**COMPLAINT AGAINST A RECOGNIZED ARTISTS’ ASSOCIATION**

**Sections 24.2 and 63.2 of the *Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts,* CQLR, c. S-32.1**

|  |  |
| --- | --- |
| SECTION 1: IDENTIFICATION OF THE PARTIES | |
| COMPLAINANT | REPRESENTATIVE OF THECOMPLAINANT |
| Name: | Name: |
| Address: | Address: |
| City: | City: |
| Postal code: | Postal code: |
| Telephone: | Telephone: |
| Fax: | Fax: |
| Email: | Email: |
| Occupation: |  |
| RECOGNIZED ARTISTS’ ASSOCIATION | PRODUCER |
| Name: | Name: |
| Address: | Address: |
| City: | City: |
| Postal code: | Postal code: |
| Telephone: | Telephone: |
| Fax: | Fax: |
| Email: | Email: |

|  |
| --- |
| **SECTION 2: FAILURE BY THE ASSOCIATION TO FULFIL ITS OBLIGATIONS** |
| 1. On what date do you contend that the recognized association acted in bad faith, in an arbitrary or discriminatory manner or showed serious negligence in your respect?     **(year/month/day)**   1. On what date did you become aware of that failure by the association?     **(year/month/day)**   1. Was a grievance filed in relation to the facts alleged in this complaint?  **YES**  **NO If so, on what date**   If so, enclose a copy of the grievance, and the arbitration award, if any.    **(year/month/day)** |

|  |
| --- |
| **SECTION 3: DESCRIPTION OF THE SANCTION OR THE ACTION** |
| **1**. Were you the victim of a sanction or an action?  **YES**   **NO If so, on what date?**    **2**. If so, briefly describe the sanction or the action that was imposed: **(year/month/day)**    3. Is it a record involving allegations of sexual violence?   **YES**   **NO** |

|  |
| --- |
| **SECTION 4: DESCRIPTION OF THE FACTS** |
| *Describe in detail the facts supporting your complaint:* |
|  |

If needed, continue the description on a blank sheet and attach it to the form.

|  |
| --- |
| **SECTION 5: SOLUTION SOUGHT (s. 63.2 para. 2)** |
| *Briefly describe the corrective measures you are seeking in accordance with section 63.2 of the Act:* |
|  |

|  |
| --- |
| **SECTION 6: SIGNATURE AND DATE** |
| **Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

**🡺 You must send copies of your complaint and all relevant documents to the producer in question, using any means that provides proof of transmission (notification).**

|  |  |  |
| --- | --- | --- |
| SUBMIT TO AN OFFICE OF THE TRIBUNAL | | |
| Tribunal administratifdu travail  900, boulevard René-Lévesque Est, 5e étage  **Québec** (Québec) G1R 6C9  Telephone: 418 643-3208  Toll free: 1 800 361-9593  Fax: 418 643-8946  Email: [tat.quebec.vprt@tat.gouv.qc.ca](mailto:tat.quebec.vprt@tat.gouv.qc.ca)  Website: [www.tat.gouv.qc.ca](http://www.tat.gouv.qc.ca) | **Proof of receipt**  (Please leave this space blank.) | Tribunal administratifdu travail  500, boul. René-Lévesque Ouest,  Bureau 18.200  **Montréal** (Québec) H2Z 1W7  Telephone: 514 873-7188  Toll free: 1 800 361-9593  Fax: 514 873-3112  Email: [tat.montreal.vprt@tat.gouv.qc.ca](mailto:tat.montreal.vprt@tat.gouv.qc.ca)  Website: [www.tat.gouv.qc.ca](http://www.tat.gouv.qc.ca) |

**INSTRUCTIONS**

**When to file a complaint**

You have **six (6) months** from the date the alleged failure by the recognized association came to light to file a complaint under section 24.2 of the *Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts*.

**How to complete the** **form**

You must complete **all sections** of the form. You must also sign and date it (Section 6), and enclose all relevant documents (ex.: notification of a sanction or action, copy of grievance, arbitration award, etc.).

**To submit the form**

Submit your complaint to the Tribunal using the “Dépôt d’un acte introductive” online service available at [www.tat.gouv.qc.ca](http://www.tat.gouv.qc.ca), or by fax, by mail, in person, or by email at the address that corresponds to your region:

* [tat.quebec.vprt@tat.gouv.qc.ca](mailto:tat.quebec.vprt@tat.gouv.qc.ca) : Bas-Saint-Laurent, Capitale-Nationale, Centre-du-Québec, Chaudière-Appalaches, Côte-Nord, Estrie, Gaspésie–Îles-de-la-Madeleine, Lanaudière, Mauricie et Saguenay–Lac-Saint-Jean;
* [tat.montreal.vprt@tat.gouv.qc.ca](mailto:tat.montreal.vprt@tat.gouv.qc.ca) : Abitibi-Témiscamingue, Laurentides, Laval, Montérégie, Montréal, Nord-du-Québec et Outaouais.

You must then send copies of your complaint and all relevant documents to the recognized association and the producer, using any means that provides proof of transmission (notification).

Once your **record is open**, you can submit additional documents to the Tribunal by email or using the “Dépôt de documents en ligne” service on our website.

***ACT RESPECTING THE PROFESSIONAL STATUS OF ARTISTS IN THE VISUAL ARTS, FILM, THE RECORDING ARTS, LITERATURE, ARTS AND CRAFTS AND THE PERFORMING ARTS*, CQLR, c. S-32.1**

**24.2** A recognized artists’ association must not act in bad faith or in an arbitrary or discriminatory manner or show serious negligence in respect of the artists it represents in the context of the negotiation of a group agreement or in connection with its application, regardless of whether they are members of the association.

An artist who believes that his artists’ association has contravened the first paragraph may file a complaint with the Tribunal.

**63.2** A complaint referred to in the second paragraph of section 24.2 must be filed with the Tribunal within six months of the facts complained about coming to light.

If the Tribunal considers that the artists’ association has contravened the provisions of the first paragraph of that section, it may render any decision it believes fair and reasonable, taking into account all the circumstances of the matter. The Tribunal may, in particular, authorize the artist to submit his claim to an arbitrator appointed by the Minister for decision in the manner provided for in the group agreement, as in the case of a grievance. The second paragraph of section 35.1 applies. The artists’ association shall pay the artists’ costs.

The producer may not invoke the association’s non-observance of the procedure and time limits provided for in the group agreement for the settlement of grievances where a claim is referred to an arbitrator under the first paragraph.