

LOCAL YO13

YUKON EMPLOYEES UNION

LOCAL BYLAWS

By-Law 1 - NAME

This Local shall be known as Local YO13 Child Development Centre of the Yukon Employees Union, Public Service Alliance of Canada.

By-Law 2 - AIMS AND OBJECTIVES

- (a) It shall be the object of the Local to protect, maintain and advance the interests of members coming under its jurisdiction.
- (b) The Local shall unconditionally subscribe to and accept as its governing documents the Constitution of the Public Service Alliance of Canada and the By-Laws of the Yukon Employees Union, Public Service Alliance of Canada.

By-Law 3 - MEMBERSHIP

(a) Regular

All employees of the Child Development Centre shall be eligible for membership in this local except those employees designated by the component to be eligible for membership in another Government of Yukon local or a person employed in a managerial or confidential capacity.

(b) Associate

The Local may retain as associate members, former members of the Local whose employment has been terminated by:

- 1) reaching the minimum statutory retirement age,
- 2) ill health, when such is certified as the reason for retirement, or
- 3) who, by reason of the abolition of positions, are separated from their continued employment in the public service.

By-Law 3 - Continued

Associate members shall not be eligible for Executive office in the Union, shall not have voice nor vote in meetings of the Local, but may be accorded such other privileges of membership for such length of time as may be provided by regulations under the By-Laws of the Yukon Employees Union.

By-Law 4 - EXECUTIVE COMMITTEE

Section 1

The Executive Committee shall be composed of the following elected officers:

President
Vice-President
Secretary/Treasurer
Shop Stewards (2)
Optional (1) Director, this position to be filled from the communities

Section 2

The positions of President, Vice President and Secretary/Treasurer may act as Shop Stewards in addition to the other duties their roles include.

Section 3

All officers shall be elected by secret ballot by a majority vote at the Annual General Meeting. The elected officers shall serve a term of two years, unless elected to complete a term of office.

- (a) Vice-President, Secretary/Treasurer and Shop Steward shall be on odd numbered years.
- (b) President and Shop Steward shall be elected on even numbered years.
- (c) Officers shall have the right to be re-elected for subsequent terms.

Section 4

Members may vote for those officers elected at an Annual General Meeting by being present at the meeting. Child Development Centre staff based outside of the Whitehorse Area may vote for officers by telephone through an uninterested third party.

By-Law 4 - Continued

Section 5

A quorum of the Executive Committee shall be the President or Vice-President and two other members of the Executive Committee.

Section 6

Between Annual General Meetings, all Executive powers of the Local, consistent with these By-Laws, shall be vested in the Executive Committee.

Section 7

Actions of the Executive Committee on behalf of the Local shall be subject to review at the Annual General Meeting. Written reports will be presented by each member of the Executive Committee.

Section 8

The Executive Committee shall have the authority within budgetary guidelines to employ staff to carry out the business of the Local, subject to the approval of the YEU Executive as per Component By-Law 7, Section 4.

Section 9

The Executive Committee shall have the authority to establish committees.

Section 10

The Executive Committee shall hold regular monthly meetings or special meetings at the call of the President.

- (a) An extraordinary meeting shall be called by the President or Vice-President if requested by one or more members of the Executive Committee.
- (b) Any Union member may request an agenda item at a regular Executive Meeting.

By-Law 4 - Continued

Section 11

Executive members may be removed from office upon being absent from two consecutive meetings unless for valid reasons.

- (a) Repeated absences may be ruled upon by majority vote of the Executive Committee.

Section 12

Vacancies occurring in the Executive Committee shall be filled within thirty days by appointment or election where possible.

- (a) Except that the Vice-President shall assume the duties of President should a vacancy occur in that office.
- (b) Any appointments shall be on a Pro Tem basis, valid until the Annual General Meeting or if deemed necessary a special General Meeting.

Section 13

Any member may attend any meeting of the Executive Committee as an observer.

DISCIPLINE - PROCEDURES AND GUIDELINES

General

Complaints against any member, Local Officer, or Component Officer shall be in writing, signed by a member and indicate which section of the Local or Union By-Laws or Alliance Constitution the complaint is being filed under.

Complaints designed to harass, embarrass, discredit or of a frivolous nature may result in action being taken against the member or members filing the complaint.

Section 14 - Local Procedures

A complaint filed against a member or members of a Local will be handled using the following guidelines:

By-Law 4 - Continued

- (a) The Local shall establish a committee consisting of three members of the Local, at least one of which shall be a member of the Local Executive
- (b) The member or members shall have the right to appear before the Committee to answer the charges.
- (c) The committee findings shall be tabled with the Local Executive and if disciplinary action is recommended, it shall be subject to approval by a two-thirds majority of members in attendance at a general meeting of the Local.
- (d) The disciplined member or members may appeal the decision of the Local to the Component Executive. In such cases, the Component Executive Procedure shall apply.
- (e) The results of all complaints shall be submitted to the Component President, who in the case of a recommendation for suspension, shall refer the recommendation to the Executive Committee for review.

Section 15

A Local of this Union shall have the authority to remove from office any Local Officer for contravening a provision of the Constitution of the Public Service Alliance of Canada, the Local By-Laws, a provision of the Component By-Laws or for cause listed in Section 18, Sub-Sections (a) to (o) inclusive, of this By-Law.

Section 16

A Local of this Union shall have the authority to deny Local membership privileges for any member found guilty of contravening any provision of the Constitution of the Public Service Alliance of Canada or Component By-Laws, or for cause listed in Section 18, Sub-Section (a) to (o) inclusive of this By-Law.

Section 17

An officer dealt with as provided in Section 15 of this By-Law shall have the right to appeal such decision to the Component Executive. Further appeal against the decision of the Executive may be taken to the Triennial Convention of this Union and the procedure for the disposition of such

By-Law 4 - Continued

matters shall be in accordance with Section 21 of the Constitution of the Public Service Alliance of Canada.

Section 18

An officer having committed any of the offences listed in Sub-Section (a) to (o) may be penalised as provided in Sections 15 and 16 of this By-Law.

- (a) violating any provision of the Constitution of the Public Service Alliance of Canada or the By-Laws of the Component and the By-Laws of the Local.
- (b) obtaining membership or soliciting members by misrepresentation
- (c) instituting, urging or advocating that a member of any Local institute action in a court against the Public Service Alliance of Canada or the Component or any of its officers or against a Local or any of its officers without first exhausting all remedies through appeal within the Union.
- (d) advocating or attempting to bring out the withdrawal from the Component or any Local of any member or group of members.
- (e) publishing or circulating among the members false reports or misrepresentations.
- (f) working in the interests of a rival organization or Union.
- (g) slandering/libelling or wilfully wronging an officer or member of the PSAC or the Component.
- (h) using abusive language or disturbing the peace of any meeting in or around any office or meeting place of the component or any of its Locals.
- (i) fraudulently receiving money due to the Component or any of its Locals or misappropriating the monies of the Component or any of its Locals respectively.
- (j) using a name of a Local or of the Component for soliciting funds, advertising and the like, of any kind without the consent of the Local

By-Law 4 - Continued

concerned or the Executive of the Component respectively.

- (k) furnishing a complete or partial list or any information on the membership of the Component or of any Local to any person or persons other than those whose official position entitles them to have such a list.
- (l) deliberately interfering with an official of the PSAC or the Component in the discharge of his/her duties.
- (m) failure of a non-designated member to honour an authorized and legal picket line of members in the same bargaining unit.
- (n) sexually or personally harassing another member.
- (o) any other conduct prejudicial to the good order and welfare of the PSAC, the Component, or the Local.

By-Law 5 - DUTIES OF OFFICERS

Section 1

The President shall:

- (a) act as chairperson at all Executive meetings.
- (b) be a member, ex-officio, of all committees established by the Executive Committee.
- (c) act as Union Representative in all matters for which he/she has been authorized by the Executive Committee or general membership.
- (d) present a report of all actions taken by him/her on behalf of the Union during his/her term of office.
- (e) attend or select an alternate to attend Yukon Federation of Labour conventions.
- (f) perform such other duties as are within the authority or responsibilities of presiding officers.

By-Law 5 - Continued

Section 2

The Vice-President shall:

- (a) perform the duties of President in case of the absence or resignation of that officer.
- (b) perform such other duties as may be assigned by the President or the Executive Committee.

Section 3

The Secretary/Treasurer shall:

- (a) arrange for the recording of minutes at all meetings.
- (b) record all minutes of regular, special or extraordinary Executive Committee meetings.
- (c) oversee all records, correspondence, files, documents of the Union.
- (d) prepare reports, correspondence or perform other duties as directed by the President or Executive.
- (e) be responsible for ensuring that accurate records of all financial transactions are maintained.
- (f) ensure accounts are maintained on behalf of the Local in a chartered bank.
- (g) ensure that cheques are prepared for signing by the President or other designated signing officers.
- (h) present a financial statement at each Executive Committee meeting.
- (i) work under the direction of the Executive Committee to prepare the annual budget.

Section 4

The Shop Steward (s) shall:

- (a) arrange for the election of Shop Stewards as required.

By-Law 5 - Continued

(b) perform other duties as assigned by the Executive Committee.

Section 5

All officers, at the expiration of their term of office shall deliver to the Local all funds, books, papers and other property of the Local.

By-Law 6 - ANNUAL GENERAL MEETING

Section 1

The Local shall hold an Annual General Meeting for the purpose of receiving reports from its officers, consider such business as may be required and hold election of officers as required under these By-Laws.

Section 2

The place and date of the Annual General Meeting shall be determined by the Executive Committee.

(a) notice of meeting and agenda shall be conveyed to the members not less than thirty (30) days prior to the Annual General Meeting.

Section 3

At the Annual General Meeting, the membership will be presented with a financial statement covering the preceding twelve month period.

By-Law 7 - ELECTION OF OFFICERS

Section 1

All elections shall be by secret ballot and decided by a simple majority.

Section 2

All nominees for office must be members of the Union in good standing at the time of the election.

BY-LAW 7 - Continued

Section 3

In the event of more than two candidates for an office, the candidate receiving the fewest number of votes shall be dropped from the ballot when a clear majority of the votes cast is not accorded any candidate. This procedure shall continue with each successive ballot for the position until a candidate receives the necessary majority.

- (a) not more than one officer shall be voted for at one time.

Section 4

Nominations of candidates not present at the Annual General Meeting, shall be in writing:

- (a) nomination papers shall be signed by two Union members in good standing and shall include name, address and statement of acceptance by the nominee.

By-Law 8 - SHOP STEWARDS

Section 1

The Shop Stewards shall work in close liaison.

- (a) Shop Stewards shall be notified of the dates of Executive meetings.
- (b) Shop Stewards may attend Executive meetings as observers.
- (c) Shop Stewards will police the collective agreement, Acts and Regulations and refer to them as necessary.
- (d) Shop Stewards will act as field representatives and as spokespersons for the members.

Section 2

Having regard to the distribution of employees and the administrative structure implied by the grievance procedure, Shop Stewards shall be elected by the members they represent for a two-year period.

By-Law 8 - Continued

- (a) Within thirty (30) days after completion of a two-year term, resignation, termination, retirement or death of the incumbent, an election will be held to fill the position.

Section 3

At any time, fifty-one percent (51%) of the members represented by the Shop Steward may revoke the mandate of that Steward. The members may then elect a replacement in accordance with Section 2 of this By-Law.

Section 4

Shop Stewards shall have the right to be re-elected to subsequent terms.

By-Law 9 - FINANCES

Section 1

The financial records of the Local shall be audited once annually by a firm of Chartered or Certified Accountants approved by the Component Executive. A copy of the financial statement shall be available for review by the membership in the office of the Component during regular office hours and one copy shall be forwarded to the Public Service Alliance of Canada.

Section 2

The signing officers of the Local shall be the President, Vice-President, and the Secretary-Treasurer, two of whom shall sign all cheques.

Section 3

The fiscal year of the Local shall be September 1 to August 31.

Section 4

Members travelling on Local business shall be reimbursed for expenses.

- (a) such travel must be authorized by the Executive Committee.

- (b) reimbursement of travel expenses shall be in accordance with the

By-Law 9 - Continued

current Travel and Wage Policy of the Component.

Section 5

Members shall be reimbursed for lost wages when such loss occurs while engaged in the affairs of the Local providing that such activity has been authorized in advance by the Executive Committee.

- (a) wages shall be reimbursed as outlined in the current Travel and Wage Policy of the Component.

Section 6

No member or officer shall enter into any financial, contractual understanding or agreement on behalf of the Local without authorization of the Executive Committee.

Section 7

During any interim period between approved budgets, the Executive Committee has the authority to expend funds for the purpose of carrying on the day-to-day business of the Local.

- (a) notwithstanding the foregoing, the Executive Committee must call a General Membership Meeting within sixty (60) days for the purpose of approving a budget.

By-Law 10 - MEMBERSHIP DUES

- (a) The dues payable by each member of the Local shall not be less than the amount determined by the Triennial Convention and the dues established by the Sub-Sections (1) & (2) of Section 21 of the Constitution of the Public Service Alliance of Canada.
- (b) The Local may have an additional amount of dues deducted if authorized by a two-thirds majority vote of the membership in attendance at an annual meeting or a special meeting called for that purpose. Such additional dues shall be collected by the Union in the manner prescribed by these By-Laws and rebated to the Local.
- (c) The dues established in paragraph (b) may be changed by a two-thirds majority vote at an annual or special meeting provided one

By-Law 10 - Continued

month's notice of such intent has been given to the general membership.

By-Law 11 - GENERAL

Section 1

Unless otherwise expressly provided for in these By-Laws, all decisions requiring a vote shall be decided by a simple majority.

Section 2

Nothing in these By-Laws shall be construed to conflict with the Constitution of the Public Service Alliance of Canada or the By-Laws of the Yukon Employees Union.

Section 3

These By-Laws may be amended by a two-third (2/3) majority of the members in attendance at an Annual General Meeting.

- (a) Amendments shall be submitted to the Executive Committee at least ninety (90) days prior to the Annual General Meeting.
- (b) Such amendments shall be made available to the membership at least thirty days prior to the Annual General Meeting.
- (c) All amendments shall take effect immediately when adopted unless otherwise specified.

Section 4

Any membership referendum conducted by the Executive Committee between Annual General Meetings shall be by means of a mailed, secret and unsigned ballot and the results of such vote shall be binding on the Executive Committee.

Section 5

Any member may present a petition to the Executive Committee calling for a Special General Meeting.

By-Law 11 - Continued

- (a) Such a petition must be signed by at least ten percent (10%) of the membership.
- (b) The Special General Meeting shall be held no later than thirty (30) days from date of receipt of the petition.
- (c) Notwithstanding (b) above, any member may present a petition signed by at least ten percent (10%) of the membership asking that a member of the Executive Committee resign from office. On receipt of such a petition by the Executive Committee, the Executive Committee shall immediately call a General Meeting to be held no later than sixty days from date of receipt.
- (d) The membership shall be notified of date, place and time, fourteen (14) days prior to the meeting.
- (e) This notice must outline the question of petition and be the only item on the agenda.

By-Law 12 - COMMITTEES

Committees may be standing or struck to deal with any matter designated by the Executive Committee. Chairpersons of all committees shall be a member of the Executive and appointed by the Executive Committee.

Standing Committees shall include:

Section 1 - JOINT CONSULTATION COMMITTEE

The purpose of this committee is to compile and investigate concerns and/or issues appropriate for joint consultation. The committee shall be composed of the President and one elected member. Issues arising from this committee that cannot be resolved reasonably may be referred to the Component Executive.

Section 2 - HEALTH AND SAFETY COMMITTEE

Duties of this committee shall be:

- (a) to monitor recommendations to improve health and safety conditions in the workplace.

By-Law 12 Continued

- (b) to promote health and safety awareness throughout the Local membership, ensure, where possible, that workplace Health & Safety Committees are formed.
- (c) research better health and safety standards as promoted by other jurisdictions.
- (d) to act as liaison with the employer on Local initiated health and safety concerns.

Section 3 - BARGAINING/NEGOTIATIONS COMMITTEE

This committee shall be composed of not less than (4) four members but not more than (6) six members selected at a bargaining input meeting.

The election shall take place at least (3) three months prior to the expiry of the current collective agreement. No more than one member of this committee may be a Supervisor/Coordinator. At least one member shall be a part-time member.

Duties of this committee shall be:

- (a) solicit, obtain and compile on a continuous basis recommendations from members on issues for inclusion in future contracts.
- (b) assist the joint consultation committee.
- (c) choose from committee members a number of representatives (as determined by the Collective Agreement) to sit as negotiating team members.
- (d) perform other duties as assigned by the Executive Committee.

The Bargaining/Negotiations Committee shall report to the Executive Committee and shall exercise such authority as may be delegated by the Executive Committee.

By-Law 13 - SELECTION OF DELEGATES TO TRIENNIAL CONVENTION

Delegates and alternates as prescribed in Component By-Laws shall be elected at a general meeting held at least four (4) months prior to the starting date of the Component Convention.