# EWVC&TC CLASSIFIED STAFF COUNCIL

#### CONSTITUTION

## **Introduction:**

The Eastern WV Community and Technical College Classified Staff Council has been created to provide the classified staff employees of EWVC&TC an avenue to communicate their concerns or issues regarding employer/employee relations. This council was formed with the understanding that all matters at EWVC&TC are governed by state law, by EWVC&TC Board of Governors, and EWVC&TC policies and procedures.

A "Classified Staff Employee" as used herein refers to those employees designated by the Board of Governors as classified, and does not include faculty or non-classified personnel, per WV Code 18B-92.

# **Articles:**

Article I Name **Article II Purpose Membership** Article III **Article IV Term of Office Elections** Article V **Article VI Officers** Article VII **Meetings** Article VIII Amendments Article IX **Authority** Article X **Grievance Procedures** Recommendations Article XI

### Article I - Name

1. The name of this organization will be the Eastern Classified Staff Council, hereafter referred to as the Eastern CSC, or CSC.

# Article II – Purpose

The purposes of the CSC are:

- 1. To serve as a representative body for classified staff employees of the College.
- 2. To participate in such policy matters of the College as may directly affect the classified staff employees.
- 3. To provide a two-way medium for the exchange of information between employees and employers relative to problems of mutual concern.
- 4. To foster a spirit of unity, cooperation and recognition among all employees.

- 5. To consider methods and means by which employment conditions may be improved and operating efficiency of the College increased.
- 6. To act in an advisory capacity to the President of the College.
- 7. Not to act as a grievance board on individual cases.
- 8. To act in a manner in which the CSC is accountable to both the President and classified staff in furthering the mission of the institution in matters regarding institutional policy, institutional regulation, strategic planning, operational issues or events, and employee recognition.

# **Article III – Membership**

1. The Classified Staff Council will consist of at least two members from each of the major occupational classifications employed by Eastern West Virginia Community & Technical College, as defined by Department of Human Resources. Each member representative of that major occupational classification will have voting power.

### Article IV – Term of Office

- 1. The term of office for a member of the Eastern CSC will be two years and shall begin with the July meeting following election in an odd numbered year.
- 2. Elections of representatives will be done in the manner prescribed in the Eastern CSC Constitution and Bylaws incorporated in Article V of the Constitution.
- 3. Transfer of an Eastern CSC member from one occupational group to another shall not affect his/her unexpired term on the Council.
- 4. Vacancies will be created by death, termination of office, resignation, or a combination of six absences (unless the absence is a result of approved leave) of regularly scheduled CSC meetings and CSC meetings with the College President during a fiscal year. After a member has four absences, the CSC secretary will notify the member in writing that two additional absences will result in their removal from council. Vacancies will be filled according to the CSC Election Procedures, Article V of the Constitution.
- 5. The retiring President of the CSC may serve as advisor during the transition from one administration to another upon approval of the council. If the retiring President is no longer serving as an active member of CSC, voting privileges will not be extended.

## Article V - Elections

- 1. Elections will be held and coordinated according to Eastern's CSC Election Procedures Bylaws.
- 2. All information regarding elections including position and terms, election authorization, eligibility, nominations, election procedures and vacancies is included in Eastern's CSC Election Procedures Bylaws.

#### **Article VI - Officers**

1. The officers for the CSC will be: Chairperson, Vice-Chairperson, Secretary and Treasurer. The office of Parliamentarian will be shared by the Chairperson and the Vice-Chairperson. Officers will be elected in April of an even year at an All-Classified Staff meeting.

# **Article VII - Meetings**

- 1. The Staff Council will hold regular meetings one time a month.
- 2. The meeting day and week shall be determined by the Staff Council at its July meeting.
- 3. The Staff Council will meet with the President of the College quarterly.
- 4. A quorum at a regular scheduled meeting will be a majority of the total voting membership.
- 5. All meetings will be open to the public with the exception of the meeting with the College President. Non-members may participate with recognition from the chair.
- 6. The council members will be excused from their regular duties to attend Council meetings and conduct Council business.
- 7. The CSC will conduct all meetings in accordance with Robert's Rules of Order.

## **Article VIII - Amendments**

- 1. All amendments to the Constitution may be made by a two thirds vote of the total body of the CSC.
- 2. A notice that an amendment is to be proposed must be given to all members of the Staff Council at least five working days before the meeting at which the amendment is to be proposed.
- 3. Amendments will be voted on by all classified staff employees.

# **Article IX – Authority**

- 1. The CSC will be a unit of Eastern WV Community and Technical College and will continue to be so until the CSC dissolves itself or until the College withdraws recognition.
- 2. The CSC organization will not affect the rights of the College employees to belong to other organized groups of their choice.

#### **Article X - Grievance Procedures**

- 1. The grievance procedure to be followed by all classified employees is in West Virginia state code, Chapter 29, Article 6A-3. Grievance Board information can also be found at <a href="http://www.state.wv.us/admin/grievanc/grievanc.htm">http://www.state.wv.us/admin/grievanc/grievanc.htm</a> or obtained through the Human Resources Office.
- 2. The CSC will not act as a grievance board on individual cases.

## **Article XI - Recommendations**

- 1. A written response to the Council's submitted recommendations must be received from the President within 15 working days, or CSC recommendations will be considered approved.
- 2. The CSC will ensure the Board of Governors representative is aware of any classified employee related issues and shall report the status of such issues at any scheduled Board of Governors meetings.

# **EWVC&TC CLASSIFIED STAFF COUNCIL**

# **BYLAWS**

#### **Articles:**

Article I Duties of Officers
Article II Meetings Procedures
Article III Parliamentary Authority

Exp. Officials

Article IV Ex Officios
Article V Amendments

## **Article I - Duties of Officers**

- 1. The Chairperson will:
  - a. preside at all regular and special meetings and enforce all regulations and policies of the Staff Council.
  - b. serve as a member of Governance Council.
  - c. call special meetings when deemed necessary.
  - d. preside over any special committees.
  - e. prepare an agenda for distribution by the CSC Secretary seven working days prior to the next meeting.
  - f. act as Parliamentarian along with the Vice-Chairperson regarding parliamentary procedure in accordance with *Robert's Rules of Order, Newly Revised*.
  - g. vote only in the event of a tie.
- 2. The Vice-Chairperson will:
  - a. preside in the absence of the Chairperson.
  - b. in the event of the absence of both the Chairperson and the Vice-Chairperson at a regularly scheduled CSC meeting, a Chairperson Pro Tempore will be elected by the CSC to conduct the meeting.
  - c. serve as a member of Governance Council.
  - d. fulfill any unexpired term vacated by the president.
  - e. preside over any special committees.
  - f. act as Parliamentarian along with the Chairperson regarding parliamentary procedure in accordance with *Robert's Rules of Order*, *Newly Revised*.
- 3. The Secretary will:
  - a. record and prepare minutes of CSC meetings.
  - b. prepare and keep in permanent form the minutes of all CSC meetings.

- c. send a draft copy of the minutes to each member of the CSC within ten working days after the meeting.
- d. be responsible for all non-fiscal records of the CSC.
- e. serve as a member of Governance Council.

#### 4. The Treasurer will:

- a. record and prepare minutes of CSC meetings in the absence of the Secretary.
- b. be responsible for all fiscal records of the CSC.
- c. serve as a member of Governance Council.

#### 5. Restrictions

- a. No agreement made by the officers or members will be considered to be the CSC's position until it has been approved by the CSC.
- b. Expenditure of any funds must be approved by the CSC.

# **Article II - Meetings Procedures**

- 1. Any classified staff employee may submit items in writing to any member of the CSC to be considered for meeting agenda.
- 2. The Staff Council member receiving the request will respond to the employee in writing as to the disposition of the Council upon notification by the CSC Chairperson within 5 business days.

# **Article III - Parliamentary Authority**

1. The most recent edition of Robert's Rules of Order, Newly Revised, will be used to govern all business proceedings of the CSC.

#### **Article IV - Ex Officios**

1. A non-classified employee will be deemed ex-officio by the CSC for election purposes to include election of officers and amendments

# Article V - Amendments

1. These by-laws may be amended in the same manner as described in Article VIII of the EWVC&TC Classified Staff Constitution.

# **EWVC&TC CLASSIFIED STAFF COUNCIL**

# **ELECTION PROCEDURES BYLAWS**

## **Articles:**

Article I Position and Terms
Article II Election Committee
Article III Election Authorization

**Article IV** Eligibility

**Article V** Nominations

Article VI Elections (General)
Article VII Elections (Procedures)

**Article VIII Vacancies** 

#### **Article I – Position and Terms**

- 1. The Board of Trustees Advisory Council of Classified Employees (ACCE) representative will serve a 2-year term beginning on July 1 and ending on June 30 of an odd numbered year. Members are eligible to succeed themselves. Any classified staff employee is eligible to be elected to this term of office
- 2. The Eastern WV Community and Technical College Board of Governors representative will serve a 2-year term beginning on July 1 and ending on June 30 of an odd numbered year. Members representing Classified Employees are eligible to succeed themselves for three additional terms not to exceed a total of eight consecutive years in accordance with WV State Code ~18B-2A-1. Any classified staff employee is eligible to be elected to this term of office.
- 3. An Eastern Classified Staff Council (CSC) occupational classified representative will serve a 2-year term beginning on July 1 and ending on June 30 of an odd numbered year. Elected positions for occupation classified representatives will serve as Chairperson, Vice-Chairperson, Secretary or Treasurer.

## **Article II – Election Committee**

1. An election committee will be appointed by the Chairperson as deemed necessary.

# **Article III – Election Authorization**

- 1. Staff council positions are defined by the Staff Council Constitution.
- 2. The Board of Trustees Advisory Council of Classified Employees (ACCE) Representative is defined by WV State Code Section 18B-6-4.
- 3. Eastern WV Community and Technical College's Board of Governor's Representative position is defined by WV State Code section 18B-6-1.

# **Article IV – Eligibility**

1. Any Eastern classified staff employee receiving a paycheck for February pay cycle (2) will be eligible to nominate, vote, be nominated, or be elected to any of the positions identified above. The term "Classified Staff Employee," as used herein will mean any regular full-time or part-time employee who holds a position that is assigned a particular job title and pay grade in accordance with the personnel classification system as established by the Board of Trustees (WV State Code 18B-9-2(a)) and who has completed his/her initial employment probation period. This does not include faculty or nonclassified personnel (WV Code 18-26-9c).

## **Article V – Nominations**

- 1. A sample nomination/petition form, the election procedures and the time line will be published on Eastern's website. A global e-mail will also be sent to all classified staff notifying them of the posting by the first Friday in March of an even numbered year.
- 2. Each Classified Staff employee may nominate two classified employees in each occupation category for the CSC. No write-in candidates will be accepted during the election.
- 3. Each Classified Staff employee may nominate one person to the Board of Trustees Advisory Council of Staff Employees (ACCE). No write-in candidates will be accepted during the election
- 4. Each classified staff employee may nominate one person to Eastern's Board of Governors. No write-in candidates will be accepted during the election.
- 5. Names of the nominees will be verified by the second Friday in March, against the Master List of eligible employees from the Department of Human Resources. Signature of the nominators may be verified at the discretion of the Chairperson.
  - a. Upon verification of candidates, any occupational category left open will be conveyed to the CSC Chairperson. The CSC is then authorized to select candidates for those open categories to facilitate a full election.
- 6. A nominee will be considered a candidate if the following conditions are met:
  - a. He or she is an eligible Classified Staff Employee as defined in the CSC Election Procedures, Article IV Eligibility.
  - b. He or she consents in writing to serve, if elected.
  - c. He or she is not in their probationary period.

## **Article VI – Elections (General)**

- 1. A non-classified employee will be identified and approved by the CSC to conduct the election of officers.
- 2. Candidates, whether current or those to be newly elected, seeking any office position will submit written statements to the officers by the third Friday of March of an odd numbered year for distribution at the March CSC meeting.
- 3. Nominations of officers will be in accordance with Article V of the Election Procedures Bylaws.
- 4. Voting will be by secret ballot unless only one person is nominated. The nominee receiving the highest number of votes will be elected to begin the next term starting July 1 of that year. In the event of a tie a revote would be cast during the same meeting period at which time the Chairperson will then vote.
- 5. The non-classified employee will document the vote tally to be recorded by the CSC Secretary.

6. The non-voting ex-officio CSC member will announce the newly elected officers.

# **Article VII – Elections (Procedures)**

- 1. The CSC will request that the Department of Human Resources provide an alphabetical list, by last name, including e-mail address of all regular classified employees (full time or part time) receiving a paycheck in February (Cycle 2) which will be designated the Master list.
- 2. Ballots will be prepared listing the candidate's names printed by luck of the draw. Short statement of 50 words or less, provided by the candidates will accompany the ballots. These statements are an integral part of the balloting procedure and under no circumstances will they be deleted from the election process. Ballots will contain clear, concise instruction specifying cut off dates, voting procedures and instructions for return of ballots to a designated collection point.
- 3. Ballots will be accompanied by one official envelope pre-addressed to: Eastern CSC Election. The envelope will contain printed spaces for the voter to record his or her names, department and signature.
- 4. Ballots will be delivered to each recipient's mailbox in the mailroom with the March Cycle (2) end of month paychecks to all classified employees.
- 5. Completed ballots will be mailed or delivered internally to Eastern CSC, 1929 State Road 55, Moorefield, WV 26836 before 4:00 p.m. on the second Friday of April be counted as an eligible vote. The CSC will verify the names on the outer envelope against the Master list. Any ballots deemed ineligible will be kept in its original envelope until its eligibility is resolved. Following verification, all outer envelopes will be placed aside. The ballots will be counted in the presence of a minimum of two CSC members.
- 6. Both preliminary and final election results will be posted immediately on the CSC webpage at <a href="www.eastern.wvnet.edu">www.eastern.wvnet.edu</a>, and reported to the College President. All election related materials will be retained by the CSC for three years after final results are reported, after which they will be destroyed.
- 7. A recount based on preliminary results may be requested in writing to the CSC by any candidate within five working days from posting. This recount must be completed by the CSC within ten working days from the date of receipt of the written request. This candidate may only request a recount for votes involved in his or her occupational classification or position, if no request for recount is made within five working days, the preliminary results become the final results. Unless determined otherwise by the CSC, there will only be one recount per candidate. Each candidate may designate one person, other than themselves, who is an eligible voter to serve as an observer during the recount process.
- 8. The CSC will resolve by a majority vote all election related questions, disputes and challenges and clarifications of non-addressed procedures.
- 9. The CSC will include as an agenda item during its May meeting any suggested changes for identified difficulties during the election.

- 10. The vote count will appear in the minutes of the May CSC meeting.
- 11. Once a recount has been completed, any election tie will be determined by a "luck of the draw" method. A flip of a coin will be used when possible. The candidate(s), or his or her designee may be present for the draw.

#### **Article VIII - Vacancies**

- 1. In the event that an officer position becomes vacant, an election by members of the CSC will be held in accordance with the CSC's voting guidelines and will take place during the first meeting after notice is given. This section will not apply to the office of Chairperson. Refer to the CSC Bylaws, Article I, Duties of Officers.
- 2. The CSC may relieve any officer of his/her duties by a two-thirds vote of the total body of the CSC.
- 3. Vacancies in the CSC during terms of office will be filled by persons receiving the next highest vote count in the same occupational group of the same election year.
- 4. Vacancies in the Board of Trustee Advisory Council of Classified Employees or Eastern's Board of Governors during terms of office will be filled by persons receiving the highest vote in the respective position.
- 5. Should all respective candidates, in descending order of election vote tallies, decline to fill the vacancies for any of the above positions; the announcement of the vacant position will be posted on the CSC web page for two weeks inviting interested classified employees to apply for the position. These individuals will be instructed to submit a letter of intent to the CSC Chairperson. The CSC Secretary will submit the interested candidates' names and information to the Department of Human Resources for verification of job code, job title and benefits status. The CSC Chairperson will present all verified eligible names to the CSC. The CSC will elect the replacement for the vacant position based on the majority of the members present.
- 6. All vacant positions will be posted on the CSC webpage until filled.