

**BYLAW NO 2 RESPECTING THE PROCEDURE FOR ELECTING MEMBERS OF THE  
MUHC CENTRAL USERS' COMMITTEE**

**June 2022 Update – Must be ratified in fall 2022 by MUHC CUC following formation of new committee**

**SECTION ONE**

**GENERAL PROVISIONS**

1. **Object:** The object of this bylaw is to confirm the procedure for the election of members of the MUHC Central Users' Committee (hereinafter MUHC CUC).
  
2. **Definitions:** Terms that may be applicable in the course of the MUHC CUC's activities are defined below:
  - 2.1. **The Act respecting health services and social services or The Act:** the Government of Quebec law regulated by the Ministry of Health and Social Services (MSSS) governing services and setting out rules and regulations for establishments, as well as for certain stakeholders (<https://www.legisquebec.gouv.qc.ca/en/document/cs/S-4.2/20060401>, The Act, chapter S-4.2);
  
  - 2.2. **McGill University Health Centre or MUHC:** an academic health centre, affiliated with McGill University's Faculty of Medicine and Health Sciences and comprising one pediatric hospital, five adult hospitals and one long-term-care centre (CHSLD). Exemplary patient care, research and education, as well as equity, diversity and inclusion, are organizational priorities;
    - 2.2.1. Pediatric Hospital: Montreal Children's Hospital (MCH);
    - 2.2.2. Adult Hospitals: Royal Victoria Hospital (RVH), Montreal Chest Institute (MCI), Montreal General Hospital (MGH), Montreal Neurological Hospital (MNH), and Lachine Hospital (LH);
    - 2.2.3. Long-Term-Care Centre or CHSLD: Camille-Lefebvre Pavilion, including the special care unit for long-term ventilated residents;
  
  - 2.3. **Board of Directors of the MUHC:** the Board administers the institution and exercises all powers. Its composition is as follows: 10 independent members appointed by the MSSS; 2 members appointed by McGill; 6 designated members (1 per the Regional Department of General Medicine, the Council of Physicians, Dentists and Pharmacists, the Regional Committee for Pharmaceutical Services, the Council of Nurses, the Multidisciplinary Council and the MUHC CUC); 1 ex officio (the president and executive director of the MUHC); and 2 observers (1 for foundations of the MUHC and 1 for Girls on Boards). Although the MUHC CUC has considerable latitude because of its functional autonomy, it is accountable for its actions to the users it represents and answers to the Board by virtue of its being a committee of the MUHC. Therefore, its autonomy is not absolute. The Board has a number of responsibilities in this regard and must ensure the relevance, quality, safety, and effectiveness of the services provided; the respect for users' rights and efficient handling of their complaints; and the wise and efficient use of human, material, and financial resources;
  
  - 2.4. **MUHC President and Executive Director:** the president and executive director is responsible for the administration and operation of any institution that the Board administers, and for the management of its activities and resources. The president and executive director of the MUHC supports the efficient operation of the MUHC CUC and informs each user in writing (e.g., through signage) of the existence of the committee. To promote the proper functioning of the committee, the president and executive director assures the communication of the committee's existence and fosters an attitude of openness, collaboration, and transparency on the part of all the institution's bodies and facilities;

- 2.5. **Management Liaison to the MUHC CUC:** the president and executive director of the MUHC designates a management liaison to support the MUHC CUC. The management liaison serves as a communication link to the president and executive director and the institution's directorates, attends MUHC CUC meetings at the invitation of the MUHC CUC, and responds to questions or matters of interest of the MUHC CUC, particularly in between meetings of the Board, so that the MUHC CUC can progress with its activities more effectively;
- 2.6. **Local Service Quality and Complaints Commissioner or Ombudsman:** the local service quality and complaints commissioner (ombudsman) is appointed by and reports to the Board. The Ombudsman is responsible to the Board for ensuring that users' rights are respected and complaints are handled efficiently. The ombudsman applies the complaints examination procedure according to users' rights and, if necessary, may recommend to the Board measures for improving how the institution handles complaints. The ombudsman, as part of the complaint review system, may also be asked by the MUHC CUC and/or Residents' Committee to coordinate with them its promotional and information activities related to the process and promotion of the complaint review procedure to the users and residents the committees represent. The committees and the ombudsman must establish a dialogue and collaborate with the institution's authorities and partners in order to fulfil their functions;
- 2.7. **MUHC User:** a patient, legal representative (parent and/or legal guardian) of a patient or recognized caregiver of a patient;
- 2.8. **MUHC CUC:** a committee of 8 elected members (1 per hospital and 2 with experience at a minimum of 3 hospitals) and 1 designated member (1 per CHSLD) representing the patient population of the pediatric hospital, adult hospitals and long-term care centre (CHSLD) that make up the MUHC;
- 2.9. **Sub-Committee of the MUHC CUC:** a committee formed and chaired by a MUHC CUC member to address specific mandates or matters (ex. user experience, quality and safety improvements, etc.).
- 2.10. **Camille-Lefebvre Residents' Committee:** a committee of 4 to 6 members elected to represent the residents of the Camille-Lefebvre CHSLD and special care unit for long-term ventilated residents of the MUHC (see bylaw no. 4 respecting the election of members of the Residents' Committee);
- 2.11. **Interest Group:** Individuals who form a group to support improvements at a MUHC hospital or within a particular mission (groups known before June 22 as users' committee of a single site or specific mission), but that are no longer recognized as "user committee" since the MUHC CUC is the only official body. Depending on the nature of an interest group's work, the MUHC CUC may provide funding and/or annual report acknowledgement;
- 2.12. **Equity, Diversity and Inclusion:** equity is defined as fairness and justice in processes and in outcomes. The presence of differences (race, Indigenous identity, class, gender identity or expression, sexuality, disability, ethnicity, and religion, etc.) within any collection of people represents diversity. The notions of belonging, feeling welcome and valued describe vital aspects of inclusion;
- 2.13. **Candidate:** a person who is eligible to stand for election as a member of the MUHC CUC; Eligibility requirements and restrictions are as follows:
  - 2.13.1. The candidate must be a current patient or recent former patient (used MUHC services in the last two years), or a legal representative of a patient or a recognized caregiver of a patient;

- 2.13.2. In the case of the pediatric hospital, the candidate must be between the age of 13 and 18. A patient under the age of 13 cannot stand for election but may be represented as noted above by a legal representative and/or recognized caregiver;
  - 2.13.3. In the case of the CHSLD, a separate election is held to form the Residents' Committee from which the members designate a representative to the MUHC CUC. (See bylaw no. 3 for information);
  - 2.13.4. The candidate must not be an employee or a supplier or a service provider of the MUHC and/or of its research institute and/or of any of its foundations;
  - 2.13.5. The candidate must not be under curatorship;
  - 2.13.6. The candidate must not have a criminal record;
  - 2.13.7. The candidate cannot serve simultaneously on a local interest group (groups known before June 22 as users' committee of a single site or specific mission) and should be prepared to step down if elected to the MUHC CUC;
  - 2.13.8. For the purposes of the 2022 election, the candidate must not have served on the MUHC CUC in the last three years;
- 2.14. **Term of Office:** the length during which a member serves the patient population of the MUHC. In the case of the MUHC CUC, a member is elected to a term of three years, and may be re-elected for only one consecutive additional three-year term;
  - 2.15. **Voter:** all current and/or recent former patients (used services in the past two years) of the MUHC or their legal representatives or their recognized caregivers, provided they are not employees, suppliers and/or service providers of the MUHC and/or of its research institute and/or of any of its foundations.
- 3. **Assistance:** the president and executive director of the MUHC assures that the MUHC CUC has the technical and administrative support to assist the returning officer in the performance of any and all duties.
  - 4. **Gender-Neutral Language:** this bylaw uses gender-neutral language to avoid bias towards a particular sex or social gender, including the use of non gender-specific nouns to refer to roles or professions, the formation of phrases in a coequal manner, and the discontinuing of the blanket use of male or female terms.

## SECTION TWO

### ELECTION PRESIDENT

#### 5. Designation and Right to Vote

- 5.1. Before proceeding with the election, an election president will be named at least 45 days prior to Election Day to be responsible for the election process from start to finish.
- 5.2. The election president shall not have the right to vote in the election.

## **SECTION THREE**

### **ELECTION**

#### **6. Call for Candidates and Notice of Election**

- 6.1. The election president shall issue a call for candidates for the election at least 35 days prior to the election day in areas of MUHC hospitals and by using MUHC external and internal communication platforms (web site, social media, etc.) to achieve widespread visibility;
  - 6.1.1. The notice must mention all the requirements and restrictions provided for in the Act, as well as those in the present bylaw, including the admissibility of candidates;
  - 6.1.2. The notice must mention the name and electronic address of the election president;
  - 6.1.3. The notice must mention the date of the election and the date whereby detailed information on the election day, candidates and voting requirements will be available.
- 6.2. The election president issues a notice of election at least 14 days before election day;
  - 6.2.1. The notice must mention the official ballot list (candidates' names), a summary of each candidate's profile, as well as the period and means/locations to vote.

#### **7. Candidate Applications**

- 7.1. Those individuals, as defined in section 3.13 of this bylaw, may submit an application to stand for election according to the defined application period in section 7.3;
- 7.2. An application contains a completed candidate application form signed by the candidate, with specific consents and declarations related to the validity of information, background checks and respect of bylaws if elected, and countersigned by two other users of the MUHC and a letter of interest;
- 7.3. The application must be submitted to the election president before 5 PM at least 20 days prior to Election Day;
- 7.4. Acceptance or Rejection: the election president shall accept or reject each application, within an acceptable time period, around one week of its submission. Rejections may only be made for cause based on the requirements or restrictions provided for under the Act and this bylaw (see section 2.13 of this bylaw).

#### **8. Candidates' Representatives**

- 8.1. Each candidate may designate a representative to observe the election process.

#### **9. List of Candidates**

- 9.1. Candidates may withdraw their candidacies up to five days before election day;
- 9.2. Insufficient Number of Candidates: when the application period is over, if the number of candidates is insufficient for the number of positions to be filled, the returning officer shall inform users, and/or their legal representatives and/or recognized caregivers, of the situation as soon as possible, in any way deemed appropriate, post a new call for candidates, and arrange for a by-election if required.

- 9.3. Surplus of Candidates: When the application period is over, if the number of candidates is greater than the number of positions to be filled, the returning officer shall draw up a list of candidates with a short summary of interest and credentials and post it in MUHC hospitals and via MUHC internal and external communication platforms;
- 9.4. Exact Number of Candidates: When the application period is over, if the number of candidates is equal to the number of positions to be filled, the returning officer shall declare the candidates to be elected by acclamation;
  - 9.4.1. The returning officer shall then complete the certificate of election (see Appendix E) and send within a period of three days a copy of it along with the appendices to the president and executive director of the MUHC and chairman of the Board of Directors of the MUHC;
  - 9.4.2. The returning officer shall concurrently post a notice in MUHC hospitals and via communication platforms that are accessible to MUHC users and/or legal representatives and/or recognized caregivers, listing the names of those elected by acclamation and noting that no voting period was held for the reason identified in section 10.1.

## **10. Voting on Election Day**

- 10.1. Users, legal representatives of users and recognized caregivers of users may exercise their right to vote for any and all candidates standing for election on election day;
  - 10.1.1. Eligible voters have one vote;
  - 10.1.2. Eligible voters may choose their preferred candidates from the official ballot list.
- 10.2. Ballot boxes must be installed in hospitals at each entrance so as to ensure widespread visibility and thus giving voters the possibility of voting in person;
  - 10.2.1. Voters may exercise their right to vote between 8 a.m and 8 p.m.
- 10.3. Voters must also have the possibility of voting without coming to the hospitals, notably by e-mailing the election president between 8:00 am and 8:00 p.m.;
  - 10.3.1. Voters must mention in the subject line his/her name in order to respect the one-vote limit per eligible voter

## **11. Counting of Votes**

- 11.1. On election day, after the end of the voting period, the election president will count the totals for each candidate placed in person and electronically;
- 11.2. The day after election day, the election president will gather all candidates and/or their previously declared representatives in a meeting room and/or via an online platform to declare as elected members of the MUHC CUC those candidates who received the highest number of votes;
- 11.3. In the event of a tie that would elect a number of candidates greater than the number of positions to be filled, the election president will make a random draw among the tied candidates.

## **12. Proclamation of Election**

- 12.1. The election president will complete the certificate of election (Appendix E) and send an electronic copy within a period of 10 days to the president and executive director of the MUHC and chairman of

the Board of Directors of the MUHC. The election president will also send the originals to the administrative office of the MUHC CUC within 10 days.

### **13. Publication of Election Results**

- 13.1. The election president will conclude the election process by posting a copy of the certificate of election in a part of MUHC that is accessible to users, legal representatives of users or recognized caregivers of users, and also publish the results via MUHC internal and external communication platforms.

## **SECTION FOUR**

### **FINAL PROVISIONS**

#### **14. Replacement and Review**

- 14.1. This present bylaw abolishes and replaces any previous bylaw respecting the procedure for electing members of the MUHC CUC;
- 14.2. The *Bylaw no.2 respecting the procedure for electing members of the MUHC CUC* will be reviewed every three years prior to the annual general meeting; any changes will be explained and adopted during the course of the annual general meeting.

#### **15. Validity and Coming into Effect**

- 15.1. The MUHC CUC adopts the present bylaw in its entirety and also section by section; should a section, paragraph or subparagraph be declared null and void, the remaining provisions of the bylaw will be maintained;
- 15.2. This bylaw comes into effect on the date on which it is adopted by 2/3 of the MUHC CUC, which must ratify it during its next annual general meeting;
- 15.3. The present bylaw shall be submitted to the Board of Directors of the MUHC for information purposes only.