

LOCAL Y044

**SKOOKUM JIM
EMERGENCY AFTER
HOURS OUTREACH
SERVICES**

BY-LAWS

June 8, 2017

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By-Law

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LOCAL Y044
YUKON EMPLOYEES UNION

LOCAL BY-LAWS

BY-LAW 1-NAME

This Local shall be known as Local Y044 Skookum Jim Emergency After Hours Outreach Services Local of the Yukon Employees' Union, Public Service Alliance of Canada.

BY-LAW 2 - AIMS AND OBJECTS

- 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 Skookum Jim Emergency After Hours Outreach Services shall be eligible for membership in this Local except those employees 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.

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
Chief Shop Steward

Section 2

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

Section 3

Members may vote for those officers elected at an A.G.M. by being at the meeting.

Section 4

A quorum of the Executive Committee shall be President or Vice-President and one other member of the Executive Committee.

Section 5

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

Section 6

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. All members sitting on Union/Management committees and Executive members are required to take PSAC's Talking Union Basics (TUB) course as soon as possible.

Section 7

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-Laws.

Section 8

The Executive Committee shall have the authority to establish committees.

Section 9

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 two or more members of the Executive Committee.
- b) Any Union member may request an agenda item at a regular Executive Meeting.

Section 10

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 11

Vacancies occurring in the Executive Committee shall be filled within 30 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 12

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

Section 13

DISCIPLINE - PROCEDURES AND GUIDELINES

- a) Complaints against any member or Local 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.
- b) 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.
- c) A complaint filed against a member or members of a Local will follow the procedures as set out in the PSAC Constitution and its' Regulations.
- d) A Local officer or member is guilty of an offense against the PSAC Constitution who:
- (i) violates any of the provisions of this Constitution;
 - (ii) obtains membership or solicits membership by misrepresentation;
 - (iii) institutes, urges or advocates that a member institute action in a court of law against the PSAC, any of its constituent parts or any of their officers without first exhausting all remedies through appeal within the PSAC;
 - (iv) other than through proper Component channels, advocates or attempts to bring about the withdrawal from the PSAC, its Regional Councils, Components or Locals of any member or group of members;
 - (v) publishes or circulates among the members, false reports or misrepresentations;
 - (vi) works in the interest of a rival organization;
 - (vii) slanders, libels or willfully wrongs an officer of the PSAC, its Regional Councils, Components, Locals or Area Councils;
 - (viii) uses abusive language or disturbs the peace of any meeting or around any office or meeting place of the PSAC, its Regional Councils, Components, Locals or Area Councils;
 - (ix) fraudulently receives or misappropriates any monies due to the PSAC, its Regional Councils, Components, Locals or Area Councils;
 - (x) uses the name of the PSAC for soliciting funds or advertising without the consent of the AEC;

- (xi) furnishes without prior authority a list or any information on the membership of the PSAC, its Regional Councils, Components or Locals, to any person or persons other than those whose official position in the PSAC, its Regional Councils, Components or Locals, would entitle them to have such information;
- (xii) deliberately interferes with an official of the PSAC or its Components, in the discharge of duties;
- (xiii) engages in any other conduct prejudicial to the good order and discipline of the PSAC;
- (xiv) is a worker in a legal strike position, who either crosses the picket line or is paid by the employer not to participate in strike action, or performs work for the employer, unless required to do so by law, or who voluntarily performs struck work;
- (xv) being a PSAC, Regional Council, Component or Local Officer who willfully does not initiate disciplinary action against scabs as defined in paragraph (n) of this Section; or
- (xvi) sexually or personally harasses another member.

BY-LAW 5 - DUTIES OF OFFICERS

As duly elected representatives of the PSAC, executive members may represent local members with grievances while working in close liaison with the Chief Shop Steward.

Section 1

The President shall:

- a) act as a chairperson at all Executive meetings.
- b) be a member, ex-officio, of all committees established by the Executive Committee.
- c) act as the 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 as well as attend the quarterly meetings of the Y.F.L.
- f) perform such other duties as are within the authority or responsibilities of presiding officers.

Section 2

The Vice-President shall:

- a) perform the duties of the 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:

(Secretarial duties)

- 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 record, correspondence, files, documents of the Union.
- d) prepare reports, correspondence or perform other duties as directed by the President or Executive.

(Treasurers duties)

- a) be responsible for ensuring that accurate records of all financial transactions are maintained.
- b) ensure accounts are maintained on behalf of the Local in a chartered bank.
- c) ensure that cheques are prepared for signing by the President or other designated signing officers.
- d) present a financial statement at each Executive Committee meeting.
- e) work under the direction of the Executive Committee to prepare the annual budget.

Section 4

The Chief Shop Steward shall:

- a) hold regular meetings with the Shop Stewards.
- b) arrange for Shop Steward training courses through the Component and Alliance.
- c) arrange for the election of Shop Stewards as required.
- d) 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.
- b) at least fourteen (14) days prior to the Annual General Meeting, notices of meeting shall be distributed to shop stewards for posting.

Section 3

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

Section 4

Copies of the approved Budget, Financial Statement and AGM Minutes shall be forwarded to the Component as soon as possible following the AGM.

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.

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) no 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

Shop Stewards shall work in close liaison with the Chief Shop Steward and other Shop Stewards.

- a) Shop Stewards shall be notified of the dates of Executive meetings and Shop Steward 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.

- a) Within thirty (30) days after 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 signing officers of the Local shall be the President, the Vice-President, and the Secretary/Treasurer, TWO of whom shall sign all cheques.

Section 2

The fiscal year of the Local shall be the calendar year.

Section 3

Members traveling 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 current Travel and Wage Policy of the Component.

Section 4

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 5

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 6

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 Constitution of the Public Service Alliance of Canada.
- b) The Local may have an additional amount of dues deducted if authorized by two-thirds majority vote of the membership in attendance at an annual meeting or at 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 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 a General Meeting.

- a) Amendments shall be submitted to the Executive Committee at least forty-five (45) days prior to the General Meeting.
- b) Such amendments shall be made available to the membership at least thirty days prior to the 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.

- a) Such a petition must be signed by at least twenty-five percent (25%) 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 twenty-five percent (25%) 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 Chief Shop Steward. Issues arising from this committee shall be referred to the Component Executive for appropriate action.

Section 2 - Membership and Public Relations Committee

Duties of this committee shall be to publish, edit and circulate to the membership, pertinent information by such means as is deemed to be expedient or necessary.

Section 3 - Good of Membership Committee

Duties of this committee shall be to:

- a) organize social events for the Local.
- b) make recommendations to the Executive Committee for the care of families of distressed members.

- c) identify community social issues of concern to the Local members at large.
- d) respond to such identified social issues in a tangible way.
- e) attempt to consult with and reach a consensus with as many members as possible regarding identified issues.
- f) other duties as may be designated by the Executive Committee.

Section 4 - Health and Safety Committee

Duties of this committee shall be to:

- a) monitor recommendations to improve health and safety conditions in the workplace.
- b) 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) act as liaison with the employer on Local initiated health and safety concerns.
- e) ensure that minutes from local health & safety committee/risk management meeting are posted on local bulletin boards.

Section 5 - Bargaining/Negotiations Committee

This committee shall be composed of not less than (3) three members but not more than (6) six members selected at a bargaining input meeting.

The election shall take place at least three (3) months prior to the expiry of the current collective agreement. Election procedures will be implemented to make every reasonable attempt to ensure that:

- a) at least one member of this committee will be an auxiliary employee 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 Component Executive) to sit as negotiating team members.
 - d) perform other duties as may be 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.

Section 6 - Resolutions Committee

The duties of this committee shall be to prepare and present resolutions for the Executive Committee to forward to:

- a) Yukon Employees Union Component convention.
- b) Yukon Federation of Labor convention.
- c) other conventions that the Local may attend.

Section 7 - Financial Committee

- a) The Treasurer shall chair this committee.
- b) The duties of this committee shall be to oversee the financial business of the Local.
- c) To ensure that expenditures remain within the approved budgetary guidelines.

BY-LAW 13 - SELECTION OF DELEGATES TO TRIENNIAL CONVENTION

The following formula will be applied in order to determine Local delegates to the Triennial Convention:

- a) Members of the Executive Committee shall be designated as delegates, however, they shall not comprise more than one-third (1/3) of the total allowable delegates for the Local.
- b) 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.