

**BYLAW NO.1 RESPECTING THE GOVERNANCE OF THE MCGILL UNIVERSITY HEALTH CENTRE
(MUHC) USERS' COMMITTEE (UC)**

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BYLAW NO.1 RESPECTING THE GOVERNANCE OF THE MCGILL UNIVERSITY HEALTH CENTRE USERS' COMMITTEE

SECTION ONE: GENERAL PROVISIONS

1. Definitions

- 1.1. **Act Respecting Health and Social Services** (R.S.Q., c. S-4.2): Act
- 1.2. **Ministère de la Santé et des Services sociaux** : MSSS
- 1.3. **McGill University Health Centre**: MUHC
- 1.4. **McGill University Health Centre Board of Directors**: MUHC BOD or BOD
- 1.5. **McGill University Health Centre President and Executive Director/ Président-Directeur général**: MUHC PDG
- 1.6. **McGill University Health Centre User**: a person receiving health care or social services from the MUHC, including the person's legal representative, their family member or recognized caregiver; hereinafter referred to as a "User".
- 1.7. **Camille-Lefebvre In-Patients' (Residents') Committee**: A committee formed in accordance with section 209 of the Act.
- 1.8. **McGill University Health Centre Users' Committee**: (hereinafter referred to as the "UC".) The MSSS dictates a single Users' Committee for the MUHC which must be formed and operate in accordance with the Act. May also be known as the McGill University Health Centre Patients' Committee for promotional or informational purposes.
- 1.9. **Member of the UC**: a User elected by the Users, designated by the members of the Camille-Lefebvre In-Patients' Committee, or added post-election by discretion of the standing UC.
- 1.10. **Advocacy Subcommittee**: Volunteer group supported by and reporting to the UC and established to promote improvements or missions, or to advocate for and meet the needs of a particular group of Users.
- 1.11. **Local Service Quality and Complaints Commissioner (LSQCC or CC)**: Also referred to as the "Ombudsman".
- 1.12. **Equity, Diversity and Inclusion (EDI)**: As defined by the *Canadian Centre for Diversity and Inclusion's Glossary of Terms*.
 - 1.12.1. **Equity**: Where everyone is treated according to their diverse needs in a way that enables all people to participate, perform, and engage to the same extent.
 - 1.12.2. **Diversity**: Diversity is about the individual. It is about the variety of unique dimensions, qualities, and characteristics we all possess, and the mix that occurs in any group of people. Race, ethnicity, age, gender, sexual orientation, religious beliefs, economic status, physical abilities, life experiences, and other perspectives can make up individual diversity. Diversity is a fact, and inclusion is a choice.
 - 1.12.3. **Inclusion**: Inclusion is creating a culture that embraces, respects, accepts, and values diversity. It is a mindful and equitable effort to meet individual needs so everyone feels valued, respected, and able to contribute to their fullest potential. Where diversity occurs naturally, creating the mix in the organization, inclusion is the choice that helps the mix work well together.

2. Object

2.1. The object of the present by-law is to establish the operating rules of the UC.

SECTION TWO: MANDATE, GUIDING PRINCIPLES AND FUNCTIONS

3. Mandate

The UC must support continuous improvements to the quality of services offered by the MUHC as well as to the living conditions in Residence Camille-Lefebvre, while respecting and defending the dignity, rights and freedoms of all Users.

4. Guiding Principles

In exercising its mandate, the UC must:

- 4.1. Ensure that the interest of the Users be central to all actions and decisions;
- 4.2. Promote the continuous improvement of services to Users through the implementation of various projects, events, and activities;
- 4.3. Defend Users' rights and interests, both collective and individual, in keeping with the principles of Equity, Diversity and Inclusion;
- 4.4. Respect the confidentiality of the information provided by the User;
- 4.5. Accomplish these tasks by liaising with the administration, management, and employees of the MUHC in a spirit of collaboration and partnership, while preserving the autonomy bestowed by the Act;
- 4.6. Ensure accountability of Members regarding all measures taken in their role as User representatives;
- 4.7. Respect the following MUHC policies and bylaws:
 - 4.7.1. Respect and Civility Guideline
 - 4.7.2. Code of Ethics
 - 4.7.3. Bylaw Governing the Examination of Complaints
 - 4.7.4. Security of Informational Assets and Protection of Information
 - 4.7.5. Informational Assets and the Internet, Acceptable Use Of
 - 4.7.6. Prevention of the Mistreatment of Vulnerable and Older Adults

5. Functions:

- 5.1. Inform Users of their rights and obligations, namely:
 - 5.1.1. The right to information
 - 5.1.2. The right to services
 - 5.1.3. The right to choose a professional or institution
 - 5.1.4. The right to receive the care their condition requires
 - 5.1.5. The right to consent to or refuse care
 - 5.1.6. The right to participate in decisions
 - 5.1.7. The right to be accompanied, assisted, and represented
 - 5.1.8. The right to accommodation
 - 5.1.9. The right to receive services in English
 - 5.1.10. The right to access one's file

5.1.11. The right to confidentiality of one's file

5.1.12. The right to lodge a complaint

- 5.2. Foster the improvement of the quality of services offered to Users by the MUHC, and assess their degree of satisfaction;
- 5.3. Foster the improvement of the quality of the living conditions of residents of Camille-Lefebvre and assess their degree of satisfaction;
- 5.4. Defend the collective rights and interests of Users or, upon request, the individual rights and interests of a User before the institution or any competent authority;
- 5.5. Accompany and assist a User, upon request, in any action they undertake, including the filing of a complaint;
- 5.6. Ensure the proper operation of the Camille-Lefebvre In-Patients' Committee and the allocation of resources necessary to exercise their functions;
- 5.7. Assess the effectiveness of any measure as described above;
- 5.8. Adopt governance and election bylaws.
- 5.9. Submit an Annual Report of its activities to the MUHC BOD and present the report to its Users at an Annual General Meeting;
- 5.10. Appoint representatives to various MUHC committees;
- 5.11. Ensure the recruitment and training of UC Members;
- 5.12. Evaluate the performance and achievement of objectives of Members.

SECTION THREE: OPERATIONS

6. General

- 6.1. With respect to the mandate term, the UC shall be considered an independent entity and have a term of three (3) years, beginning from election day and ending on the day of the following election three (3) years hence, notwithstanding the length of time any individual Member has served.
- 6.2. Upon formation of a new UC, its Members should, within 90 days:
 - 6.2.1. Approve the present bylaw and any other applicable bylaws or corresponding policies;
 - 6.2.2. Elect the officers of its Executive Committee, comprised of a Chair, Vice-Chair (or Co-Chairs), Secretary, and Treasurer (or Secretary-Treasurer);
 - 6.2.3. Confirm the Chair as UC representative on the MUHC BOD and Vigilance Committee;
 - 6.2.4. Meet with advocacy subcommittee members.

7. Accounting

- 7.1. The UC receives an annual budget allocation through the MSSS for the exercise of its mandate.
- 7.2. The fiscal year commences April 1 and ends March 31.
- 7.3. The UC must implement good accounting practices and administer its budget autonomously in accordance with the following guidelines:

- 7.3.1. The budget cannot be used to finance items that are the responsibility of the MUHC and that are included in the institution's operating budget.
- 7.3.2. The budget cannot be used to finance items or activities that are under the purview of the auxiliary or Foundation.
- 7.3.3. The UC must allocate a fixed annual sum to the Camille-Lefebvre In-Patients' Committee, as dictated by the Act.
- 7.3.4. The UC must create an annual budget and allocate, to the extent that the budget permits, funds for projects proposed by its advocacy subcommittees or the Camille-Lefebvre In-Patients' Committee.
- 7.3.5. The Treasurer must keep detailed records of receipts and of all disbursements in a system that ensures appropriate financial control, and that provides all information necessary to produce periodic reports as required, as well as the Annual Report to the MUHC BOD and, if requested, to the MSSS.
- 7.3.6. The UC may maintain a separate bank account in its name at a Canadian Chartered Bank and shall exercise independent control over its deposits and withdrawals. The UC will designate by formal resolution which Members have signing authorities for banking activities.
- 7.3.7. UC Members shall perform their duties as volunteers and are not eligible for financial compensation for their participation in meetings or any other activities related to fulfilment of the UC mandate. However, Members may be compensated for their out-of-pocket travel and other expenses incurred in performing their duties, in accordance with the MSSS Framework.

8. Annual Report

- 8.1. The UC must submit its Annual Report to the MUHC BOD and, upon request, to the MSSS no later than September 30th, in accordance with the Act.
- 8.2. The Annual Report must contain a financial statement as well as a portrait of activities and membership from all advocacy subcommittees of the UC.

9. Decision Making

9.1. Resolutions

- 9.1.1. Resolutions are required when formal proof of a substantive decision or position is necessary. This might include, but is not limited to:
 - 9.1.1.1. Adopting or amending bylaws or policies;
 - 9.1.1.2. Designating the Executive Office;
 - 9.1.1.3. Approving or denying expenses or funding;
 - 9.1.1.4. Hiring or terminating employees;
 - 9.1.1.5. Designating authorized signatories for specific purposes.
- 9.1.2. Resolutions of the UC must be approved by simple majority of its Members during a Committee meeting where quorum has been met.
- 9.1.3. Every Member has a right to vote and voting by proxy is prohibited.
- 9.1.4. A secret ballot may be held at the request of any Member; otherwise, all resolutions are to be passed by open ballot (for example, by show of hands).

9.2. Decisions

9.2.1 The efficient and productive functioning of the UC calls for numerous day-to-day decisions that do not require resolutions.

9.2.2 It is not always expedient or appropriate to call a meeting of all UC members. Where possible and warranted, certain decisions can be made by the majority of the Members through informal consultation using whatever means deemed appropriate (email, group chat, phone calls, etc.)

9.2.3 Other decisions may be made by the Executive in between meetings to resolve imminent issues, as long as these align with the philosophy and mandate of the Committee.

9.2.4 Some decisions, if substantive, may require subsequent ratification through formal resolution, in which case such resolution should be passed at the subsequent UC meeting.

10. Regular Meetings

10.1. The UC shall hold a minimum of ten (10) regular monthly meetings, held in-camera.

10.2. The Secretary shall convene each meeting in writing to the Members at least seven (7) days in advance. The notice must include the agenda and indicate the date, hour and place of the meeting.

10.3. Quorum is established when the simple majority (50% + 1) of Members are present and is required before any resolutions can be passed.

10.4. The Chair presides over the meeting and rules on all matters regarding procedure, as established by *Robert's Rules of Order*. However, any ruling on procedures by the Chair may be overruled by a majority vote.

10.5. Substantive decisions of the UC must be adopted by a formal resolution, as per section 9.1

10.6. The Committee may invite guests to their meeting as they deem appropriate. Guests do not have voting privileges.

11. Special Meetings

11.1. A special meeting may be called at the request of the Chair or Vice-Chair, or at least two (2) Members, to discuss urgent matters.

11.2. The Secretary shall convene each special meeting in writing to the Members at least forty-eight (48) hours in advance. The notice must include the agenda and indicate the date, hour and place of the meeting.

11.3. Sections 10.3 – 10.6 of the present bylaw apply to Special Meetings as applicable.

12. Annual General Meeting (AGM)

12.1. An Annual General Meeting of MUHC Users shall be called once a year.

12.2. The Secretary shall convene the AGM by ensuring that the notice is posted in places accessible to Users at least ten (10) days in advance. MUHC internal or external communication platforms may be used for this purpose. The notice may also be provided to Users by any other means that achieves widespread visibility, including the UC's social

media platforms. The notice must include the agenda and indicate the date, hour and place of the meeting.

- 12.3. The purpose of the meeting is for the UC to present its Annual Report to all Users. The meeting also provides an opportunity for UC Members to answer User questions.
- 12.4. Voting privileges are granted to all MUHC Users, as defined in section 1.6.
- 12.5. Substantive decisions at the AGM must be adopted through formal resolution, approved by a simple majority of Users present. This can be through show of hands.

SECTION FOUR: MEMBERSHIP

13. Composition

- 13.1. In accordance with the Act, the UC will initially be composed of five (5) Members elected by the users of the MUHC, and a representative designated by and from among the Camille-Lefebvre In-Patients' Committee, for a total of six (6) members.
- 13.2. Additional Members may be added subsequently as the UC deems appropriate and necessary (e.g., for purposes of diversification, to contribute particular experiences or skill sets, etc.) by adopting a formal resolution.
- 13.3. As per the Act, no person under curatorship, working for the institution or practising a profession in a centre operated by the institution can be a member of the UC.
- 13.4. As per section 6.1, individual Members' terms expire on the day that the term of the UC expires, irrespective of the amount of time that they have served on the committee.

14. Election of Members

- 14.1. The election of Members shall be held in accordance with the provisions of the Election Procedures Bylaw and in conformity with the provisions of the Act and relevant provisions of the present bylaw.

15. Executive Committee ("Executive")

15.1. General

- 15.1.1. The Executive of the UC is comprised of the Chair, Vice-Chair (or Co-Chairs), Secretary, and Treasurer (or Secretary-Treasurer).
- 15.1.2. The Executive shall analyze, guide, and provide information to assist its Members to understand positions and make decisions related to the UC's functions.
- 15.1.3. The Executive may exceptionally be called upon to make decisions between scheduled meetings in order to resolve imminent issues, as long as these align with the philosophy and mandate of the Committee.

15.2. Chair

- 15.2.1. Assumes the role of designated representative to the Board of Directors and the Vigilance Committee of the MUHC, as per section 6.2.3;
- 15.2.2. Presides over meetings and ensures that they proceed properly and respectfully by ruling on points of procedure and regulations, as per *Robert's Rules of Order*;
- 15.2.3. Serves as the UC's official representative;
- 15.2.4. Calls regular, special, and annual meetings;

- 15.2.5. Signs, as needed, any documents on behalf of the UC, including the Annual Report;
 - 15.2.6. Prepares the Annual Report in collaboration with the Secretary for submission to the BOD of the MUHC and, upon request, to the MSSS;
 - 15.2.7. Reports on the UC's activities at the Annual General Meeting and at meetings of the BOD of the MUHC;
- 15.3. Vice-Chair / Co-Chair
- 15.3.1. Collaborates with the Chair to execute all functions, and acts in their place in their absence, with the exception of serving as the designated member on the BOD.
- 15.4. Secretary
- 15.4.1. Convenes all meetings in writing with the assistance of the UC's administrative assistant. All notices must include the agenda and indicate the date, hour, and place of the meeting:
 - i. Regular meetings: at least seven (7) days' notice
 - ii. Special meetings: at least forty-eight (48) hours' notice
 - iii. Annual General Meeting: at least ten (10) days' notice
 - 15.4.2. Keeps the minutes of all meetings, with the assistance of the UC's administrative assistant, and ensures that these are distributed to all Members at least seven days in advance of the subsequent meeting;
 - 15.4.3. Ensures that documents are kept appropriately by the administrative assistant (e.g., register of addresses of Members, minutes, reports, templates, etc.);
 - 15.4.4. Certifies any document, copy, certificate and/or resolution or meeting extract;
 - 15.4.5. Prepares the Annual Report in collaboration with the Chair, and with the assistance of the UC's administrative assistant.
- 15.5. Treasurer
- 15.5.1. Determines the annual budget and available funds for the UC based on the MSSS allocation, and any other surpluses or revenues, if relevant;
 - 15.5.2. Prepares the written standing procedures for the approval and processing of all allowable expenditures and claims for reimbursements and ensures that Members are familiar with them;
 - 15.5.3. Ensures that a full and accurate recording of all expenditures and any revenues is maintained in the records of the UC;
 - 15.5.4. Arranges to obtain regular General Ledger Period Activity Reports from the MUHC Finance directorate for the MUHC UC Cost Centre and reconciles these records;
 - 15.5.5. Maintains an up-to-date UC expenditure and budget report and is prepared to report to the Members upon request;
 - 15.5.6. In conjunction with the MUHC Finance directorate, prepares an annual financial statement for approval by the UC, for inclusion in the Annual Report;
 - 15.5.7. Retains, if necessary and upon approval of the Executive, the services of a qualified person to assist in the completion of certain duties.

16. Termination of Membership

16.1. A Member shall automatically cease to be a member of the UC upon:

- 16.1.1. Expiration of the UC term, which occurs on the day of the subsequent election; elections to be held every three (3) years;
- 16.1.2. Immediately upon tendering written resignation to the UC's Secretary;
- 16.1.3. Death;
- 16.1.4. Dismissal for just cause, in accordance with the definition and procedures provided in section 16.2 and 16.3.

16.2. Criteria for just cause

- 16.2.1. Absence of two (2) meetings without notice or without valid reason;
- 16.2.2. Failure to respect the requirements or restrictions needed to qualify for office;
- 16.2.3. Any breach of the UC's bylaws, policies, procedures, or guiding principles;
- 16.2.4. Failure to participate appropriately in UC activities including, but not limited to failure to adequately prepare for meetings, failure to review necessary documents, failure to complete assigned responsibilities and tasks, failure to respond in timely fashion to communications or emails requiring response, etc.;
- 16.2.5. Repeatedly disrupting and/or exhibiting uncollaborative behavior which impairs the UC's ability to carry out its mandate including, but not limited to repeatedly interrupting or derailing discussions, obstructing productivity and decision-making efforts, perseverating over points or refusing to acknowledge majority consensus, disrespecting other Members, etc.

16.3. Process for exercising dismissal for just cause

- 16.3.1. Dismissal for just cause is conditional upon the Member receiving a written warning from the Chair or Vice-Chair indicating that their behavior constitutes just cause for dismissal in accordance with section 16.2 of the present bylaw.
- 16.3.2. Upon receiving this written warning, the Member will be given the opportunity to rectify their behavior/the issue.
- 16.3.3. If the problematic behavior persists, the Member will receive a second written warning and a special meeting convened forty-eight (48) hours later, unless there is valid and compelling reason to extend this delay. The purpose of the meeting is to allow the Member to respond and/or challenge just cause.
- 16.3.4. At this meeting, following the Member's response, the UC may resolve to dismiss the Member from the Committee.
- 16.3.5. If the Member fails to attend the discussion meeting it shall be presumed as a waiver of notice with ensuing termination.
- 16.3.6. If a Member has been dismissed, they cannot stand for re-election for a period of five (5) years following the termination of their membership.

17. Filling of Vacancy

17.1. If a vacancy causes the number of Members to drop below what is required by the Act, a by-election must be called in accordance with the Election Bylaw.

SECTION FIVE: ADVOCACY SUBCOMMITTEES

18. Formation

- 18.1. To aid in the fulfillment of its mandate, the UC will support existing advocacy subcommittees and may promote and help to establish new advocacy subcommittees.
- 18.2. Advocacy subcommittees will be populated by volunteers who are interested in representing a specific site, mission, issue, or group of users with particular or unmet needs.
- 18.3. Each advocacy subcommittee can determine its own membership size and composition. However as per the Act, no person working for the institution or practising a profession in a centre operated by the institution can be a member with voting privileges.
- 18.4. To avoid conflicts of interest, a User may only be a member of a single subcommittee at any given time.
- 18.5. Advocacy subcommittees may choose their own names, however these may not include the words “users” or “patients”, to avoid confusion with the single Users’ (Patients’) Committee of the MUHC, as prescribed by the Act.
- 18.6. Members of the UC cannot serve as a member on any advocacy subcommittees but may be invited to attend such meetings as non-voting observers or participants as per section 21 of the present bylaw.

19. Functioning

- 19.1. Each advocacy subcommittee must support the UC’s mandate; namely, the continuous improvements to the quality of services offered by the MUHC while respecting and defending the dignity, rights and freedoms of all users.
- 19.2. Only active advocacy subcommittee members have voting privileges. Guests (staff, advisors, or other) may be invited to meetings—on an ad hoc or regular basis—however they are not permitted to vote.
- 19.3. Each advocacy subcommittee must identify its members to the UC.
- 19.4. Each advocacy subcommittee may meet as often as they deem appropriate to ensure its proper functioning and activities.
- 19.5. Each advocacy subcommittee may choose to adopt its own governance bylaws, but they are not obliged to do so. If bylaws are adopted, they must be provided to the UC for informational purposes only.
- 19.6. If an advocacy subcommittee seeks funding from the UC for a particular project or activity they can make this request by filling out a Funding Application Form and request to present a proposal at an upcoming UC meeting. Funds permitting, and if activities conform to those permitted by the Act, no reasonable request will be denied.
- 19.7. Each advocacy subcommittee is required to provide the UC with an annual written report on its activities.

20. Participation of Advocacy Subcommittee Members at UC Meetings

- 20.1. Any member of an advocacy subcommittee may ask the Chair or Vice Chair to be invited to the UC’s next meeting for the purpose of presenting an idea or project, seeking input from UC Members, and/or securing funding if needed.

- 20.2. Advocacy subcommittee members who are invited to UC meetings do not have voting privileges.
- 20.3. All reasonable requests for invitations to a UC meeting from advocacy subcommittee members must be granted by the UC.

21. Participation of UC Members at Advocacy Subcommittee Meetings

- 21.1. Advocacy subcommittees are encouraged, though not obliged, to invite a member of the UC to attend some or all of their meetings, in whole or in part, in the interest of open communication and collaboration.
- 21.2. A Member of the UC may ask to be invited to an advocacy subcommittee meeting to observe its functioning, provide input on projects or ideas, and/or obtain a better understanding of its activities.
- 21.3. UC members who are invited to advocacy subcommittee meetings do not have voting privileges.
- 21.4. All reasonable requests for invitations to an advocacy subcommittee meeting from UC Members must be granted.

SECTION SIX: TRANSITIONAL AND FINAL DISPOSITIONS

22. Effective Date

- 22.1. The present bylaw shall come into force immediately on the date of its adoption by way of formal resolution carried out by Members of the UC at a general or special meeting called for that purpose.
- 22.2. Once adopted by the UC, the bylaw must subsequently be presented to, and ratified by, the Users present at the next Annual General Meeting by simple majority through show of hands.
- 22.3. The present bylaw shall be submitted to the MUHC BOD for informational purposes only.

23. Modification, Amendment and/or Replacement

- 23.1. Any modification, amendment, or replacement to the present bylaw shall come into force immediately on the date of its adoption by way of formal resolution carried out by Members of the UC at a general or special meeting called for that purpose.
- 23.2. Once adopted by the UC, the bylaw must subsequently be presented to and ratified by the Users present at the next Annual General Meeting by simple majority through show of hands.
- 23.3. Any proposals for modification, amendment or replacement must accompany the notice of the general or special meeting of the UC, as well as the subsequent Annual General Meeting.
- 23.4. The new, modified or amended bylaw shall be submitted to the MUHC BOD for informational purposes only.

May 16, 2023