

LOCAL BY-LAWS

WHITEHORSE MUNICIPAL EMPLOYEES

LOCAL Y046

OF

YUKON EMPLOYEES' UNION

Approved and Adopted at the 1st General Meeting held on June 14, 2021



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BY-LAW #1: NAME

This Local shall be known as Local Y046, Whitehorse Municipal Employees of the Yukon Employees' Union, Public Service Alliance of Canada.

This local shall be comprised of two bargaining certificates/units referred to in these bylaws as:

City of Whitehorse General Employees ("Whitehorse General")

City of Whitehorse Transit Workers ("Whitehorse Transit")

BY-LAW #2: AIMS AND OBJECTIVES

- (a) It shall be the objective 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

Section 1 - Regular

All employees of the City of Whitehorse shall be members of Local Y046 of the Yukon Employees Union, except those employees designated by the component to be eligible for membership in another Yukon Employees Union Local, or a person employed in a managerial or confidential capacity.

Section 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 with the City of Whitehorse.

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 six (6) elected officers:

President
1st Vice-President
2nd Vice-President
Secretary/Treasurer
Chief Shop Steward – Whitehorse General
Chief Shop Steward – Whitehorse Transit

Section 2

The positions of the Executive Committee 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 Chief Shop Steward – Whitehorse General shall be elected on even numbered years.
- (b) President, 2nd Vice President, and the Chief Shop Steward – Whitehorse Transit will be elected on odd numbered years.
- (c) Officers shall have the right to be re-elected for subsequent terms.
- (d) All members of the Executive cannot be from one bargaining unit.

Section 4

Members in good standing may vote to elect officers nominated to positions on the executive at an Annual General Meeting, by being present (physical or virtual) at the meeting.

- (a) The Chief Shop Stewards shall be nominated and elected from among their respective bargaining unit members present at the meeting.

Section 5

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

Section 6

Between Annual General Meetings, all Executive powers of the Local, consistent with the Bylaw's, 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. 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 quarterly meetings or special meetings at the call of the President or their delegate.

- (a) An extraordinary meeting shall be called by the President or a Vice-President if requested in writing by two or more members of the Executive Committee.
- (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 a majority vote of the Executive Committee.

Section 12

Vacancies occurring in the Executive Committee shall be filled within thirty (30) days by appointment or election where possible.

- (a) Except that the 1st 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.

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 the Union representative in all matters for which they have been authorized by the Executive Committee or general membership.
- (d) Present a report of all actions taken by them on behalf of the Union during their term of office.
- (e) Perform such other duties as are within the authority of responsibilities of presiding officers.

Section 2

The 1st Vice-President shall:

- (a) Perform the duties of the President in cases 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 2nd Vice-President shall:

- (a) Follow up on all RAND members to collect signed membership cards.
- (b) Perform such other duties as may be assigned by the President or the Executive Committee.

Section 4

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, and documents of the Local.

- (d) Prepare reports, correspondence or perform other duties as directed by the President or Executive Committee.
- (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 5

The Chief Shop Stewards shall:

- (a) Coordinate shop steward activities within their bargaining unit, mentoring new shop stewards and reporting to YEU on steward training plans.
- (b) Arrange for the election of Shop Stewards as required.
- (c) Hold regular quarterly meetings with the Shop Stewards.
- (d) Arrange for Shop Stewards training courses through the Alliance.
- (e) Perform other duties as assigned by the Executive Committee.
- (f) Report to the executive on volume and subjects of grievances filed and progress.
- (g) Compile, maintain and post a list of all Shop Stewards.

Section 6

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: SHOP STEWARDS

Section 1

The Shop Stewards shall work in close liaison with the Chief Shop Stewards.

- (a) Nomination of Shop Stewards 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.
- (b) Local members shall elect Shop Stewards according to their areas of work as per the following recommended work areas and representative numbers: At least one shop steward for each Department and/or worksite.
- (c) Shop Stewards shall be notified of the dates of Executive meetings (and Shop Stewards Meetings).
- (d) Shop Stewards may attend Executive meetings as observers.
- (e) Shop Stewards will police the Collective Agreement, Acts and Regulations and refer to them, as necessary.
- (f) Shop Stewards will act as field representatives and as spokespersons for the members.
- (g) Shop Stewards shall endeavor to meet all new hires within their area of responsibility.

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. Shop Stewards would remain in their elected position until resignation,

or mandate is revoked as per Section 3 of this By-law; or as long as they remain a member in good standing.

- (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.

BY-LAW #7: 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 financial records covering the preceding twelve-month period, as well as a tentative budget for the next year.

BY-LAW #8: ELECTION OF OFFICERS

Section 1

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

- (a) Officers representing a Bargaining Unit will be elected by their respective bargaining certificate members. If after 2 votes, a position is not elected by a majority of bargaining unit members, the election shall be carried out by the Local.

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 in 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

All officers of this local shall take office at the end of the meeting at which they are elected.

Section 5

The oath of office shall be administered to all officers immediately before taking office.

Section 6

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 #9: 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 (30) 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 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) 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 an Special General Meeting to be held no later than sixty (60) days from the date of receipt of the petition.
- (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 #10: GENERAL DISCIPLINE

Taken from PSAC Constitution

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 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 Committee.
- (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 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 5, Sub-Sections (a) to (o) inclusive, of this By-Law.

Section 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 5, Sub-Section (a) to (o) inclusive of this By-Law.

Section 4

An officer dealt with as provided in PSAC Regulation 19 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 25 of the Constitution of the Public Service Alliance of Canada.

Section 5

An officer or member having committed any of the offenses listed in Sub-Section (a) to (o) may be penalized as provided in PSAC Regulation 19.

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- (a) Violating any provision of the Constitution of the Public Service Alliance of Canada or the By-Laws of the Component or 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 officer 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 members or group of members.
- (e) Publishing or circulating among the member's false reports or misrepresentation.
- (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 moneys 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 their duties.
- (n) Failure of a non-designated member to honor 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 #11: MEMBERSHIP DUES

- (a) The dues payable by each member of the Local shall not be less than the amount determined by the Component, Regional, and National Triennial Conventions of Yukon Employees Union & 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 at a special meeting called for that purpose. Such additional dues shall be collected by the Union as 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 #12: FINANCES

Section 1

The financial records of the Local shall be audited if 50+1% of the membership so request. A copy of the financial statement shall be submitted to the Component Executive at the end of the fiscal year.

Section 2

The signing officers of the Local shall be the President, the Secretary/Treasurer, and the 1st & 2nd Vice Presidents, two of whom shall sign all cheques.

Section 3

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

Section 4

Members traveling on Local business shall be reimbursed for expenses.

- (a) Such travel must be authorized in writing by the Executive Committee.
- (b) Reimbursement of travel expenses shall be in accordance with the 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 #13: 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.

It is recommended that all members sitting on Union/Management committees and elected officers take the Talking Union Basics (TUB) course as soon as possible.

Standing Committees shall include:

Section 1 – Joint Labour/Management Committees

The purpose of these committees is to compile and investigate concerns and/or issues appropriate for joint consultation.

Whitehorse General - The committee shall be composed of any two (2) members of the Executive, and one other individual from within the general membership as designated by the Executive Committee.

Whitehorse Transit - The committee shall be composed of the Chief Shop Steward and two other members as designated by the Executive Committee.

The individual members appointed must be in good standing. Unresolved issues arising from these committees shall be referred to the Component for appropriate action.

Section 2 – Membership 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, for the good of the membership, including:

- (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 3 - Health and Safety Committee

Duties of this committee shall be:

- (a) To monitor recommendations to improve health and safety conditions in the workplaces.
- (b) To promote health and safety awareness throughout the Local membership, and ensure, where possible, that workplace Health & Safety Committees are formed.
- (c) To assist with the election of Worker Members to the workplace Health & Safety Committee
- (d) Research better health and safety standards as promoted by other jurisdictions.
- (e) To act as liaison with the employer and Joint Health & Safety Committee on Local initiated health and safety concerns.
- (f) Ensure that minutes from Joint Health & Safety Committee meetings are posted on local bulletin boards.

Section 4 – Planning and Scheduling Committee

As per Article 7.20 in Whitehorse Transit Collective Agreement, duties of this committee shall be:

- (a) To assume the role of Local Union Representatives on the Joint Scheduling Committee.
- (b) To make recommendations on driver schedules and transit routes.
- (c) To consult with drivers on proposed changes to schedules and routes.

Section 5 – Bargaining/Negotiations Committees

Duties of these committees 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 the representatives (as determined by the Component Executive) to sit as 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.

Whitehorse General – The committee shall be composed of not less than six (6) members but not more than eight (8) members nominated at a bargaining input meeting or Annual General Meeting. At least one is to be a casual/seasonal employee representative.

Whitehorse Transit - The committee shall be composed of not less than four (4) members but not more than six (6) members nominated at a bargaining input meeting of Annual General Meeting. At least one is to be a casual/seasonal employee representative.

The election shall take place at least three (3) months prior to the expiry of the current collective agreement.

BY-LAW #14: SELECTION OF LOCAL DELEGATES

Local delegates and alternates to any Component, Alliance or affiliate conference or convention, will be elected at the AGM or special meeting of the local, according to Bylaw 8, for the designated local entitlement for any alliance or affiliate conference or convention.

- (a) PSAC Constitution Section 16
- (b) YEU Bylaws Section 10
- (c) YFL Constitution Article 4

Resolutions submitted by the local to any Component, Alliance or affiliate conference or convention must be approved by simple majority at the AGM or special meeting of the local.