

# INFORMATION BULLETIN

Alliance québécoise  
des techniciens de l'image et du son

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## A Few Words from the President

**The 2009 annual general meeting has not yet been completed and the ratification of the election results is still in abeyance...**

*Brunhilde Pradier,  
President*



Photo Jan Thib

An issue of Info AQTIS had originally been planned for publication following this general meeting, initially scheduled for May, to inform you about the decisions that would have been made at the meeting. All this was supposed to happen in May. However, this annual general meeting first convened in May never took place, because unfortunately there were not enough people in attendance! We thus had to reschedule the meeting quite a bit later, since we were on stand-by to attend two parliamentary commissions that had been scheduled for the month of June, including one major session called to deal with legislative amendments to the Status of the Artist Act. Once the dates of these commissions were known, we then scheduled a new annual general meeting for June 17, during which we did have a quorum.

### **Why this special issue?**

This issue of Info AQTIS is thus a special one devoted to the 2009 annual general meeting. Why did we feel it was necessary to publish a special issue on this subject, and why now? Essentially, because our most recent annual meeting was not completed and all of this raises some very important issues. And it will have to resume before long. Although not very numerous, the members who were present voted a resolution to suspend, until a legal opinion is received, the ratification of the recommendations made by the elections committee regarding the competence of four directors, who were elected, by the mail-in ballot, to sit on the AQTIS Board of Directors, due to an alleged conflict of interest or appearance of a conflict of interest. The members present deplored the fact that the directors whose legitimacy was being questioned are members of IATSE local unions.

**Special Issue**  
**Annual**  
**general**  
**meeting**

**A heads-up on**  
**the elections**  
**Pages 8 to 14**



Given that the results of these elections were not ratified by the general meeting, we felt that it was essential for us to inform you about all the circumstances surrounding the elections of the directors, before the annual general meeting resumed its deliberations. In our opinion, the subject deserves more than just a simple one-page sheet with a bunch of numbers on it and justified the preparation of this special issue of Info AQTIS. Meanwhile, we also wanted to have all the opinions expressed at the meeting reported objectively. This is why we asked a neutral individual from outside our union, someone with experience as a journalist, to write this article.

### **“Priority” priorities and “absolute” priorities**

I am undoubtedly the person who most regrets that this whole matter was not explained to our members earlier. I find it unacceptable that we have to redo our annual general meeting for a third time now, and just as unacceptable to deploy so much time and effort to deal with questions regarding IATSE, while there are so many other pressing issues to take care of. The people present at our June meeting know that our to-do list for the coming year is bursting at the seams, notably with regard to negotiations and all kinds of other political issues where we must ensure that our voices are heard. The more the year passes us by, the less time we have to devote to retakes of meetings and unfortunately, we some-

*I FIND IT UNACCEPTABLE THAT WE HAVE TO REDO OUR ANNUAL GENERAL MEETING FOR A THIRD TIME NOW, AND JUST AS UNACCEPTABLE TO DEPLOY SO MUCH TIME AND EFFORT TO DEAL WITH QUESTIONS REGARDING IATSE, WHILE THERE ARE SO MANY OTHER PRESSING ISSUES TO TAKE CARE OF. THE PEOPLE PRESENT AT OUR JUNE MEETING KNOW THAT OUR TO-DO LIST FOR THE COMING YEAR IS BURSTING AT THE SEAMS, NOTABLY WITH REGARD TO NEGOTIATIONS AND ALL KINDS OF OTHER POLITICAL ISSUES WHERE WE MUST ENSURE THAT OUR VOICES ARE HEARD.*

times have to take care of “absolute” priorities to the detriment of “priority” priorities.

This is exactly what we’ve done, but this in no way changes the results of the recent elections. The fact remains that many of you weren’t at the annual general meeting and you have not been brought up to date about this whole situation. We are sincerely sorry for the delays in producing this issue, but here we are, and the issue is being published, today, a few days before the annual general meeting that will resume its proceedings. If you weren’t there the last two times, I truly hope, with all my heart, that you will be roused by our predicament and motivated to participate in the next chapter of this, our Union’s story.

### **A lively discussion**

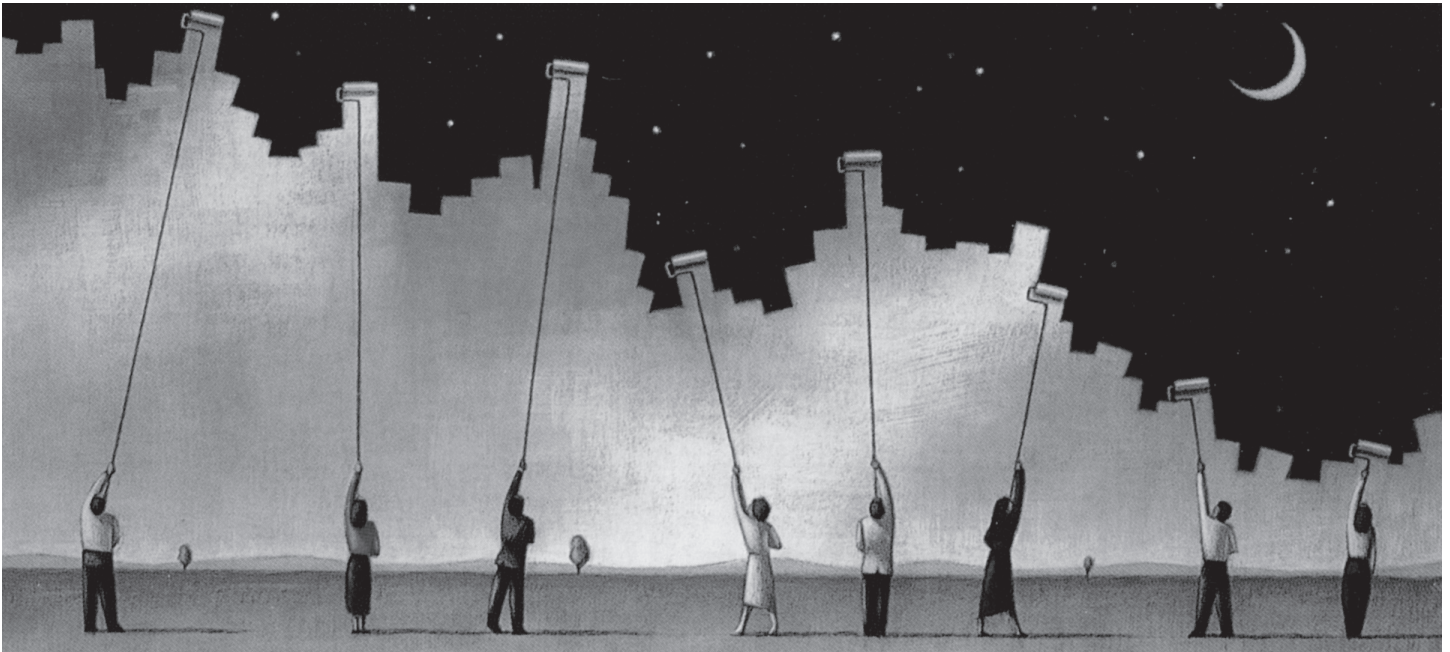
So, back to the June general meeting, it’s a shame that so few of you were present for the discussions, given that they were most interesting and worthwhile. Noth-

ing like the turbulent and disrespectful meetings that we experienced in the past, as the AQTIS members in attendance frankly questioned the role of its directors, as well as several fundamental issues of ethics and loyalty that should be shown towards all the members of our alliance. On several occasions, the members who spoke up reminded everyone that the issue was not one of judging the value of the people who were elected, but rather the conflict of interest situation in which they’d inevitably be placed during proceedings of the AQTIS Board, due to their dual allegiance to both AQTIS and IATSE.

### **Two resolutions**

Rather than having the meeting reject the results of the elections (the work done by the elections committee was not being challenged), the members adopted two very important resolutions: the first one requested that the people in question step down and withdraw their names as directors, and secondly, asked that a legal opinion on the question be presented to a subsequent general meeting, so that the meeting could then make a decision regarding the recommendations of the elections committee.

In this issue, you will find a report on the main items and concerns that marked the annual general meeting held last June 17. The background elements related to putting into context the next meeting that is scheduled for November 4 are summarized in the notice of meeting that is attached to this issue.



## AQTIS: our collective project

**I would like to take advantage of this opportunity to share a few thoughts with you about the work that has been accomplished over the past year, but also about all that remains to be done over the coming years.**

**2008 has been an eventful year. Lots of things have happened and I believe that we have many reasons to be proud of the work that's been done, and certainly of the care and dedication with which we have stayed the course vis-à-vis our objectives, guided by the pursuit of our organization's mission, as well as by the values that drive AQTIS, and all this, notwithstanding the context and new reality in which we are called upon to exercise our professions.**

*Brunhilde Pradier,  
President*



Photo Jan Truis

**O**ur universe is changing fast, and fast is not quite the right word. Very fast or excessively fast would probably be more appropriate. What we've accomplished in 2008 and begun

in 2009 is deeply marked by this reality, which is undergoing and will continue to undergo major transformations.

A "perpetually changing" environment Today's reality is fundamentally very different from what we experienced barely a few years ago. We're no longer living in a context that is stable, where it's sufficient to apply the same well-worn recipes to everything we do, our activities or our pub-

lic pronouncements. That was yesterday, routines that could be repeated from one day to the next no longer exist. Today, the evolution of the universe we work in, the world of media, is undergoing "perpetual change". The organization that we have built, AQTIS, its actions, structures and the decisions of the AQTIS Board, for quite a while now, are sharply coloured by this reality: AQTIS is doing what it can to become an organization that will stand the test of time and remain upright and sound, notwithstanding the fact that we're living in a universe where the norm is no longer stability, but rather change. The key to successfully maintaining a solid organization, that will stand the test of time in such an environment, is to improve our capacity to anticipate these changes, to be proactive, and undoubtedly, to cultivate the close collaboration and active participation of we, the three



thousand AQTIS members.

### **Enhance our chances of success**

Why am I going on about all this? Because the latter element is not yet a fait accompli, but it's imperative that we get there soon. We all know too well, amongst ourselves, that we all agree on a certain number of things, but there are still many others where we're not at all on the same wavelength.

Nevertheless, we all agree on the fact that our chances of success are enhanced, most of the time, notably in negotiations, when we stand united, when we all send the same message, when we're all pulling in the same direction and when we all work closely together one with the other to achieve our goals.

It's almost a little awkward to have to say all this, because this is the very essence of trade unionism. What also strikes me is that the foregoing absolutely describes us, who we AQTIS technicians really are, we, freelancing culture workers, when we're work together on our projects. We know that we're generous with our expertise and our time, because the project and its quality genuinely matter to us. We also know that the success of the project on which we work is also a part of our compensation, our satisfaction, and our pride.

### **Costly dissension**

Over the past few years, however, we've

gone through an awful lot of dissension. A lot of people have invested a great deal of energy to divide us, and I'm not talking about our bosses here. I hope that sometime soon all AQTIS members will arrive at this truth that division is unquestionably contrary to the primary interests of our members. This dissension has significantly hindered the proper development of our organization along the path we wished to take. At the end of the day, it's our members who have had to endure the consequences and pay the price.

I'd like you to imagine your role as a member of AQTIS in exactly the same way that you might envision your job on a production: not only is your contribution essential to undertaking the project, but it also counts a lot in achieving results whose quality is the best possible. AQTIS is our association, its results and achievements are not simply the responsibility and job of a team of staff representatives, but they're also in our own hands, we the members.

### **Working together pays off**

The close collaboration that characterizes our work on a project with our colleagues produces results that are just as extraordinary when we do the same on projects that hold promise for us a group. AQTIS is our own collective project, its successes heavily depend upon the energy that each one of us invests in it, how tightly we stick together and our commitment to participate in its development. At the

end of the day, we'll all benefit from what we put in.

We've all witnessed this over the past year, a lot of members participated in the bargaining sessions and we have the results to prove it, results that benefit us all.

### **An equitable share for the artisans**

In the next two or three years, we'll have to demonstrate true team spirit, we'll have to move forward together, collaborate very closely. This is the recipe that will enable us to achieve maximum equity for all our members, in each profession that we practise, on all types of productions, whether they're broadcast in our own backyard or elsewhere, or all over the place at the same time.

I strongly believe that our ability, all for one and one for all, to support and adhere to the program that we're proposing to you will enable us to build our credibility. We will earn the recognition of our milieu, for our sense of duty vis-à-vis the development of our industry and our culture, and finally, we will occupy our rightful place as a key stakeholder in this industry.

When we will have achieved this goal, beyond any doubt and in every respect, we will have earned respect for AQTIS and our members, and we will have earned our equitable share in what is due to the industry's artisans: an equitable share amongst all those parties who have talent and those who have the talent to showcase it.

## **INFO AQTIS**

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# Overview of our 2008-2009 activities

## Negotiations of collective agreements

- ✓ Campaign with our members to apply the advertising commercials agreement
- ✓ Signing our first NFB agreement
- ✓ The much anticipated extension of the video agreement
- ✓ The extension of the film agreement

## The bill amending the Status of the Artist Act

- ✓ Postponement of the bill to the fall 2008, then a provincial election was called
- ✓ Conclusion of an agreement with IATSE – to share jurisdiction
- ✓ The Government consults ADISQ and APC
- ✓ Numerous interventions to block anti-collective bargaining positions
- ✓ Preparation for the parliamentary commission examining the bill before its passage

## Follow up on staff management issues and a governance restructuring plan

- ✓ Stabilization of the staff
- ✓ Planning of the reorganization slowed down, but we nonetheless made some progress
- ✓ Time and energy focused upon projects that had already been started:
  - Launch of the new AQTIS Web site
  - PPP classrooms set up on the premises of the staff's offices, equipped with cutting edge technology equipment
- ✓ Evaluation and launch of a new more efficient database

## Examination and analysis of social safety net programs: group insurance and RRSP

- ✓ Group insurance: preparation of the launch of the insurance sharing plan, as defined in the AQTIS-IATSE agreement  
(Note: this project was suspended in June 2009 at IATSE's request, when IATSE rescinded its decision to cover the expenses of an actuarial valuation, as stipulated in the agreement)
- ✓ Group RRSP: Establishment of a single group RRSP

## 2009-2010 Priorities: Guarantee ourselves a stable labour pool Access new production sectors



**Objective A:** Improve our capacity to collect strategic information so as to become more proactive in our negotiations, to collect information concerning market developments, as well as enhance our oversight of domestic productions, co-productions and independent American productions.

**Objective B:** Improve communications with the membership, to better support our mobilization work and the preparation of bargaining with our members.

**Objective C:** Plan to enhance our capacity to bargain and administer our agreements and labour relations with current and future employers.

**Objective D:** Improve our capacity to collect strategic information to support sophisticated political interventions.

**Objective E:** Work on preparing a wide-ranging reflection on the governance of our organization, phase 2 of the amendments to our Constitution and by-laws.

The budget presented to the General Meeting is thus a reflection of the orientations and priorities examined and decided upon by the Board.

# 2008 Financial Statements

*Patrick Demars,  
Director General*

**At the annual general meeting, the AQTIS financial statements were presented by our auditor, Mr. Marc Deschamps, from RCGT. Here are the main highlights.**

## Revenue

Total revenue was \$2,946,334, namely a little more (+\$18,104) than the budget forecast. Professional dues and permits were less than forecast, due to less activity in 2008, particularly in the film sector. But this deficit was offset by revenue from annual dues and investments that were more profitable than forecast, but also from other revenue such as penalties paid by producers.

## Expenses

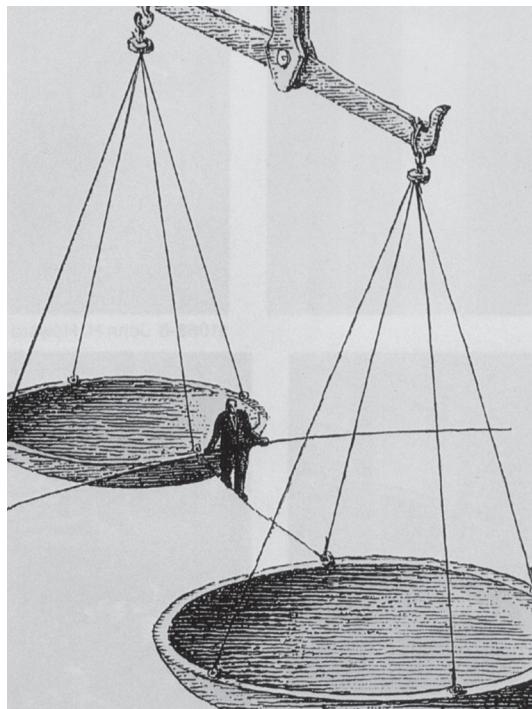
Expenses related to AQTIS' operations, not counting the PPP and group insurance program, were \$3,000,863, namely some \$185,000 less than the budget forecast. These results were achieved by a sustained effort to control our expenses vis-à-vis the budget or reduce them when possible. Only one item—professional fees—was an exception, because we had to deal with additional expenses related to: the reorganization of our permanent staff, reaching a new collective agreement with our employees and moving our case forward in the ASCO trial.

## Operating deficit

A comparison of AQTIS' revenue and expenses indicates an operating deficit of \$54,529, which compares favourably with the budgeted deficit of \$257,396. The lower deficit stems from a slight increase in revenue and a significant reduction in expenses, as explained above.

## Net PPP expenses

The professional development program (PPP) finished the year with a deficit of \$102,923. This sizeable deficit is due to a combination of two factors. On the one hand, the basic manda-



tory training sessions generated a forecasted structural deficit, since only a portion of their cost is invoiced to the participants, and the remainder is paid by AQTIS. But on the other hand, there were several professional development training sessions financed by the RFAVQ at the end of 2008 that were postponed to 2009, which therefore increased the 2008 deficit.

## Net group insurance revenue

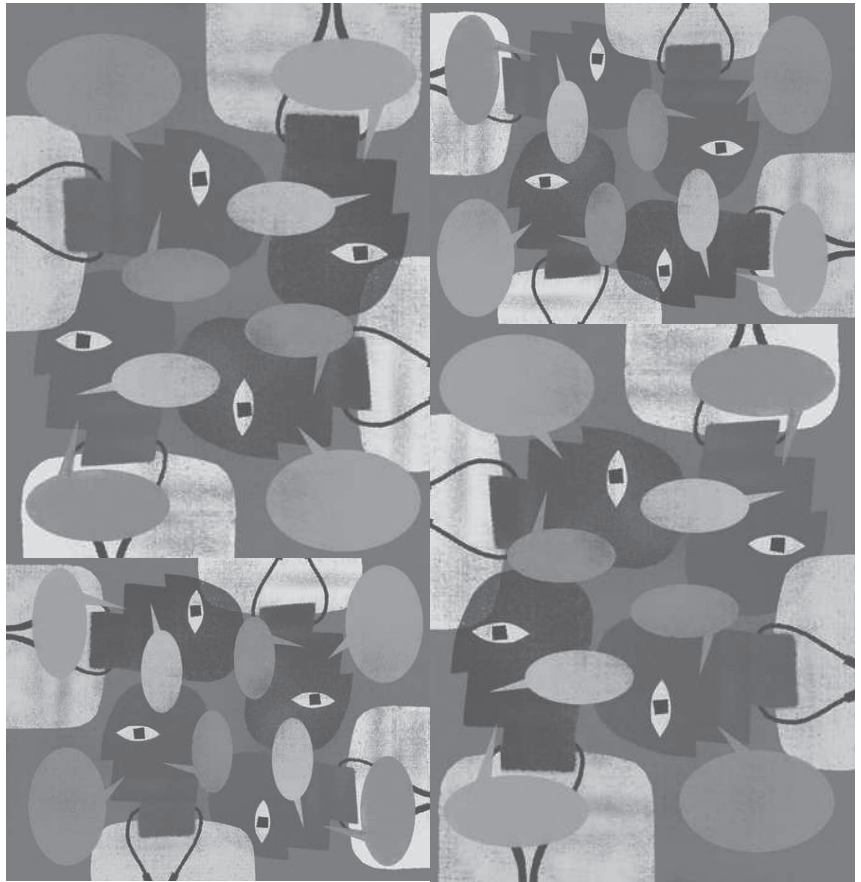
The group insurance program ran a net deficit of \$274,352 in 2008, after rebates from the insurer. This deficit was generated by a decrease in contributions produced by the decline in activity, while the cost of the premiums remained high. But we also received \$507,253 in rebates from the insurer for 2006 and 2007, which enables us to report a net surplus of \$232,901 after applying these rebates.

## Total surplus revenue vis-à-vis expenses incurred

The financial statements report a total surplus of \$75,449 for 2008, due to the operating deficit of \$54,529 and the PPP deficit of \$102,923, which were more than offset by the surplus generated by the group insurance program.

# A HEADS-UP ON THE ELECTIONS

**As you are undoubtedly aware, the elections for members to the AQTIS Board of Directors, organized via a mail-in ballot prior to the Annual General Meeting (AGM) that took place on June 17, have given rise to several questions. We will do our best in this article to take stock of the situation and to reflect upon the variety of viewpoints and arguments expressed on that day. Given the delicate nature of the discussions on the elections of the directors, we decided to ask an outside resource person to write this text. Accordingly, telephone interviews were conducted with AQTIS members who spoke at the meeting, so as to ensure that this text mirrors the opinions they expressed at the time.**





## What happened? briefly...

At the meeting, the elections committee presented its report and submitted its recommendations regarding the results of the mail-in ballot. Once the results were presented, the members present asked a number of questions about the competence of four out of the five members to sit as AQTIS directors, owing to their dual allegiance to AQTIS and to a rival Union, IATSE.

The four directors in question are: Bernard Arseneau, Louis Craig, Louis Piché and Daniel Sauvé.

A long debate ensued on questions of governance, loyalty and conflicts of interest, at the end of which the meeting refused to either ratify or reject the election results. It did however ask to be enlightened by a legal opinion to help in their deliberations on the ratification of the election committee's recommendations at the next general meeting.

In this connection, we will begin by trying to explain the reasons underlying the concerns of certain members present at the meeting.

## The problems raised

### A conflict of interest?

The conflict of interest concern that underlies the election of the directors who have a dual allegiance can be considered from two angles: one, ethical and the other, legal.

Some members pointed out that the people concerned are in a situation that is antithetical to the moral code that should guide any director. One member argued that the moral responsibility of a director is to defend the rights and interests of the organization that they represent and that they have the duty to absolutely turn a blind eye to their own personal interests and all other possible "agendas". Which, in their opinion, is impossible when a director is committed to another union organization that is pursuing similar goals and/or is opposed to those goals of the organization that they are called upon to defend and represent.

From a moral perspective, it's unthinkable

to permit members who are loyal to a rival Union to take advantage of their right to be elected as a member of the AQTIS Board of Directors.

From a legal perspective, one member did some research in the Civil Code of Québec and discovered aspects

of the law covering nonprofit undertakings and certain notions pertaining to conflicts of interest. By raising this issue at the meeting, he wanted to draw members' attention to and clarify the issue of a director's responsibilities and obligations towards their association. Other members thought that from a legal perspective, the members elected via the mail-in ballot are entitled to sit on the AQTIS Board of

*FROM A MORAL PERSPECTIVE, IT'S UNTHINKABLE TO PERMIT MEMBERS WHO ARE LOYAL TO A RIVAL UNION TO TAKE ADVANTAGE OF THEIR RIGHT TO BE ELECTED AS A MEMBER OF THE AQTIS BOARD OF DIRECTORS.*

Directors, but that they should renounce this right for ethical reasons. In light of this debate, a request for a confirmation of the validity of the election by way of a legal opinion was put forward.

Meanwhile, a former AQTIS director described a similar situation that she had experienced. She had found herself in analogous circumstances, where she had to become a member of a rival organization in the course of her mandate. She then decided to submit her resignation to the AQTIS Board, so as to both protect the integrity of her organization and the Board's credibility. In her opinion, such a response was self-evident.

### **Is there any duty of loyalty?**

Several members asked whether their approval of the election of these four new members was not equivalent to enabling and indeed authorizing a IATSE putsch within AQTIS? This hypothesis, in their opinion, is all the more likely given that certain IATSE activists openly boasted, amongst AQTIS members, that they had done a great mobilization job to get their members elected to the Alliance's Board of Directors. Several of our members believe that IATSE is in the process of "putting its pawns in place" on the AQTIS Board of Directors. One of them alleged, in their telephone interview, that two of the four people who were at the centre of the whole controversy had, in the past, signed a petition asking that they not be represented by AQTIS. According to this member being interviewed, it's impossible to believe in their loyalty towards AQTIS, and it would be thus aberrant to accept them on the AQTIS Board.

Another member noted that, in their opinion, these four members stood for elec-

tion to the AQTIS Board of Directors in good faith and without any ulterior political motives. He

added that the good name of these people is well known and that it would be a shame for the Alliance to deprive itself of their input and that they be

prevented from performing their role as AQTIS directors. Other members argued that the discussion is not at all about the good name of these people, but rather the principle of ethical and sound governance. How could the AQTIS Board function with total confidence and serenely debate various issues in the presence of these members who have a dual allegiance? IATSE had promised the Minister to keep the peace with AQTIS, meanwhile, some of its activists are now preparing to declare war within the AQTIS Board of Directors.

### **Why has it all come down to this?**

The outgoing Board members explained that decisions regarding expulsions and disciplinary warnings had already been voted by the AQTIS Board against certain IATSE members, including some that date back almost two years. Within the framework of the negotiations between AQTIS and IATSE, and with the assistance of the Minister of the Culture, the Alliance's Board decided to temporarily suspend the application of these resolutions in order to not undermine these negotiations, or to provoke a breakdown in talks. The Board then accepted to likewise suspend the examination of numerous disciplin-

*HOW COULD THE AQTIS BOARD FUNCTION WITH TOTAL CONFIDENCE AND SERENELY DEBATE VARIOUS ISSUES IN THE PRESENCE OF THESE MEMBERS WHO HAVE A DUAL ALLEGIANCE?*

ary cases involving members who had not complied with their duties and obligations, at least until the Status of the Artist Act was passed. The Board voted a resolution to reactivate all the cases left in abeyance as soon as this legislation would be adopted.

### **The meaning of the common good**

The current AQTIS directors have been particularly outraged by the recent conduct of certain IATSE members, seeing as the former have made a point of acting with discretion and tact, guided by a desire to maintain a certain degree of "social" harmony. They would have very much appreciated that the activists from the rival organization, IATSE, had done the same.

It's important to underline, on the other hand, that the elections committee, which is independent of the Board, was not aware of the existence of disciplinary sanctions when the candidates' names were initially submitted.

While AQTIS and the Minister have made all kinds of extraordinary efforts to stabilize the situation, it would be unpardonable that what has all the appearances of being a war to the finish should now become inevitable fodder for articles in the newspapers, thereby driving American producers a little farther away from shooting in our backyard. The directors, whose nominations are being contested, should keep all this in mind, on behalf of all their fellow technicians, and our partners, service suppliers, etc. They should make the right decision in these circumstances, namely, to withdraw their names.

### **Still many battles to be undertaken...**

Several AQTIS members feel that it's imperative to elect directors who will fight for the preservation of the acquired rights of AQTIS technicians. For their association to be strong and its positions legitimate, the Board has to be credible. There are still many important battles to be undertaken, including several impending ones on the bargaining front. Some members feel that it's imperative for us to stop squandering our time and energy by displacing this union dispute and putting it front and centre within our Board of Directors. Our efforts have to be focused upon the major changes that are affecting the world of film and TV, where we work. Several members hope that these four directors will step down from their seats on the Board, if they truly take AQTIS' interests to heart.

*WHILE AQTIS AND THE MINISTER HAVE MADE ALL KINDS OF EXTRAORDINARY EFFORTS TO STABILIZE THE SITUATION, IT WOULD BE UNPARDONABLE THAT WHAT HAS ALL THE APPEARANCES OF BEING A WAR TO THE FINISH SHOULD NOW BECOME INEVITABLE FODDER FOR ARTICLES IN THE NEWSPAPERS, THEREBY DRIVING AMERICAN PRODUCERS A LITTLE FARTHER AWAY FROM SHOOTING IN OUR BACKYARD. THE DIRECTORS, WHOSE NOMINATIONS ARE BEING CONTESTED, SHOULD KEEP ALL THIS IN MIND*

*THERE ARE STILL MANY IMPORTANT BATTLES TO BE UNDERTAKEN, INCLUDING SEVERAL IMPENDING ONES ON THE BARGAINING FRONT. SOME MEMBERS FEEL THAT IT'S IMPERATIVE FOR US TO STOP SQUANDERING OUR TIME AND ENERGY BY DISPLACING THIS UNION DISPUTE AND PUTTING IT FRONT AND CENTRE WITHIN OUR BOARD OF DIRECTORS.*

### **A polarization of film vs. TV, yet again!**

One member stresses that IATSE had already undermined AQTIS in the past, by resorting to different manoeuvres to split us all apart and that at the end of the day, it's the technicians who all pay the price of this internecine fratricidal struggle. Allowing IATSE members to infiltrate the AQTIS Board of Directors will only accentuate the old film/TV polarization, and divert us all from our primary goals. In view of the worrisome situation in our industry, we have every interest to focus ourselves upon what's essential and look ahead to the future, rather than to nurture old sterile resentments.

### **But times are tough...**

What makes the situation even more complicated is that several AQTIS members need the salaries they earn on American projects, projects that are covered by IATSE. Becoming a IATSE member ensures that they will work, in their opinion. They sometimes find it difficult to make the choice to not become a IATSE member, when IATSE courts them by promising them work... This situation also has a negative impact upon the group insurance policies to which they subscribe. All this means that the issue remains a very sensitive one... Certain AQTIS members therefore believe that the presence of these four directors, even with their dual allegiance on the AQTIS Board, would resolve the situation.

### **Is there discrimination?**

One of the members questioned feels that the possible rejection of the IATSE members amounts to discrimination.

This member refers to the AQTIS Constitution and by-laws, where it is stipulated that a person cannot suffer any adverse consequences due to their beliefs, age, opinions, political activities, etc.

By adopting a proposal to dismiss these four

elected members, is this not tantamount to engaging in a discriminatory measure against them?

Another member said that they felt betrayed by some of the candidates in question who did not declare that they belonged to IATSE when they ran for election. If she had been aware of their dual allegiance, she would never have voted for them.

*ALLOWING IATSE MEMBERS TO INFILTRATE THE AQTIS BOARD OF DIRECTORS WILL ONLY ACCENTUATE THE OLD FILM/TV POLARIZATION, AND DIVERT US ALL FROM OUR PRIMARY GOALS. IN VIEW OF THE WORRISOME SITUATION IN OUR INDUSTRY, WE HAVE EVERY INTEREST TO FOCUS OURSELVES UPON WHAT'S ESSENTIAL AND LOOK AHEAD TO THE FUTURE, RATHER THAN TO NURTURE OLD STERILE RESENTMENTS.*



## The consequences of this election

### **A democratic structure that is undermined**

Some members feel that the election of these four directors imperils the democratic structure of the Board of Directors. In order to comply with their obligations as directors, the latter would have to refrain from voting, and withdraw from the proceedings, whenever subjects were on the table where their analysis could be biased due to their dual allegiance, notably with regard to group insurance. In which cases, the likelihood of achieving the required quorum for such decisions would be jeopardized. Such a loss of quorum could even prevent the Board from functioning. In one word, it would be problematic to accommodate these members, as they could not participate in discussions related to a majority of the subjects that the Board has to deal with.

### **Refusal to consider the election results**

Faced with this stalemate, the members present at the June 17 annual general meeting evoked the possibility of rejecting the results of the mail-in ballot. The AQTIS President then explained that the provisions of the AQTIS Constitution and by-laws require the AGM to ratify the recommendations of the elections committee to make the results of the ballot official and not reject an election that has proceeded democratically.

All the same, members are always entitled to make a request or recommendation and pass a resolution to express their wishes. For example, the members present at the annual general meeting could

vote a resolution asking the four directors at the centre of this controversy to step down.

And that's exactly what was done at the June 17 meeting. A resolution asking for a legal opinion to be written and presented on the subject was also adopted unanimously.

*IN ORDER TO COMPLY WITH THEIR OBLIGATIONS AS DIRECTORS, THE LATTER WOULD HAVE TO REFRAIN FROM VOTING, AND WITHDRAW FROM THE PROCEEDINGS, WHENEVER SUBJECTS WERE ON THE TABLE WHERE THEIR ANALYSIS COULD BE BIASED DUE TO THEIR DUAL ALLEGIANCE, NOTABLY WITH REGARD TO GROUP INSURANCE. IN WHICH CASES, THE LIKELIHOOD OF ACHIEVING THE REQUIRED QUORUM FOR SUCH DECISIONS WOULD BE JEOPARDIZED.*

### **Where are we now?**

As stipulated by law, the outgoing directors continue to sit on the Board of Directors, in the interim.

The motion passed by the general meeting asking the four directors to step down has been sent to the people concerned. All of them have refused, alleging the legitimacy of the mail-in ballot.

Meanwhile, the requested legal opinions were delivered to AQTIS at the end of September and in early October. The annual general meeting has thus been convened again on November 4 to continue the work began on June 17, and notably to take cognizance of these legal opinions. The latter are attached to the notice of meeting that is attached to this issue of Info AQTIS.

## **Amendments to the Constitution and by-laws**

The first phase of the Board of Directors' review of the AQTIS Constitution and by-laws, which got started quite a while ago, was completed before the election results were counted and was the subject of a notice of motion that was tabled at the 2009 Annual General Meeting. The Board plans to continue this reflection over the coming months.

Amongst the amendments proposed at this time, several of them concern the protection of AQTIS decision-making bodies and take the current situation into consideration.

Indeed, the legislative amendments recently made to the Status of the Artist Act distort reality in that they recognize a second Union to represent the same functions or trades, and this, within the same area of activity. Originally, the legislator had established exclusive recognitions and stipulated that only one association could represent distinct trades in distinct areas of competence, which is no longer the case.

In other words, members who are loyal to another Union can now be members of our Union and vice versa. There is something profoundly unhealthy in this situation and this is moreover why Unions all over the world do everything they can to avoid such a situation. Normally, it is systematically forbidden to belong to two Unions when performing the same job.

The situation that we're now in is thus more that

a bit unusual. The Board of Directors thus had to find a way to establish a *modus operandi* that would enable AQTIS decision-making bodies to operate effectively, in a sound and stable environment.

Meanwhile, AQTIS must protect its decision-making bodies against the presence of unsympathetic members. To this effect, there can only be one rule that applies to everybody, with no exceptions. The AQTIS Board of Directors has explored several options and has chosen the one that is least detrimental to its members. Accordingly, members of any Union that pursue similar goals to those of AQTIS, and who are active in areas of activity similar to those of the Alliance, but whose interests are opposed to those of AQTIS and its members will no longer be eligible to occupy the position of director on the AQTIS Board.

A discussion on the proposed amendments to the Constitution and by-laws will take place in this connection at the general meeting that will be held immediately after the Annual General Meeting convened for November 4, 2009 to conclude the proceedings initially begun on June 17, 2009.

In view of the strategic nature of this whole matter and the impact that it can have upon the current well being and the very future of AQTIS, we are sincerely counting upon your attendance!

## **The recommendations of the elections committee**

The elections committee declares that the election took place in such a fashion that all members were able to fully exercise their democratic rights. On the deadline for receiving members' ballots, 632 proper and acceptable envelopes containing ballots were received.

The members of the committee scrupulously counted all the ballots received, in the presence of a bailiff, and this, within the prescribed time

limits.

The results of the vote for the position of President were as follows: Major, Michel-Charles: 114; Pradier, Brunhilde: 486. Under the terms of the AQTIS Constitution and by-laws, Brunhilde Pradier has thus been elected AQTIS President.

The results of the vote for the positions of director to be filled were as follows: Arseneau, Bernard: 374; Bernier, Patrick: 116; Craig, Louis: 376; Dr-

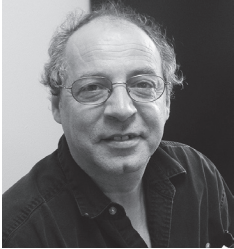
ouin, Éric: 146; Piché, Louis: 261; Roy, Maurice: 229; Saint-Pierre, Richard: 154; Sauvé, Daniel: 280; Thabourin, Catherine: 310

Under the terms of the AQTIS Constitution and by-laws, the five candidates receiving the largest number of votes are thus elected.

The directors chosen by AQTIS members are accordingly: Louis Craig, Bernard Arseneau, Catherine Thabourin, Daniel Sauvé and Louis Piché.

## The impact of Bill S-32.1 upon our negotiations

Marc Lesage,  
Head negotiator



With the amendments to Bill S-32.1 (Québec Status of the Artist Act) coming into force, the conditions are now in place to make it easier for us to unionize

the non-unionized sectors.

### Legal recognition

For the first time in our history, all the functions enumerated in our current film and video collective agreements are recognized by law, irrespective of the notion of an artist. Furthermore, Bill S-32.1 more precisely carves out the scope and jurisdictions for which AQTIS is mandated to negotiate on behalf of its members, for example, the production of DVDs, music videos and TV commercials. Clearly, all audiovisual producers, and this, regardless of how the product is broadcast or distributed, whether they are members or not of an association, are henceforth legally required to negotiate with us, once they receive a notice from us to this effect. Without a doubt, AQTIS now has the means and tools at its disposal and the legal recognition necessary to negotiate agreements that cover all the functions ultimately recognized in every sector of audiovisual production in the Province of Québec.

### A sector by sector negotiation

However, we will have to reach agreements with the producer associations, such as the ADISQ (Association québécoise de l'industrie du disque, du specta-

cle et de la vidéo) and the APC (Agence des publicistes conjoints) over all the functions that will be officially recognized in their respective industry sectors. Once this phase has been completed, we will then be able to negotiate a collective agreement with each of these producer associations in the jurisdictions that they represent.

*LET'S BE CLEAR: THE PRODUCERS WILL NEVER COME KNOCKING AT AQTIS' DOOR TO UNIONIZE THEIR PRODUCTIONS, BUT ONCE AQTIS KNOCKS ON THEIR DOOR, THEY WILL HAVE NO CHOICE BUT TO RESPOND POSITIVELY TO OUR INVITATION TO NEGOTIATE. MORE THAT EVER, AQTIS STAFF WILL THEREFORE HAVE TO BE KEPT UP TO DATE ABOUT NON-UNIONIZED PROJECTS THAT YOU ARE INVITED TO WORK ON, SO THAT WE CAN ACT PROMPTLY*

In addition, our forthcoming negotiations will be treated as negotiations of a first collective agreement, which will oblige us to reach a relatively quick settlement, failing which any of the parties will be entitled to request a first agreement arbitration from the LRC (Labour Relations Commission).

### Your role is important

This is therefore a group victory that we have earned, which will enable us to negotiate for all our members. Each individual will benefit.

The negotiations of collective agreements for all the workers in the industry thus becomes AQTIS' priority over the coming years. However, this mission can only be achieved successfully with your collaboration and participation, so that your reality can be properly distinguished and agreements reached that will adequately reflect everyone's particular and general needs.

### The obligation to negotiate

Understand that on the one hand, the producers are obliged to comply with the law, but on the other hand, AQTIS has the duty to ensure its application vis-à-vis its members. Let's be clear: the producers will never come knocking at AQTIS' door to unionize their productions, but once AQTIS knocks on their door, they will have no choice but to respond positively to our invitation to negotiate. More that ever, AQTIS staff will therefore have to be kept up to date about non-unionized projects that you are invited to work on, so that we can act promptly and more than ever, the results of these first negotiations will depend upon your participation and commitment.

### It's now up to us

A new era is dawning and it's now up to us, collectively, to ensure that everything is put into place so that AQTIS' rights to represent its members will expand in every sector of activity where we can henceforth take advantage of our full and complete recognition as a bargaining agent.

To send us your comments:  
infonego@aqtis.qc.ca

## The PPP season is taking off



THE PPP TEAM -- Lisa Klimuszko, Danièle Léger and Isabelle Dauby.

### AQTIS classroom

The AQTIS PPP is all ready to welcome you to its 2009-2010 training program, whether you're interested in basic training or further professional development. Nearly 1,000 participants took advantage of the expertise of our instructors in the course of our 2008-2009 program.

In order to establish a quality pedagogical environment that fosters learning, our classroom, inaugurated last year, has been recently equipped with cutting edge hi tech audiovisual equipment, namely, three HD screens, including one that measures 60", a Smart Board that provides a means to use dynamic and interactive teaching methods, a sophisticated sound system, superior lighting that can be adjusted according to the needs of the participants and an Internet terminal that will enable students to get



the documents that the instructor puts on the AQTIS network. This room can accommodate 40 people.

### Electronic brochure

AQTIS has decided to no longer produce its training brochure on paper. You can however find all the details regarding the basic training on our Web site.

### A new basic training course

The 2009-2010 PPP program is offering Initiation to the Profession of Editor – MONT 101, a basic training course, which was developed by our members in the editing department. We invite you to consult our electronic brochure for all the details.

### Professional development

The participation rate and the demand for certain training courses in previous years have been such that, for 2009-2010, we will be repeating several of them. However, there are many new courses as well, such as, Data wrangler, Overhead work or then again, Period costumes (1900-1920). The professional development course details will be available on our site as of October 31.

### Our instructors

The PPP instructors are very familiar with the requirements of our industry and regularly adjust the content of their courses to mirror this changing reality. They share their valuable know-how with participants and encourage, via their expertise, updating their skills.

It is thus with great pleasure that we welcome these new instructors to our basic 2009-2010 program. They are:

- Lise Pélouquin, second assistant director, for the AQTIS 101 course
- Jeanne Leblanc, third assistant director, for the REAL 101 course
- Alain Belhumeur, editor, for the new MONT 101 course
- Éric Drouin, editor, for the new MONT 101 course
- Stéphane Desharnais, production assistant, for the REGI 101 course

## Hats off!



We want to pay tribute here to the exceptional contributions that we receive from our partners and collaborators, who over the years have played a key role in the training of numerous technicians and without whom we would not be able to deliver the kind of quality training that we do deliver, on the cutting edge of the most recent progressive technologies. The value of the services donated to AQTIS' PPP by our partners for the 2008-2009 program totalled \$152,604.

### A big thank you to:

**AudioZone**

**Ateliers Grand Cirque**

**Cinepool Inc.**

**Camera department**

**Kodak Canada Inc.**

**Mobilimage**

**Proluxon Inc.**

**Sony of Canada**

**Technicolor Creative Services Montreal**

**Télé-Québec**

**V/A Video Assist**

**Vidéo MTL**

**Vivalogik**