

**BY-LAWS**  
**Public Service Alliance of Canada**  
**Union of Environment Workers - LOCAL 70712**  
**January 19, 2011**

**BY-LAW 1-NAME**

*This organization shall be known as Local 70712, Union of Environment Workers.*

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

**Section 1**

*It shall be the objective of this Local to protect, represent, maintain and advance the interests of the employees of the Department of Environment, and CEAA coming under its jurisdiction.*

**Section 2**

*This Local shall unconditionally subscribe to and accept, as its governing documents, the Constitution of the PSAC the by-laws of the Union of Environment Workers.*

**BY-LAW 3-MEMBERSHIP**

**Section 1**

*All public service employees who are members of Public Service Alliance of Canada for which this Local has jurisdiction shall be eligible for membership in this Local. The jurisdiction of the Local shall be assigned by the National Executive of the Union of Environment Workers.*

**Section 2**

*Upon being granted membership in the Local for the term of such membership, each member is deemed to have agreed to abide by these By-Laws, the By-Laws of the Union of Environment Workers and the Constitution of the Public Service Alliance of Canada.*

**Section 3**

*The receipt by the Public Service Alliance of Canada of the official form authorizing payroll deduction of dues shall constitute evidence of membership for the issuance of identification cards and for granting of all rights and privileges as outlined in the By-Laws of the Union of Environment Workers and the Constitution of the Public Service Alliance of Canada.*

**Section 4**

*Members in good standing:*

*A. have the right to representation by the Local for complaints and grievances;*

*B. have the right to vote at Local meetings, the right to nominate executives and to run for an executive position;*

*C. have the right to vote on proposed amendments to by-laws according to BY-LAW 10.*

## **Section 5**

*The membership dues of the Local shall not be less than the amount of the per capita dues required by the Constitution of PSAC and the By-Laws of Union of Environment Workers as determined by National Convention.*

*Local dues shall be set at the Annual General Meeting or at a General Meeting, by 2/3 majority approval by attending members*

## **Section 6**

*A contingency fund has been established for the purpose of relief in the event of a strike. The amount of \$3.50 (two dollars) per member per month will be allocated to the Local Contingency Fund until such time as the Contingency Fund has reached a positive balance of \$250.00 (two hundred and fifty dollars) per member. The Contingency Fund will be used to pay members in good standing who actively participate in legal strike activities at the Public Service Alliance of Canada rate per member per day of picketing, until such time as the Fund has been exhausted.*

## **Section 7**

*Suspension of a member of the Local may be initiated by a two-thirds majority vote on a motion to suspend either at an Executive Meeting or a General Meeting. The circumstances that warrant a suspension include, but are not limited to, fraud from the Local, misrepresenting the Union, and neglect of duties (see Section 2 and 3 of BYLAWS 3-MEMBERSHIP). Once a motion to suspend is approved, a letter will be sent to the accused informing them of the charges, the corrective action (if applicable), the severity of the suspension (e.g., suspension of membership), and a response mechanism (a hearing before a Suspension Committee, designated by the Executive). The motion shall be amended and/or carried upon a two-thirds majority vote by the Suspension Committee.*

## **BY-LAW 4-EXECUTIVE OFFICERS OF THE LOCAL**

### **Section 1**

*The executive officers of this Local shall consist of the President; a Vice-President; Building Representative(s) (preferably one from each building); a Treasurer; a Secretary; and a Chief Steward. The Treasurer and Secretary may be combined into one position (a Secretary/Treasurer).*

### **Section 2**

*The executive officers shall be chosen by election at an Annual General Meeting by a simple majority vote. The Local must fill, as a minimum, the positions of President, Vice-president, and Secretary/Treasurer by election at an Annual General Meeting.*

- A) The offices of President, Treasurer and 3 Building Representatives shall be filled by election on even years, and their term of office shall be for (2) years.*
- B) The offices of Vice-President, Secretary and the other three Building Representative shall be filled by election on odd years and their term of office shall be for (2) years.*

### **Section 3**

*A) Elections for executive officers shall occur every second Annual General Meeting. Once elected, executive officers shall serve a 2-year term or until the next election. Only members in good standing are eligible to hold office or vote for candidates seeking office in Local 70712.*

*B) The nominator of a candidate for office, or in his/her stead the seconder of the nomination, shall have the right to address the meeting for a period not to exceed three(3)minutes.*

*C) Candidates nominated for office shall have the right to appoint a scrutineer.*

*D) Elections shall be held by secret ballot or by a simple majority vote. and shall proceed in the order of President, Vice-President, Treasurer, Secretary (or Secretary/Treasurer), Building Representative(s), and Chief Steward.*

*E) In the event of more than two candidates running for office, the candidate receiving the fewest number of votes shall be dropped from the ballot whenever a clear majority of the votes cast is not accorded any candidate. This procedure shall continue on each succeeding ballot for the office until a candidate receives the required majority.*

*F) The Oath of Office shall be administered to all officers before taking office.*

*G) If a position is/becomes vacant, the executive officers may fill the position by an interim appointment, by majority vote of the remaining Executive Officers. The interim appointee shall serve until the next election.*

#### **Section 4**

*A majority of the Executive Committee shall constitute a quorum.*

#### **Section 5**

*The Executive Committee by a majority approval shall authorize the incurring of all just debts of the Local.*

#### **Section 6**

*Any member of the Executive Committee may be relieved of his/her duties on sufficient evidence that the Executive member is not performing said duties in the best interests of the Local. This action can be initiated on a majority vote at a meeting of the Executive Committee, or a General Membership meeting*

### **BY-LAW 5—DUTIES OF EXECUTIVE OFFICERS**

#### **Section I**

*The President shall:*

*A. presides at all meetings of the Executive Committee;*

*B. preside at general membership meetings, annual membership meetings and special membership meetings;*

*C. is a member ex officio of all committees;*

*D. interprets and enforces the due observation of the Local By-Laws;*

*E. convene special meetings of the Local or Executive Committee;*

*F. ensures that the Executive Committee carries out the approved directives from the membership in accordance with the Local By-Laws;*

*G. report to the Executive Committee and keep its members fully informed.*

*H. shall represent members on subject concerning RANDs, Steward and grievance issues, and keeping member information current;*

*I. vote only in the case of a tie;*

*J. once elected must take steward training within the first year, if the individual has not already received the training.*

## **Section 2**

*The Vice-President shall:*

*A. perform all the duties pertaining to the office of the President in the absence of the President;*

*B. attend meetings of the Executive Committee;*

*C. shall represent members on subject concerning RANDs, Steward and grievance issues, and keeping member information current;*

*D. perform such duties as may be assigned by the President;*

*E. once elected must take steward training within the first year, if the individual has not already received the training.*

## **Section 3**

*The Secretary shall:*

*A. be responsible for maintaining an accurate account of proceedings of the Executive Committee meetings, general membership meetings, the annual membership meetings and any other meetings called by the Executive Committee;*

*B. forward promptly to the President and/or the Executive Committee all applicable correspondence and documents as received;*

*C. is responsible for all official documents of the Local;*

*D. forwards a copy of all Annual General Meeting minutes to the Union of Environment workers;*

*E. may represent members on subject concerning RANDs, Steward and grievance issues, and must help keep membership information current;*

*F. perform such other duties as may be assigned by the President;*

*G. once elected must take steward training within the first year, if the individual has not already received the training.*

#### **Section 4**

*The Treasurer shall:*

- A. is responsible for the funds of the Local;*
- B. deposit funds in a chartered bank or trust company nearest the Treasurer work site or home;*
- C. disburses payment of all just debts of the Local and will abide by the rates of compensation as set out in Appendix A*
- D. has the financial records of the Local at the disposal of the Executive Committee at all times and prepare a statement for the executive and general membership, the form of which shall be approved by the Executive Committee;*
- E. prepare a balance sheet and a financial report signed by two (2) Local members in good standing (who are not Executive Committee Members) for the annual general membership meeting;*
- F. forwards a balance sheet and financial report to the Union of Environment Workers for formal auditing;*
- G. attends meetings of the Executive Committee;*
- H. may represent members on subject concerning RANDs, Steward and grievance issues, and keeping member information current;*
- I. once elected must take steward training within the first year, if the individual has not already received the training;*
- J. performs such other duties as may be assigned by the President.*

#### **Section 5**

*Building Representative(s) shall:*

- A. attends meetings of the Executive Committee;*
- B. shall represent members located in their building area on subject concerning RANDs, Joint, Occupational Health and Safety, Management Meetings, Steward and grievance issues, and keeping member information current;*
- C. performs such duties as may be assigned by the President;*
- D. once elected must take steward training within the first year, if the individual has not already received the training.*

#### **Section 6**

*On vacating the respective positions which they may hold, all officers of the Local shall deliver to the Secretary all funds, documents or other properties of this Local within ten days to the president.*

### **BY-LAW 6 – APPOINTED OFFICERS**

#### **Section 1**

*Stewards, sub-committee members, delegates etc shall be selected by majority vote by the Executive Officers of the Local.*

**Section 2**

*Appointed officers are not executive officers, therefore, can not attend an executive meeting without approval from the executive committee. Also, if approval is granted, the appointed officer has observer status.*

**Section 3**

*The Chief Steward shall be responsible for the representation of members and the recruitment of stewards. If there is no Chief Steward or Steward(s) this responsibility falls on the executive committee.*

**Section 4**

*The Translator shall be responsible for the translation of the Local documents and website.*

**Section 5**

*Website Officer shall be responsible for maintaining the website local70712.com*

**BY-LAW 7 - FINANCES**

**Section 1**

*No officer or officers of this Local shall incur any expenses on behalf of the Local in excess of \$1000.00 without the prior approval of a majority of members present at an Annual General Meeting or at a General Meeting.*

**Section 2**

*The Local shall submit to the National Office of the Union of Environment Workers an annual audited statement of Local finances before March 1<sup>st</sup> of each year. In accordance with the foregoing the Union of Environment Workers shall make no remittance of Local dues until such statement has been received.*

**Section 3**

*The local shall compensate the Executive Committee as follows:*

*A) Maximum rate of compensation for President of the Local \$1825.00*

*B) Maximum rate of compensation for Vice President of the Local \$1460.00*

*C) Maximum rate of compensation for Treasurer and Secretary of the Local \$750  
(if positions are combined maximum rate of compensation will be \$1200.00)*

*D) Maximum rate of compensation for Building Representatives of the Local \$500.00*

*E) Maximum rate of compensation for Translator of the Local \$500.00*

*F) Maximum rate of compensation for Website Officer of the Local \$200.00*

G) *Maximum rate of compensation for building contact (no Building Representative present) for the local \$50.00*

#### **Section 4**

*The Executive shall be entitled to pay a maximum rate of compensation \$20.00 to a member in good standing when he or she is part of a Local's committee or attending a Local meeting. Local Meeting includes committee and steward meetings. To receive this monetary amount the meeting will have to be one hour or more*

#### **Section 5**

*The Executive shall be entitled to pay for meals to a member in good standing when he or she is part of a Local Committee or attending a Local meeting. Local Meeting includes committee and steward meetings. If prior approval is received from the Executive, the current Public Service Alliance of Canada rates will be used which will be updated and kept current by the local Treasurer*

#### **Section 6**

*The Local shall reimburse a member in good standing of the Local travelling on legitimate union business of the Local for the use of his/her car for mileage, plus parking, or pay for transportation, if prior approval is received from the Executive, the current Public Service Alliance of Canada rates will be used which will be updated and kept current by the local Treasurer.*

#### **Section 7**

*The Local shall pay a member in good standing when attending an educational training course, an event held by the Public Service Alliance of Canada or the Union of Environment Workers upon approval from the Executive.*

*A) A maximum rate of compensation, \$30.00 may be paid for an evening (after work) meeting, workshop, course, or any training*

*B) A maximum rate of compensation of \$50.00 may be paid per day (min. 6 hour) for a weekend meeting, workshop, course, or any training*

#### **Section 8**

*An Executive or designated member of the Local attending a meeting on a business day on behalf of the Local shall be reimbursed for salary at the Union of Environment Workers rate of pay if prior approval is received from the Executive and as long as no reimbursement from the employer, PSAC and/or Union of Environment Workers will be received.*

#### **Section 9**

*The Executive, by majority vote, shall have the authority to donate per annum to charities, or give assistance to unions on strike.*

#### **Section 10**

*The Executive, by majority vote, shall have the authority to incur expenses for recreational and sporting items/events each year.*

#### **Section 11**

*The Local will match the per diem amount the Public Service Alliance of Canada pays to a member in good standing when the member is in a legal strike position and actively participates in the strike, from the contingency fund until such time as the fund is depleted. The member may be paid for each day that he/she receives strike pay from the Public Service Alliance of Canada (see BYLAW 3-MEMBERSHIP, section 6 B).*

#### **Section 12**

*The Local's Emergency & Hardship Fund Expenses is cumulative to \$5000.00, once reached the extra money will be transferred to the contingency fund (see BYLAW 3-MEMBERSHIP, section 6 B).*

#### **Section 13**

*All members of the Local shall be responsible for any assets of the local that they may have in their possession. All assets not in the possession of a member shall be kept in the designated Local storage room which must be secure. All assets must be tracked.*

### **BY-LAW 8 – MEETINGS**

#### **Section 1**

*The Local Executive Officers shall hold formal Executive meetings as necessary to conduct the business of the Local unless circumstances prohibit.*

#### **Section 2**

*The Local Stewards shall endeavour to hold formal Steward Meetings as necessary to discuss the business of the Local.*

#### **Section 3**

*The Annual General Meeting of this Local shall be held once a year and that one month's notice is given to the general membership. The Annual General Meeting shall be held in accordance with the Union of Environment Workers By-Laws for the purpose of receiving annual reports, the consideration of business, the amendment and/or distribution of By-Laws, and the election of officers. The Annual General Meeting must have a quorum to proceed. A quorum shall be eight (8) members and shall include a minimum of two (2) members of the Executive. Without a quorum, the meeting must be cancelled or rescheduled. A rescheduled meeting can proceed without a quorum as long as a two-thirds majority of the executive is present.*

#### **Section 4**

*General Meetings may be called by the President; by the majority of the executive officers of the Local; upon petition of ten (10) Local members and that one month's notice is given to the general membership. A Special meeting must have a quorum (see above) to proceed. Without a quorum, the meeting must be cancelled or rescheduled. A rescheduled meeting can proceed without a quorum as long as a two-thirds majority of the executive is present.*

**Section 5**

Committees shall be set up as deemed necessary by the Executive. Committees can include (but are not limited to) Safety and Health, Membership, Equal Opportunity and Bargaining.

**BY-LAW 9 - AMENDMENTS OF BY-LAWS**

These By-Laws may be amended by a two-thirds majority vote of the members at an Annual General Meeting or General Meeting, provided thirty (30) days' notice of motion has been given and posted.

Every attempt will be made to ensure that the Local By-Laws and website are available to the membership in both official languages. If there are discrepancies between the French and English versions, the English version will supersede. Any errors found in the French version will be corrected as soon as possible

**BY-LAW 10 - GENERAL**

**Section 1**

Unless expressly provided otherwise by 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 By-Laws of the Union of Environment Workers or the Constitution of the Public Service Alliance of Canada.

**Section 3**

The following interpretation shall apply in these By-Laws;

- A. "may" is to be construed as permissible;
- B. "shall" is to be construed as imperative;
- C. "the Local" shall be construed to refer to Local 70712, Union of Environment Workers.

President: John Coltes John Coltes March 11, 2011  
 Print Signature Date

Vice President: Michael Lister Mike Lister Mar. 14/2011  
 Print Signature Date

### Local 70712 Personal Hardship Fund (Appendix A)

*Purpose: To provide assistance to full-members of Local 70712 of the UEW who for whatever reason may be experiencing hardship that prevents them from meeting their financial or employment obligations.*

*Funding: The amount of \$1500.00 is allotted yearly in the locals annual budget until an amount of \$5000.00 is accumulated in the fund. Once the maximum amount has been reached it will be topped up by the annual budget to reach the maximum with an amount not to exceed \$1500.00.*

*Eligibility: Any fully signed member of Local 70712 in good standing with the local and the PSAC is eligible to receive monies or services from the fund in the form of either a) an interest-free loan, which will consist of a signed agreement between the two parties; the Local and the recipient, establishing a payment schedule and timeframe for such, penalties for non-payment may include suspension from the Local and/or legal action or b) a grant which will consist of a signed agreement between the two parties; the Local and the recipient for the Local records c) Life coaching sessions/workshops. All cases will be kept confidential within the committee.*

#### **Guidelines to access financial assistance:**

*A committee of at least three (3) persons must be established to review requests and make recommendations to the Executive of local 70712, of which two (2) must be duly elected representatives of said Executive.*

*The Executive will by majority vote, and acting in the good faith of the local authorize any payments from the fund.*

*Access to this financial fund will not be available to members who are on paid leave or leave of absence and in the event of a strike designated members or any members who otherwise crossed the picket line without the expressed written authorization of the strike coordinator.*

*Financial assistance will be paid only in cases of undue hardship.*

*Coverage for rent or mortgage payments will only be considered if efforts to defer these are not successful.*

*Criteria that will constitute hardship are as follows:*

*Financial hardship due to:*

*Strike action*

*Undue medical situation where the cost of treating the illness/condition becomes unbearable and no other help is available.*

*Return to work after an extended leave due to circumstances beyond an employees control (please see Life coaching).*

*If none of these conditions are met then a member is not eligible to access this fund.*

### **Life Coaching / Transition Program**

#### **Life Coaching**

*Unlike therapy, the life coach does not focus on examining or diagnosing the past. Instead life coaching focuses on the best way to achieve goals and results in work situations or personal life changes. Additionally, life coaching does not delve into diagnosing mental illness or dysfunction. A life coach is particularly helpful in situations where a roadmap is needed or an interpersonal exchange would benefit from guidance – for instance, how to engage the conversation and how to*

*develop expected results, even when the results are different than hoped for. A life coach can be very helpful when an essential relationship has been damaged and it needs to be restored.*

### **Transition Program**

*Our Local may utilize transitional mentoring (commonly) in circumstances when a member is:*

*leaving the workplace for an extended period of absence due to discipline, personal trauma or illness;  
rejoining a workplace after an extended period of absence.*

*Some Treasury Board departments have transition programs; however, Environment Canada is not one of those. The member who faces a life-altering situation is referred to HR officers whose duty it is to provide minimal (legal) information on benefits and entitlements and what paperwork is needed for them to apply. Managers deliver the messages that they are told to deliver with as little personal interaction or connection as possible, just the bare facts and not always accurate. The member may be frightened, ill or recovering and may panic and see the future as unmanageable. The Transition Program was the result.*

*What is a transition program? The program assists members who are transitioning into or out of the workplace.*

*How does a transition program affect members? Discipline, illness and personal tragedies are situations when people are unexpectedly no longer performing their work duties. On account of the inability to continue in a work situation, they may be without the experience and financial ability to bridge the gap between work and assistance. The program offers them advice and guidance through these experiences.*

*Return to work after months of illness and isolation may be daunting. The transition officer may remain in contact with the member.*

*Is a transition program a counselling or referral service (such as EAP)? No, transition programs provide knowledgeable advice on topics that are of concern to someone who is transitioning from a way of life to a different way of life. There is no focus on past history or any sort of diagnosis and it does not delve into situations where mental illness or dysfunction is a factor.*

*The transition officer (Life coach) will refer the member to other services if the situation involves counselling or a diagnosis of mental illness. The transition officer will work closely with the member to ensure a smooth reintegration when a member is returning to work.*

*The Local has the ability to assist the process by pressuring HR and/or program offices.*

*The transition officer will assist the member during a return to work situation. The reintegration is not always into the same job they left and they may require new skills.*

*How long does the transition officer remain engaged in the situation? The transition officer disengages shortly after the issue is stabilized. This is not a long-term program, not a counselling service and there is no intent to create or maintain long-term relationships.*