by the Convention.

SPECIAL ASSISTANCE FOR THE PUBLIC AND PARAPUBLIC SECTOR

ARTICLE 32

32.01 In addition to the special fund for preventive advertising, an amount is made available to the public and parapublic sector (sector in which collective bargaining is conducted on a province-wide basis) for the purpose of special assistance to unions during province-wide negotiations.

This amount is decided by the Convention.

32.02 Expenses incurred by the Comité de co-ordination dans le secteur public et parapublic (Public and parapublic sector co-ordinating committee) come under the PDF's control and out of its budget for the portion of expenses used solely for inter-federation work.

32.03 Terms and conditions for the application of this article are regulated by the Confederal Bureau.

32.04 The Confederal Council or, in an emergency, the Confederal Bureau, has the power to reduce the amounts if the PDF's revenue is insufficient.

32.05 It is understood that the unions in this sector have the same rights as unions in the private sector with respect to all PDF strike and other benefits.

AMENDMENTS TO THE BY-LAWS

ARTICLE 33

33.01 This Constitution and By-laws can only be amended by a majority vote of the Convention, or by the Confederal Council when the Convention refers this responsibility to it. With respect to reducing or restoring benefits, the Confederal Council has the powers provided for in Articles 18 and 27.

33.02 The text of any proposed amendment must be sent to the General Secretary of the CSN at least two months before the opening date of the Convention.

33.03 The General Secretary must send a copy of amendments to all affiliated organizations at least 30 days before the opening date of the Convention. However, if in the interests of the CSN it is urgent to amend the Constitution and By-laws without it being possible to abide by the above-mentioned procedure, the Convention may make amendments with a two-thirds majority.

MISCELLANEOUS INFORMATION

STRIKE VOTE

Recommendation to unions on the procedures to be followed in taking a strike vote, adopted by the February 1971 Confederal Council of the CSN and amended by the June 1996 Confederal Council

When a union has begun negotiations to renew its collective agreement and thinks that there may be a dispute, it must follow certain rules concerning:

- calling a general meeting;
- the general meeting;
- the staff representative for mobilization;
- the vote;
- the majority.

Calling the general meeting

A general meeting at which a report on negotiations is to be given with the possibility of a strike vote must be called several days in advance, so as to permit the workers concerned to attend.

The meeting should be called by a convening committee that uses mail, posters in the workplace, telephone calls and the media to announce the date, place, time and purpose of the meeting. No efforts should be spared to make sure that the meeting is really representative of the members concerned.

The general meeting

An accurate report on negotiations under way must be given by the negotiator, outlining the gains made and implications of a refusal of the workers' demands. This must be done as objectively as possible. After the report on negotiations, there should be a question period to allow those present to understand what remains to be negotiated and form a clear and precise idea of the merits of the employer's latest offer.

If there is a recommendation from the Executive Committee, it must be made objectively, too.

The union staff representative for mobilization

The staff representative must speak to the meeting before a vote is taken on rejecting or accepting the employer's latest offer.

He or she informs the members present about the By-laws of the Professional Defence Fund, citing the text as necessary.

He or she explains what a strike means. He or she refrains from making any promise that he or she will not be able to keep concerning the duration of the strike or how easy it might be to overcome financial problems. This done, he or she answers members' questions.

The vote

This vote must be taken by secret ballot. This is mandatory in order to allow workers to express themselves freely and in all confidence.

The person presiding the vote is elected by the meeting, and chooses a certain number of scrutineers from among those in attendance accepted by the meeting. The president for the vote then has the meeting choose a secretary for the vote, whose role is to identify each person who takes a ballot, using the union membership list. The secretary sees to it that one or more voting booths are set up so that voters can mark their ballots in secret.

He or she explains the ballot, what accepting or rejecting the employer's offer means.

He or she gives explanations using a bulletin board, if possible.

The voting begins. Each member identifies himself or herself to the secretary of the vote and receives a ballot. The member goes to the voting booth, votes and deposits the ballot in the ballot box, in sight of the scrutineers. As soon as the president for the vote announces that the voting has ended, the scrutineers count the ballots in front of the meeting. The results are handed to the president, who announces them to the meeting.

It is understood that if the meeting takes place in two parts for workers on the day and night shifts, the results of the first part are transmitted to the second.

The majority

A majority for or against a strike means an absolute majority of members present at the meeting, unless the union's constitution provides otherwise.

RATE OF PER CAPITA TO THE PDF

(For the application of Article 2.01)

As of March 1, 1996, the rate of the per capita for the Professional Defence Fund is 0.225% of the average regular monthly pay of those paying dues to the union. *(Minutes of the June 1996 Confederal Council — page 19, which disposed of the resolutions referred by the 58th Convention of the CSN)*

**DATE OF THE END OF A DISPUTE
IN THE EVENT OF BANKRUPTCY***(For the application of Article 14)*

For the application of Article 14, the date of bankruptcy is deemed to be the date on which a strike or lockout ends.

Depending on the case, the date of bankruptcy is either:

- the date on which the assignment in bankruptcy is filed with the official receiver;
- the date on which a court accepts the bankruptcy, further to a creditor's petition;
- the date of the creditors' meeting refusing a proposed arrangement with creditors, following the announcement of such a proposal;
- the date of sale, if the trustee in bankruptcy has continued operations while waiting to proceed with a sale.

If the trustee in bankruptcy continues operations, the certification is temporarily maintained, so it is probable that the parties have already agreed to end the dispute to allow for the temporary continuation of operations. (*Confederal Bureau, September 8 and 9, 1994*)

AMOUNT OF STRIKE AND LOCKOUT BENEFITS*(For the application of Article 18.01)*

The weekly benefits are :

- \$300, as of January 25, 2021;
- \$325, after 3 months of the given dispute;
- \$350, after 4 months of the given dispute;
- \$375, after 5 months of the given dispute;
- \$400, after 6 months of the given dispute.

ADJUSTMENT OF BENEFITS IN THE EVENT OF A SURPLUS IN THE FUND

If there is a surplus in the Professional Defence Fund budget when the financial statements for the first twelve months of the budget period are tabled, the Confederal Council examines whether it is appropriate to use the surplus as follows:

- 50% allocated to the reserve fund;
- 50% allocated to increasing strike benefits, prorated to each level of benefits.

(Confederal Council, October 4 – 5, 1994, to which the May 1994 Convention referred all resolutions left in abeyance)

MODEL OF BY-LAWS SUGGESTED TO UNIONS CONCERNING MEMBERS' PARTICIPATION IN STRIKE OR LOCKOUT ACTIVITIES

(For the application of Articles 16 and 19)

N.B.: Articles 1 to 8 are mandatory, and a union may add other regulations as needed.

Whereas the decision to go on strike is a collective decision;

And whereas solidarity and the unity of all members is a necessity;

And whereas all members of the union are directed affected and have an interest in the reasons giving rise to a dispute;

And whereas our participation must be based on justice and fairness;

And whereas unions have an obligation to act in accordance with the pdf's By-laws adopted by the general conventions of the csu;

IT IS MOVED BY: ...

AND SECONDED BY: ...

AND RESOLVED that the general meeting of our union [name] adopt the following By-laws on strike participation:

1. All members must register on the form provided for this purpose within seven days of the start of a strike.
2. All members must sign up for a picketing team or strike committee.
3. Each member is required to picket according to the schedule established by the committee in charge and/or participate in committee work, as the case may be.
4. All members are required to attend weekly information meetings.
5. The union will see to organizing union education sessions, which members are required to attend. Such education sessions replace picket duty for that day.
6. A member who refuses to abide by the By-laws on participation is not entitled to receive PDF strike benefits.
7. Each member must receive a copy of these By-laws in writing.
8. Consumption of alcohol or drugs on the picket line or union premises will not be tolerated.

N.B.: The union must send a copy of its By-laws to the PDF Administration, 1601, avenue De Lorimier, Montréal H2K 4M5, in order to be entitled to benefits. (Articles 16 and 19)

AMOUNT OF ALLOWANCES TO UNIONS FOR STRIKE EXPENSES

(For the application of Article 23.02)

As of May 19, 2008, weekly allowances for strike expenses are as follows:

- 25 or fewer members: \$200;
- 26 to 50 members: \$400;
- 51 to 250 members: \$400 + \$4 per member from the 51st to the 250th member;
- 251 to 500 members: \$1,200 + \$3 per member from the 251st to the 500th member;
- 501 or more members: \$1,950 per week + \$2 per member as of the 501st member.

COLLECTIVE SUPPORT FOR UNIONS IN THE EVENT OF AN ESTABLISHMENT'S CLOSING OR BANKRUPTCY

(For the application of Article 23.06)

Purpose

The purpose of this regulation is to help the union concerned prevent a total closing that is announced as definite and final and to assist the union in defending the rights of union members affected by the closing or bankruptcy of an establishment with a view to maintaining their right to work (retraining, reclassification committee, etc.).

Eligibility

Unions are eligible as soon as a total closing or bankruptcy is announced, and until the authorized amounts of assistance are exhausted, or prior to that if the collective struggle against the closing or bankruptcy ceases.

In the days following notice from the union to the CSN, before collective support is granted, an assessment is made of the measures to be taken to oppose the announced closing and defend union members' rights. This assessment involves representatives of the relevant general services, the

federation concerned and the union staff representative assigned to the case, if applicable, as well as the executive committee of the union or its representatives, with the participation of a representative of the central council concerned.

A copy of the report assessing the measures to be taken is sent to the Treasurer who's in charge of the PDF, who authorizes the CSN's support to the union concerned within the framework of this regulation.

Maximum campaign costs

Since May 29, 1994, the maximum overall allowances have been:

- for a union with 50 or fewer members: \$4,130;
- for a union with between 51 and 250 members: \$4,130 + \$88 per member from the 51st to the 250th member;

for a union with more than 250 members:

\$21,730 + \$35 per member as of the 251st member. Use of allowances

The amount of the allowance and the frequency with which it is paid to the union are decided upon presentation of a detailed budget describing the steps in the campaign, which has been previously authorized by the CSN Executive Committee or its authorized representative; the allowances are paid upon presentation of vouchers and must only be used for these purposes.

Control

For the purpose of applying this regulation, the union membership or number of members in the bargaining unit concerned, as the case may be, is calculated on the basis of the number of persons paying dues in the last month paid before the closing or bankruptcy is announced.

Articles 23.03 and 23.08 of the PDF apply to this regulation.

(Minutes of the 1978 Convention, page 351, of the September 1978 Confederal Bureau, page 4, and the 1990, 1992 and 1994 Conventions)

AMOUNT OF BENEFITS IN THE EVENT OF DISMISSAL, SUSPENSION OR REPRISALS FOR UNION ACTIVITY

(For the application of Article 27.01)

The weekly benefits for persons who are suspended, dismissed or subjected to reprisals for union activity are \$300, as of January 25, 2021.

BENEFITS IN THE EVENT OF DISMISSAL OR SUSPENSION FOR UNION ACTIVITY IN CONNECTION WITH A PETITION UNDER SECTION 45 OF THE LABOUR CODE

When all the activities covered by the bargaining unit are turned over to a third party and there is a union struggle to avoid the elimination of the certification, on the grounds that it was originally obtained from the owner of the undertaking, and that consequently a petition to this effect has been filed under Section 45 of the Labour Code:

- when this struggle gives rise to dismissals or suspensions for union activity;
- when complaints against the dismissals or suspensions are filed under Section 15 of the Labour Code;
- when the other provisions that apply in the case of union organizing are complied with;

benefits for dismissal or suspension for union activity may be paid;

These benefits cease if the petition under Section 45 of the Labour Code is rejected. If the petition is allowed, benefits may continue to be paid until a decision is rendered on the complaints filed under Section 15 of the Labour Code. *(Confederal Bureau, September 8-9, 1994)*

PREVENTIVE ADVERTISING

(For the application of Article 31)

*Method of operation approved by the October 9, 1980
Confederal Bureau*

Requests for funds (budgets) from the PDF for preventive advertising must include the following information and be submitted in writing to the authorized representative of the Executive Committee (the member of the Executive Committee responsible for the case):

- a) the name of union and date the collective agreement expires;
- b) the advertising, public relations or information plan:
 1. goals;
 2. type of publicity (leaflet, newspaper, pamphlet, radio, TV, press, etc.);
 3. a summary of content;
 4. who the information targets (members, general public);
 5. scope of interest (local, regional, general);
- c) a detailed budget of estimated costs;
- d) written authorization from the federation for the plan and budget;
- e) indication as to the participation, if any, of the Information Department.

A copy of the request and plan must be sent to the federation concerned.

If the plan is authorized, it is essential to submit original invoices or vouchers for reimbursement;

From time to time, the CSN gives the federations a progress report on spending on preventive advertising (copy of general ledger or other);

The federations designate a member of the Executive Committee, a co-ordinator or department head to authorize requests with a view to ensuring:

- better co-ordination;
- better information about requests;
- better control over compilation of expenses.

SPECIAL ASSISTANCE FOR THE PUBLIC AND PARAPUBLIC SECTOR

(For the application of Article 32)

The budget provides an amount for support public-sector collective bargaining, including an amount for preventive advertising as defined in Article 31.

This amount must be used in keeping with the role of the PDF (Article 1), but does not deprive the unions in the sectors concerned of all PDF rights and benefits as they exist for all other unions.

This amount must not be used for the functioning of political decision-making bodies (general meetings of unions, Federal Bureau or Federal Council).

**ABITIBI – TÉMISCAMINGUE-
NORD-DU-QUÉBEC****VAL-D'OR
(SIÈGE SOCIAL)**

609, avenue Centrale
Val-d'Or J9P 1P9
819 825-6137

ROUYN-NORANDA

243, avenue Murdoch
Rouyn-Noranda J9X 1E8
819 917-3537

BAS-SAINT-LAURENT

24, rue Sainte-Marie
Rimouski G5L 4E3
418 723-7811

CŒUR DU QUÉBEC**TROIS-RIVIÈRES
(SIÈGE SOCIAL)**

550, rue Saint-Georges
Trois-Rivières G9A 2K8
819 378-5419

DRUMMONDVILLE

101-455, boul. Saint-Joseph
Drummondville J2C 7B5
819 478-8158

SHAWINIGAN

101-550, rue Broadway
Shawinigan G9N 1M3
819 536-4433

CÔTE-NORD**SECTEUR OUEST
(SIÈGE SOCIAL)**

999, rue Comtois
Baie-Comeau G5C 2A5
418 589-2069

SECTEUR EST

512, rue Brochu
Sept-Îles G4R 2X3
418 962-5571

ESTRIE

180, côte de l'Acadie
Sherbrooke J1H 2T3
819 563-6515

GASPÉSIE –**ÎLES-DE-LA-MADELEINE****CHANDLER
(SIÈGE SOCIAL)**

173, rue Commerciale O.
Chandler G0C 1K0
418 689-2294

ÎLES-DE-LA-MADELEINE

305-330, chemin Principal
Cap-aux-Meules G4T 1C9
418 986-5880

LANAUDIÈRE**JOLIETTE
(SIÈGE SOCIAL)**

190, rue Montcalm
Joliette J6E 5G4
450 759-0762

TERREBONNE

3471, boul. de la Pinière
Terrebonne J6X 0A1
450 759-0762

LAURENTIDES

289, rue de Villemure, 2^e étage
Saint-Jérôme J7Z 5J5
450 438-4196

MONTÉRÉGIE**RIVE-SUD
(SIÈGE SOCIAL)**

7900, boul. Taschereau O.
Édifice E, bur. 100
Brossard J4X 1C2
450 466-7036

GRANBY

105-90, rue Robinson S.
Granby J2G 7L4
450 372-6830

SAINT-HYACINTHE

201-2000, rue Girouard O.
Saint-Hyacinthe J2S 3A6
450 261-1261

SOREL-TRACY

815, route Marie-Victorin
Sorel-Tracy J3R 1L1
450 743-5503

SUROÎT

350, boul. Mgr Langlois
Salaberry-de-Valleyfield
J6S 0A6
450 371-5555

MONTRÉAL**MÉTROPOLITAIN**

1601, avenue De Lorimier
Montréal H2K 4M5
514 598-2021

OUTAOUAIS

408, rue Main
Gatineau J8P 5K9
819 643-1325

QUÉBEC – CHAUDIÈRE-**APPALACHES**

200-155, boul. Charest E.
Québec G1K 3G6
418 647-5700

SAGUENAY –**LAC-SAINT-JEAN**

73, rue Arthur-Hamel
Saguenay G7H 3M9
418 549-9320



DAYCARES AND CPES: SAME STRUGGLE – In 1994, workers at daycare centres (which later became the CPes) launched a series of indefinite general strikes in response to their treatment at the hands of Daniel Johnson's Liberal government. Stuck in the 1950s, the government defended its refusal to improve working conditions on the grounds that childcare is a "vocation." The photo shows striking Montréal childcare workers in front of the Office des services de garde.



100 ANS
1921-2021