

# **Local Y024 Yukon Utility Workers'**

**Yukon Employees Union,  
Public Service Alliance  
of Canada**

## **LOCAL BY-LAWS**

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## **LOCAL Y024**

### **YUKON EMPLOYEES UNION**

#### **LOCAL BY-LAWS**

##### **BY-LAW 1 NAME**

1. This Local shall be known as Local Y024, Yukon Utility Workers' of the Yukon Employees Union, Public Service Alliance of Canada.
2. The principal headquarters of this Local shall be in the City of Whitehorse, in the Yukon Territory, or such place as may be determined from time to time by a consensus of the Local membership

##### **BY-LAW 2 AIMS AND OBJECTIVES**

1. The objectives and purposes of this Local are:
  - a) to indiscriminately unite into one organization all in-scope employees;
  - b) to form a bargaining unit for employees and represent same in their relations with their employer, towards establishing and maintaining equitable rates of pay, hours of work, benefits and conditions of employment;
  - c) to encourage and support the education and interest of members regarding the Local's aims, objectives, and operating procedures;
  - d) to establish and maintain among the members a spirit of understanding and loyalty that will guarantee the rights of others being considered and respected, and that will provide for each member the co-operation and protection to which they are entitled;
  - e) to provide for dealing promptly and equitably with employees and their employer in resolving disputes/difficulties which may arise;
  - f) to promote the welfare of its members and their families for the enhancement of the members' health, safety, security, happiness, and well-being;
  - g) to promote an open relationship of mutual confidence and good-will between the employees and the employer, on an on-going basis;

**Comment [k1]:** I believe this is now redundant, with the joining of the PSAC

## **BY-LAW 3 MEMBERSHIP**

1. Regular  
All employees of the Yukon Energy Corporation shall be eligible for membership in this Local except those persons employed in a managerial or confidential capacity.
2. Associate  
The Local may retain as associate members, former members of the Local whose employment has been terminated by:
  - a) reaching the minimum statutory retirement age,
  - b) ill health, when such is certified as the reason for retirement , or
  - c) who, by reason of the abolition of positions, are separated from their continued employment in the Public Service.
3. 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 COUNCIL**

### ***Section 1 Officers***

1. The Executive Council shall be composed of the following elected officers:
  - President
  - Vice-President
  - Past President when applicable
  - Secretary/Treasurer
  - District Representative - North
2. Each Officer shall as a condition of holding office, be and remain a member in good standing of the Local.
3. The Executive Council, with approval of the YEU Executive, shall have the authority within budgetary guidelines to:
  - a) employ staff to carry out the business of the local;
  - b) acquire such space and facilities as may be necessary for the conduct of the affairs of the local;

however, any financial undertaking shall be the sole and exclusive responsibility of the Local, in accordance with YEU Component By-law 7, Section 4.

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

## **Section 2 Election of Officers**

The election of officers shall be by secret ballot. No person shall hold more than one office at one time. All elected officers who are retired at an Annual General Meeting shall be eligible for re-election.

The election of Local Officers shall be as follows:

1. President, Vice President, Secretary/Treasurer and District Representative  
The President, Vice-President, Secretary/Treasurer and District Representative shall be elected from the membership at large. Once elected, they shall hold office for a two-year term or if necessary until a successor has been duly elected. The requirement for the position of President and Vice-President is that the individual must be a Local member for a minimum of one-year period prior to the election.
  - a) The President and District Representative will be elected on even numbered years.
  - b) The Vice President, and Secretary/Treasurer will be elected on odd numbered years
  - c) The District Representative shall be elected within sixty days of the Annual General meeting
    - i) by calling for nominations from the North District
    - ii) a mail in ballot may be used
    - iii) only those members residing within the North District are eligible to vote in the election.
2. Past President  
The retiring President, if not re-elected, shall automatically be appointed to the position of Past-President on the Executive Council, for a minimum one-year term, and shall remain an active member of the Council to provide continuity in Local management.
3. District Representative - North  
The District Representative shall be elected for a two-year term from among the members at large. This officer must be a resident and member in good standing from the North District.
  - a) The geographical area represented by the the District Representative north will be Dawson City, Mayo, Faro, and surrounding area;
  - b) Those members residing in the communities, or areas bounded by the North district, should be considered as having representation from the elected District Representative.

**Comment [k2]:** change to a two year term

**Comment [k3]:** change to a two year term

**Comment [k4]:**

- c) The specific affairs of each District shall be coordinated by the District Representative elected for a two year term from among the members of the Local.
  - d) The duties and responsibilities of the District Representative position are hereinafter specified.
4. Vacancies occurring in the Executive Council shall be filled within 30 days by appointment or election where possible,
- a) except that the First Vice-President shall assume the duties of President should a vacancy occur in that office; and
  - 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 4 Quorum**

A quorum of the Executive Council shall be the President or the Vice-President and two (2) other members of the Executive Council .

**Section 5 Meetings**

Between Annual General Meetings, all Executive powers of the Local, consistent with these By-Laws, shall be vested in the Executive Council. Meetings shall be run in accordance with the Public Service Alliance of Canada’s Rules of Order.

**Section 6 Duties of Officers**

1. The President shall:
- a) preside at all meetings of the members of the Local and of the Executive Council;
  - b) present a report of all actions taken by him/her on behalf of the Union at each Annual General Meeting;
  - c) be a member, ex-officio, of all committees established by the Executive Council
  - d) be responsible for all press releases;
  - e) be responsible for all general management and supervision of the affairs and operations of the Local;
  - f) act as Local representative at all Labour/Management meetings;
  - g) sign all by-laws, minutes and documents of the Local, along with the Secretary, or other officer appointed by the Executive Council for the purpose
  - h) hold joint signing authority with the Treasurer over financial matters of the local;
  - i) perform such other duties as are within the authority or responsibilities of presiding officers.
2. The Vice-President shall:
- a) perform the duties of the President in case of the absence or resignation of that officer;
  - b) as alternate to the President hold joint signing authority with the Treasurer over financial matters of the local;

- c) perform such other duties as are within the authority or responsibilities of presiding officers.

3. The Secretary/Treasurer shall:

- a) attend all meetings of the Executive Council and of the general membership;
- b) record all facts and minutes of these proceedings in the books kept for that purpose;
- c) give all notices of meetings to officers and members;
- d) be the custodial of all books, papers, records, correspondence, contracts, and other documents belonging to the Local;
- e) keep a file of all incoming and outgoing Local correspondence;
- f) keep custody of the membership lists as provided by the Component
- g) keep the By-laws of the Local up to date with all changes and amendments;
- h) ensure that all members are supplied with a copy of the By-laws and all subsequent changes and amendments thereto;
- i) keep full and accurate books of account in which shall be recorded all receipts and disbursements of the Local;
- j) under the direction of the Executive Council, control the deposit of money, safekeeping of securities and the disbursement of funds for the Local;
- k) prepare and present a financial statement at each Executive Council meeting;
- l) ensure that cheques are prepared for signing by the President and/or other designated signing officers;
- m) hold joint signing authority with the President over financial matters of the local;
- n) prepare the annual budget for review and approval at each Annual General Meeting;
- o) be ready at all times, with reasonable notice and direction of the Executive Council to present the Local's financial and administrative records for review;
- p) maintaining an up to date inventory, including description and location, of all Local property. This inventory shall form a part of the annual report to the general membership at the Annual General Meeting;
- q) perform such other duties as are within the authority or responsibilities of presiding officers.

4. The Past President shall:

- a) advise the Executive Council on an on-going basis regarding past Local matters related to current situations;
- b) assist in the transition of power to a newly elected President so as to provide continuity in Local management;
- c) assist the Bargaining Committee with research as required;
- d) perform such other duties as are within the authority or responsibilities of presiding officers.

5. The District Representative shall:

- a) preside at all meetings of the membership of the North District
- b) be charged with the general management of the affairs of the Local in the district;

- c) represent the matters of the North District at all Executive Council meetings;
- d) perform such other duties as are within the authority or responsibilities of presiding officers.

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 be required to take the BUS course as soon as possible.

## **BY-LAW 5 DISCIPLINE - PROCEDURES AND GUIDELINES**

### ***Section 1 General***

1. 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.
2. 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 2 Local Procedures***

1. A complaint filed against a member or members of a Local will be handled using the following guidelines:
  - 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.
2. 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 17, Sub-Sections (a) to (o) inclusive, of this By-Law.

3. 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 6, Sub-Section (a) to (o) inclusive, of this By-Law.
4. An officer dealt with as provided in section 14 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 matters shall be in accordance with Section 21 of the Constitution of the Public Service Alliance of Canada.
5. An officer having committed any of the offences listed in Sub-Section (a) to (o) may be penalized as provided in Sections 14 and 15 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/libeling or willfully wrongdoing an officer or member of the PSAC or 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 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 6 ANNUAL GENERAL MEETINGS & GENERAL MEETINGS**

### ***Section 1 - General***

1. The annual and general meetings of the members of the Local shall be held at such time and place and on such day, as the Executive Council shall appoint.
2. Special meetings of the membership can be called at any time by the President, or upon the request of two officers of the Executive Council, or upon the written request of one third of the members in good standing.
3. At annual meetings, in addition to any other business, which may be transacted, the report of the officers, the financial statement, and the report of the auditors shall be presented.
4. At the annual meeting an Executive Council is elected, and auditors are appointed for the ensuing year.

### ***Section 2 - Quorum for Membership Meetings***

1. At all general meetings of the members of the Local, a quorum for the transaction of business shall consist of one-quarter (1/4) of the members in good standing.
2. No business in any meeting shall be transacted unless a quorum is present.

### ***Section 3 - Notice of Meetings***

1. Notice of every such meeting shall be given to members by posting such notices to all applicable bulletin boards within a reasonable period of time prior to the meeting, stating the

date, time, and place of such meeting.

2. Ten (10) days notice shall be deemed to be reasonable notice under normal conditions.
3. Should an "emergency special" meeting of the membership be required, the ten day notice provision shall be waived, however every available means will be taken to notify each member of the meeting, prior to the meeting.
4. No error or omission in giving notice of any membership meeting or any adjourned meeting, whether annual or general, of the members of the Local shall invalidate such meeting or make void any proceedings taken there at and any member may at any time, waive notice of such meeting and may ratify, approve and confirm any or all of the proceedings taken or had thereat, except in the case of passing an extraordinary resolution.
5. Each member shall be charged with providing their current address and telephone number for recording on the books of the Local.

**Comment [k5]:** change thereat to at the meeting (other than that I have no idea what this means)

#### **Section 4 - Adjournment**

Any meeting of the membership may be adjourned to any time and from time to time and such business may be transacted at such adjourned meeting as may have been transacted at the original meeting from which such adjournment took place. No notice shall be required of any such adjournment. Such adjournment may be made notwithstanding that no quorum is present.

**Comment [k6]:** this is confusing doesn't make sense.

#### **Section 5 - Voting of Members**

1. Each member in good standing shall be entitled to one (1) vote at the meetings of the membership excepting the President or acting Chairperson, as the case may be, who shall only vote in the case of an equality of votes as set out below.
  - a) By members present:
    - i) At all meetings of the members of the Local, every question shall be decided by a majority of the votes of the members present unless otherwise required by law or by the bylaws of the Local.
    - ii) In case of an equality of votes at any general meetings of the membership, whether upon a show of hands or on a poll, the President, or District Representative, or acting Chairperson, as the case may be, shall cast the deciding vote.
  - b) Proxy votes:

- i) Proxy votes may be accepted in a vote only when the member will be absent due to their having to work for the employer, or when there is extenuating circumstances.
  - ii) Regardless, proxy votes will only be acceptable if approved by the Executive Council prior to the meeting.
  - iii) To obtain proxy voting privilege the member to be absent must apply in writing to the Executive Council to accept the member named by him to vote in his stead at a particular meeting or for a particular resolution.
  - iv) This application for proxy voting privilege must bear the signature of the member in good standing requesting the privilege of voting while absent, along with the signature of the member named to vote in their stead, and must be received by the Executive Council a minimum of one day prior to the meeting date, for review and authorization or rejection.
  - v) Proxy voting applications approved and authorized by the Executive Council will be acceptable for the particular meeting or particular resolution at which the requesting member is absent, and will be voided immediately after that time.
  - vi) At meetings where proxy voting applications have been duly authorized by the Executive Council, the President, or District Representative, or acting Chairperson, as the case may be, shall announce the members at the meeting that have proxy voting privilege, prior to the initiation of business transactions.
  - vii) Proxy voting shall not be accepted or permitted for:
    - a) The election of officers, or
    - b) Collective agreement ratification, or
    - c) A strike vote, or
    - d) Member discipline decisions, or
    - e) Executive Council decisions, or
    - f) Constitution or By-law amendments and/or changes
- c) Unless otherwise expressly provided for in these By-Laws, all decisions requiring a vote shall be decided by a simple majority.
- d) 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.
- e) These By-laws may be amended by a two-third (2/3) majority of the members in attendance at a General Meeting.
- i) Amendments shall be submitted to the Executive Committee at least forty-five (45) days prior to the General Meeting.
  - ii) Such amendments shall be made available to the membership at least thirty days prior to the General Meeting.

- iii) All amendments shall take effect immediately when adopted unless otherwise specified.
- f) 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.
- g) Any member may present a petition to the Executive Committee calling for a Special General Meeting.
  - i) Such a petition must be signed by at least twenty-five percent (25%) of the membership.
  - ii) The Special General Meeting shall be held no later than thirty (30) days from date of receipt of the petition.
  - iii) Notwithstanding (b) above, any member may present a petition signed by at least one quarter (1/4) 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.
  - iv) d) The membership shall be notified of date, place and time, fourteen (14) days prior to the meeting.
  - v) This notice must outline the question of petition and be the only item on the agenda.
- h) General
  - i) In general, all votes except strike votes shall be decided by a show of hands with each member, except those holding authorized proxy votes, carrying one vote,
  - ii) Notwithstanding i) above a poll may be demanded by any member, to be carried out in such a manner as the President, or District Representative or acting Chairperson shall direct,
  - iii) In either case, a show of hands or a poll the as the President, or District Representative or acting Chairperson shall cast their vote as the deciding vote only in the case of a tie,
  - iv) A strike vote shall at all times be taken by secret ballot.
- i) Geographic Concerns
  - i) Due to the geographical division of the Local, a general membership vote on a resolution may be conducted by forwarding to the membership a notice setting out in clear terms the resolution upon which the Executive Council requires a decision.
  - ii) A majority of the notices returned to the Executive Council shall be considered a vote by the membership.

## **BY-LAW 7 MEMBERSHIP DUES**

1. 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 Sub-Sections (1) & (2) of section 21 of the Constitution of the Public Service Alliance of Canada.
2. 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.
3. 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 8 COMMITTEES**

1. 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.
2. Standing Committees may include but are not limited to:
  - a) Labour/Management Committee
  - b) Public Relations Committee
  - c) Health & Safety Committee
  - d) Bargaining/Negotiations Committee
  - e) Financial Committee
3. Duties of the Standing Committees shall be as defined from time to time by the Executive Council or the Membership

## **BY-LAW 9 DELEGATES FOR YEU TRIENNIAL CONVENTION**

The following formula will be applied in order to determine Local Y017 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.

- c) Consideration shall be given to ensuring that proportional representation is achieved in delegate selection. To that end, the membership of the North District must have equal opportunity to elect a delegate.

**Extra stuff you might want....**

**Section 1 - Labour / Management 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:

- a) to organize social events for the Local.
- b) to make recommendations to the Executive Committee for the care of families of distressed members.
- c) to identify community social issues of concern to the Local members at large.
- d) to respond to such identified social issues in a tangible way.
- e) to 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:

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

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 Labour / Management 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 Labour 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.