

Yukon College Employees Union

**LOCAL Y011**

**OF**

**YUKON EMPLOYEES UNION**

**LOCAL BY-LAWS**

**October 2012**

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**LOCAL BY-LAWS**

**By-Law 1 - NAME**

This Local shall be known as Local Y011 Yukon College Employees Union (YCEU) of the Yukon Employees Union (YEU), Public Service Alliance of Canada (PSAC).

**By-Law 2 - AIMS AND OBJECTIVES**

- (a) It shall be the objectives 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 Yukon College shall be eligible for membership in this local except those employees designated by the component to be eligible for membership in another local of the Component 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 at Yukon College.

Associate members shall not be eligible for executive office in the Union, shall not have voice nor vote in meetings of the Local.

For the purposes of the YCEU administration, the Yukon Territory is divided into three geographical districts:

- District 1            Ayamdigut
- District 2            Yukon South
- District 3            Yukon North

## **By-Law 4 - EXECUTIVE COMMITTEE**

### Section 1

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

- President
- Vice-President Faculty
- Vice-President Support Staff
- Secretary
- Treasurer
- Chief Shop Steward
- Director District 1 (Ayamdigut)
- Director District 2 (Yukon South)
- Director District 3 (Yukon North)
- Past President

### Section 2

All officers, except for those identified in Section 3(a) 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 Faculty, Vice-President Support Staff, Chief Shop Steward and the Director from District 2 (Yukon South) shall be elected on odd-numbered years.
- (b) President, Secretary, Treasurer, and Directors from Districts 1 (Ayamdigut) and 3 (Yukon North) shall be elected on even-numbered years.
- (c) Officers shall have the right to be re-elected for subsequent terms.

### Section 3

- (a) One Director from each of the three Districts shall be elected within sixty days of the Annual General Meeting by calling for nominations from the Districts. A

mail, fax or e-mail ballot may be used.

- (b) The Past President shall be the immediate past president of Yukon College Employees Union. The past president shall be a voting member and serve a term of two years.

Section 4

Members may vote for those officers elected at an Annual General Meeting by being present at the meeting.

Only those members residing within Districts 1, 2, and 3, are eligible to vote for the director in their respective District.

Section 5

A quorum of the Executive shall be four members. At least one of them shall be the President or a Vice-President.

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. Executive members shall be given 48-hour notice of a special meeting.

- (a) An extraordinary meeting shall be called by the President or a Vice-President if requested by four or more members of the Executive committee, provided notice is given to the work location of all Executive members, or mutual consent is sought.
- (b) Any Union member may request an agenda item at a regular Executive Meeting.

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 Faculty shall assume the duties of President should a vacancy occur in that office on an odd-numbered year. In an even-numbered year the Vice-President Support Staff 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.

Section 14

Discipline- Procedures and Guidelines:

Complaints against any member, Local Officer, or Component Officer shall be in writing, signed by a member; it shall 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 15 - Local Procedures

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.

Section 16

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 17

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 18

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

Section 19

An officer having committed any of the offenses listed in Subsection a. to o. may be penalized as provided in Sections 16, 17 and 18 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 Local By-Laws;
- (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 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 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 either 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 or the Component.

## **By-Law 5 - DUTIES OF OFFICERS**

### **President**

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 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;
- (f) perform such other duties as are within the authority or responsibilities of presiding officers.
- (g) oversee all records, correspondence, files, documents of the Union;

### **Vice-President Faculty**

The Vice-President Faculty shall:

- (a) perform the duties of the President in case of the absence or resignation of that officer on an odd-numbered year.
- (b) perform such other duties as may be assigned by the President or the Executive Committee.
- (c) act as a member of the Joint Consultation Committee.

**Vice-President Support Staff**

The Vice-President for Support staff shall:

- (a) perform the duties of the President in case of the absence or resignation of that officer in an even-numbered year;
- (b) perform such other duties as may be assigned by the President or the Executive Committee;
- (c) act as a member of the Joint Consultation Committee.

**Secretary**

The Secretary shall:

- (a) arrange for the recording of minutes at all meetings;
- (b) record all minutes of regular, special or extraordinary Executive Committee meetings;
- (c) prepare reports, correspondence or perform other duties as directed by the President or Executive.

**Treasurer**

The Treasurer shall

- (a) be responsible for ensuring that accurate records of all financial transactions are maintained,
- (b) ensure that accounts are maintained on behalf of the Local at a chartered bank,
- (c) ensure that cheques are prepared for signing by the President or other designated signing officers,
- (d) present a financial update at each Executive Committee meeting,
- (e) present a copy of the Local's financial statements to the Alliance.
- (f) work under the direction of the Executive Committee to prepare an annual budget, and
- (g) perform other duties as assigned by the Executive Committee.

**Chief Shop Steward**

The Chief Shop Steward shall:

- (a) hold regular monthly meetings with the Shop Stewards;
- (b) chair a grievance committee and the members of the grievance committee shall be selected from the Shop Steward network;
- (c) arrange for Shop Stewards training courses through the Alliance;
- (d) arrange for the election of Shop Stewards as required;
- (e) compile and maintain a list of all Shop Stewards;
- (f) perform other duties as assigned by the Executive Committee.

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. Every effort will be made to accommodate the participation of Community Campus Staff.

- (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) Notices of the meetings shall be placed on the bulletin boards at all work locations at least fourteen (14) 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.

### 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. Each election shall deal with one position at a time.

### Section 4

Nominations of candidates not present at the Annual General Meeting, shall be in writing. 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 with the Chief Shop Steward, and other Shop Stewards.

- (a) Shop Stewards shall be notified of the dates of Executive meetings and Shop Stewards meetings by the Chief Shop Steward.
- (b) Shop Stewards may attend Executive meetings as observers.as observers.
- (c) Shop Stewards will manage 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.

- (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.
- (b) Shop Stewards shall have the right to be re-elected for subsequent terms.

Section 3

At any time, ten members may make a written request to the executive to review the performance of a Shop Steward. The executive may then determine appropriate action.

**By-Law 9 - FINANCES**

Section 1

A copy of the financial records of the Local shall be available for review by the membership in the office of the Component during regular office hours. One copy of the financial records of the Local shall be forwarded to the Public Service Alliance of Canada on an annual basis.

Section 2

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

Section 3

The fiscal year of the Local shall be from September to September of every year.

Section 4

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 5

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

## **By-Law 10 – MEMBERSHIP DUES**

### Section 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.

### Section 2

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 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.

### Section 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 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.

- (a) Such a petition must be signed by at least twenty percent (20%) 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) The membership shall be notified of date, place and time, fourteen (14) days prior to the meeting.
- (d) 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 report to the Executive. Standing Committees may include:

**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 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.

**BARGAINING COMMITTEE**

This committee shall be composed of not less than (4) four members but not more than (10) ten members selected at a bargaining input meeting.

The election for the bargaining committee 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) hold a bargaining input meeting at least three (3) months prior to the expiry of the current collective agreement.
- (c) perform other duties as may be assigned by the Executive Committee.

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

**NEGOTIATIONS COMMITTEE**

This committee shall be elected at a bargaining input meeting and shall consist of at least:

- one community member
- one faculty member
- one support staff member

When electing a negotiations team, there shall be gender parity on the team whenever possible.

The duties of this committee shall be:

- (a) to sit as members of a negotiating team as prescribed by the Constitution and Regulations of the PSAC and the Bylaws of the Component.
- (b) The negotiations committee shall report to the Executive Committee on its actions and shall exercise such authority as may be delegated to it by the Executive Committee.

**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.

### **By-Law 13 – SELECTION OF DELEGATES TO TRIENNIAL CONVENTION**

The following formula will be applied in order to determine Local Y011 delegates to the Triennial Convention:

- (a) Delegates shall be elected at a general meeting held at least four (4) months prior to the starting date of the Component Convention

Delegate election shall proceed in such a way as to ensure regional representation in proportion to that of the Local membership as a whole.