

Staff Council Constitution

*Western Kentucky University
Approved May 10, 2017*

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Article I: Name

This organization, herein referred to as the Council or Staff Council, shall be officially known as the *Western Kentucky University Staff Council* or *WKU Staff Council*, interchangeably.

Article II: Purpose

The purpose of the Staff Council is to solicit and express the opinions, suggestions, and recommendations of the staff on all matters of concern to the various staff constituencies and to the staff as a whole. The Council shall identify issues and/or policies brought before the council and will collectively seek resolution. For issues that need resolution from a higher level, the Council will make recommendations concerning these matters to the appropriate individual(s). Likewise, the Council shall seek representation in all aspects of WKU governance.

The Council's mission is to enhance the productivity potential and employment experience of every Western Kentucky University staff member.

Article III: Representation

The Department of Human Resources classifies all WKU positions according to categories defined by the Employer Information Report of the Equal Employment Opportunities (EEO) Commission. The Department of Human Resources assigns the following codes to the EEO categories:

Code	EEO Category
1	Executive/Administrative
2	Faculty
3	Professional Non-Faculty
4	Clerical/Secretary
5	Technical/Paraprofessional
6	Skilled Crafts
7	Service/Maintenance

The Staff Council represents all current Western Kentucky University staff members belonging to EEO categories 1, 3, 4, 5, 6, and 7. The Council does not represent any WKU employee belonging only to EEO category 2 (Faculty).

Article IV: Membership

Section I: Composition

The voting body of the Council will consist of elected and non-elected members called representatives. There are three types of representatives: constituency, at-large, and regional. Descriptions of these types and the constituencies represented are set forth in the Bylaws.

Included in the Council membership are also a limited number of ex-officio members with no voting privileges, as set forth in the Bylaws.

Section II: Eligibility

Representatives of the Council, appointees, and individuals seeking election to the Council must meet the criteria for representation in Article III. In addition, individuals seeking membership must be employed by WKU for a minimum of one year prior to an election. The current Staff Regent is not eligible to serve as an elected representative.

Section III: Term

A constituency or regional representative's term lasts for two years, beginning at his/her induction at the June meeting (or a subsequent meeting following a delayed or special appointment or election) and ending at the commencement of the June meeting in his/her second year, regardless of the month in which his/her term began. An at-large representative's term lasts for one year, beginning at his/her induction at the June meeting (or a subsequent meeting following a delayed or special election) and ending at the commencement of the next June meeting, regardless of the month in which his/her term began.

No representative may serve on the Council for more than six consecutive years.

Representatives in their fifth or sixth years may not seek re-election or appointment to the Council. After an individual sits out for one year, the individual is again eligible for election/appointment.

Section IV: Elections

The date, frequency, and manner of elections for representatives shall be designated in the Staff Council Bylaws.

Section VI: Termination

A representative's term or seat on the Council is vacated on the same day that the representative becomes ineligible for membership. Any representative may also be terminated by a majority vote of the Council. Any committee memberships or offices held by a terminated representative are also vacated immediately.

Article V: Offices

Section I: Elected Offices

There shall exist six elected offices within the Staff Council. These offices shall be called Chair, Vice-Chair, Secretary, Treasurer, Technology Officer, and Communications Officer. The duties of each office are set forth in the Bylaws of the Staff Council.

Section II: Eligibility

All members duly elected or appointed to the Staff Council shall be eligible for election to offices.

Section III: Election

Officers are elected by a majority vote of the current voting members of the Staff Council.

Section IV: Term of Office

Officers of the Staff Council shall be elected annually to serve in the manner described in the Bylaws of the Staff Council. Officers are elected by the Council members at the June meeting, and their terms last for one year, from one June meeting until the next.

Section V: Limitation

No member shall hold more than one elected office at any time.

Article VI: Meetings

Section I: Frequency

The Council shall hold at least one regular meeting per month. Meetings times and other details are described in the Bylaws of the Staff Council. Meetings may be cancelled or delayed for lack of quorum (Article VII, Section II).

Section II: Location

All regular meetings will be held in a public location to be determined by the Council.

Article VII: Voting

Section I: Limitations

Each Council representative shall have one vote only. Ex-officio members do not vote.

Section II: Quorum

A quorum for conducting the business of any meeting of the Staff Council shall be two-thirds of the current representatives. Vacancies (unfilled seats) and ex-officio members are not considered for quorum.

Section III: Roll Call Votes

A roll call vote may be called at the discretion of the Chair and shall be called upon request of a representative. A roll call vote shall be called automatically in case of a contested vote.

Article VIII: Committees

Both standing and ad-hoc committees shall be established as described in the Bylaws.

Article IX: Amendments

Section I: Proposal

Any proposal to amend this Constitution shall be submitted by a petition signed by five representatives of the Staff Council. Amendment proposals must be submitted to the Secretary of the Staff Council for placement on the agenda of the next regular meeting according to the agenda limitations set forth in the Bylaws.

Section II: Passage

A proposal to amend this Constitution shall be voted upon during a regular meeting at which a quorum is present. The amended Constitution shall be considered ratified or adopted immediately upon an affirmative vote of two-thirds of the quorum. The Secretary will enter the approved changes along with the document's approval date. The updated Constitution will be published by the Technology Officer, and announced to the staff by the Communications Officer.

Staff Council Bylaws

*Western Kentucky University
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These Bylaws describe the specifics of the operation of the Western Kentucky University (WKU) Staff Council, herein referred to as the Staff Council or Council.

Article I: Membership

Section I: Member Responsibilities

Staff Council members are expected to:

1. Stay informed and represent the interests of their respective constituencies;
2. Participate in all votes except when there is a conflict-of-interest;
3. Support decisions of the Council;
4. Regularly attend Council meetings;
5. Be visible and accessible to their constituency;
6. Maintain confidentiality regarding closed session meetings;
7. Make judgments on the basis of what is best for the University and higher education rather than to serve individual interests; and
8. Refrain from actions that might prove embarrassing for the Council.

Failure to comply with these responsibilities may result in disciplinary action or termination.

Section II: Representatives

There are three types of Council representatives:

Constituency Representatives

These representatives make up the majority of the Council and are elected to represent a particular constituency of which they are members. There are six total constituencies from which representatives are elected:

1. Full-Time Executive/Administrative/Professional (EEO codes 1 and 3)
2. Part-Time Executive/Administrative/Professional (EEO codes 1 and 3)
3. Full-Time Clerical/Secretarial (EEO code 4)
4. Part-Time Clerical/Secretarial (EEO code 4)
5. Full-Time Technical/Skilled/Maintenance (EEO codes 5, 6, and 7)
6. Part-Time Technical/Skilled/Maintenance (EEO codes 5, 6, and 7)

The Department of Human Resources (HR) is responsible for classifying all WKU positions by EEO category (and code) and full-time or part-time status.

The number of constituency representatives on the Council is determined by formula each year prior to the annual election. The formula is as follows:

- The number of representatives for each of the full-time constituencies (numbers 1, 3, and 5 above) is equal to the population (total number) of the constituency multiplied by 1/100 or .01. This product is rounded up for decimals of .5 or greater, or it is rounded down otherwise.
- The number of representatives for each of the part-time constituencies (numbers 2, 4, and 6 above) is equal to the population (total number) of the constituency multiplied by 1/200 or .005. This product is rounded up for decimals of .5 or greater, or it is rounded down otherwise.

This formula is further represented by the following table:

EEO Categories	FT/PT Status	Constituency	Population Multiplier
Executive/Administrative/Professional	Full Time	1	1/100
	Part Time	2	1/200
Clerical/Secretarial	Full Time	3	1/100
	Part Time	4	1/200
Technical/Skilled/Maintenance	Full Time	5	1/100
	Part Time	6	1/200

An example of this calculation is illustrated in the section of these Bylaws regarding elections.

At-large Representatives

At-large representatives are elected to fill vacancies created by a shortage of nominees in any of the constituencies described above. At-large representatives can come from any constituency.

The number of at-large representatives is determined during an election. The number of at-large representatives is equal to the total number of vacancies that cannot be filled by eligible nominees in each of the constituencies due to a shortage of candidates.

An example of this calculation is illustrated in the section of these Bylaws regarding elections.

If, during an annual election, there is a surplus of first-year representatives in a constituency (who will continue onto the new council in their second year), then some of those representatives will convert to at-large. This number is equal to the amount that their constituency is over-represented. If there were not available at-large vacancies in the election to hold the surplus representatives, then the Council will simply be oversized in the upcoming year – containing all of the elected candidates in their constituencies plus the “extra” at large representatives from the surplus.

Regional Representatives

Regional representatives are appointed by regional campus chancellors. Regional representatives can come from any constituency.

Each regional campus chancellor will appoint one regional representative. There will be one regional representative from each of the following regions:

- Elizabethtown/Ft. Knox
- Glasgow
- Owensboro

Section III: Ex-Officio Members

Ex-officio members do not vote and are not considered for quorum, but they may attend any public or closed session meeting as required.

The following are ex-officio members of the Council:

- The current Staff Regent.
- The Past-Chair of the Staff Council, if he/she is not a current representative.

Section IV: Termination and Vacancies

Vacancies occur when an elected representative's term ends, or when the representative is terminated as described in the Constitution.

An automatic vacancy occurs when an elected representative fails to attend three consecutive, regularly-scheduled, monthly meetings. Extenuating circumstances may qualify for an exception. A written warning will be issued to the Council member by the Chair after two consecutive absences. Written notification of dismissal will be submitted to the Council member by the Staff Council Chair after three consecutive absences.

At the discretion of the Chair, vacancies that occur between annual elections may be filled by the runners-up within the same constituency from the most recent election, or if not applicable, by the next runner up from the pool of at-large candidates in the most recent election. Vacancies may also remain unfilled, or a special election may be held to fill them.

Any constituency representative who no longer represents the original constituency in which he/she was elected (due to an employment change) will convert to at-large members whose term expires at the June meeting following the change.

A regional representative who no longer represents the region from which he/she was appointed (due to an employment change or otherwise) will be considered terminated.

Terminated regional representatives will have a replacement immediately appointed by the respective regional Chancellor.

Article II: Elections

Section I: Responsibility

Staff Council elections shall be the responsibility of the Council Vice-Chair, and the Council Chair will resolve any disputes.

Section II: Frequency and Time

Staff Council elections shall be conducted annually. The annual election shall be held prior to the June meeting (June retreat) of the Council. At the discretion of the Council, additional elections may be held at other times in the year to fill vacancies.

Section III: Process

All elections must follow the following process:

Nominations

Nominations are the first step in any election. At least one week prior to the deadline for nominations, an email must be sent to all staff containing:

- A copy of the nomination form.
- The nomination deadline (date and time).
- The date of the election.
- Instructions on how and where to properly submit the nomination.

Any staff member may nominate any number of other eligible staff members. An eligible staff member may also nominate himself/herself. Employees may only be nominated to represent their own constituency. To be eligible for an election, a completed nomination form for each nominee must be received by the Council by the deadline announced to all staff during the election process. Incomplete or late nomination forms will be considered invalid.

All nominees should receive confirmation of the receipt of their nomination and information regarding the guidelines for campaigning. All nomination periods should remain open for at least one week, unless the Council declares by vote that there must be an accelerated election due to some emergency. Upon the close of any nomination period, a full list of nominees must be sent to all staff by email before the date of the election.

Elections

All Council elections should be conducted online via TopNet. All staff are permitted to vote for representatives in every constituency and may cast multiple votes up to the number of open seats in each constituency. Similarly, all staff may cast votes for at-large candidates up to the number open seats. The winning candidate(s) in each constituency shall be the candidate(s) receiving the highest vote total(s). In the event of a tie, the Council Chair will attempt to resolve the tie through an at-large candidate appointment of one or more of the candidates (pending available at-large seats), or a run-off election may be used to break the tie.

In the event that not enough qualified individuals are nominated for election to one or more vacancies in any constituency, each vacancy will be filled by an at-large candidate who receives the highest number of votes in the at-large portion of the ballot and did not also win a seat in his/her constituency. If there are not enough candidates on the ballot to fill all available vacancies, the vacancies may remain unfilled, or the Council may run a special election to fill them.

Section IV: An Illustration

Given that the number of representative seats on the Council is determined by formula, and the number of at-large representatives is determined by vacancies of those seats, the following example was created to provide further clarity by illustrating the process of an election.

Example

In a given May, the Council must count the number of constituency representatives that will remain with the Council after its annual election. Put another way, the number of representatives in their first year of their terms who will continue into their second year must be determined. Assume that the following table represents the representatives who will remain with the Council following this example election:

Constituency	Representatives in Their First Year
Full-Time Executive/Administrative/Professional	5
Part-Time Executive/Administrative/Professional	1
Full-Time Clerical/Secretarial	1
Part-Time Clerical/Secretarial	0
Full-Time Technical/Skilled/Maintenance	1
Part-Time Technical/Skilled/Maintenance	0

The Council learns from an official report that the current (May) population of the staff is as follows:

EEO Category	Full Time Count	Part Time Count
1	110	0
3	620	740
4	320	80
5	100	360
6	100	0
7	70	30

The Council then adds together the counts in the various EEO categories that make up each constituency and then applies the formula to each constituency to determine the number of representatives in each. The following table shows that calculation:

Constituency	Population	Multiplier	Number of Seats
Full-Time Exec/Admin/Prof (EEO 1+3)	730	.01	7
Part-Time Exec/Admin/Prof (EEO 1+3)	740	.005	4
Full-Time Clerical/Secretarial (EEO 4)	320	.01	3
Part-Time Clerical/Secretarial (EEO 4)	80	.005	0
Full-Time Tech/Skilled/Maint (EEO 5+6+7)	270	.01	3
Part-Time Tech/Skilled/Maint (EEO 5+6+7)	390	.005	2
Total Number of Constituency Representative Seats			19

Now that the number of constituency representatives has been determined in each constituency, the number of vacancies in each constituency can be determined for the election. This is done by subtracting the number of first-year representatives in that constituency from the number of seats in that constituency. The following table illustrates that process:

Constituency	Total Seats	Occupied Seats	Vacancies
Full-Time Executive/Administrative/Professional	7	5	2
Part-Time Executive/Administrative/Professional	4	1	3
Full-Time Clerical/Secretarial	3	1	2
Part-Time Clerical/Secretarial	0	0	0
Full-Time Technical/Skilled/Maintenance	3	1	2
Part-Time Technical/Skilled/Maintenance	2	0	2

Now the Council is prepared to make the call for nominations. The Council announces the number of vacancies in each constituency, and reminds staff that nominees are needed even in constituencies with no vacancies, because these nominees may be elected as at-large representatives. The Council then waits for the nomination period to close and tallies the nominations in each constituency. This information is used to determine the number of vacancies that must be filled by at-large nominees. The following table shows the nominations and the calculation of the number of at-large representatives:

Constituency	Vacancies	Nominees	At Large
Full-Time Executive/Administrative/Professional	2	8	0
Part-Time Executive/Administrative/Professional	3	1	2
Full-Time Clerical/Secretarial	2	1	1
Part-Time Clerical/Secretarial	0	1	0
Full-Time Technical/Skilled/Maintenance	2	2	0
Part-Time Technical/Skilled/Maintenance	2	0	2
Total At-Large Representatives			5

In this scenario, there are not enough nominees to fill the vacancies in all but the Full-Time Executive/Administrative/Professional constituency. So, the nominees in the other four constituencies with vacancies automatically win those seats and occupy those vacancies, and there is no reason to have them on the ballot. The ballot will show only the races for Full-Time Executive/Administrative/Professional and at-large. Voters will vote for 2 candidates in Full-Time Executive/Administrative/Professional and 5 candidates in at-large to fill the vacancies. The candidate pool in Full-Time Executive/Administrative/Professional consists of the 8 nominees in that constituency. The at-large candidate pool always includes all of the nominees in the constituencies where there were more nominees than vacancies. So, in this scenario, there are 9 candidates who appear on the ballot in the at-large race, 8 from Full-Time Executive/Administrative/Professional and 1 from Part-Time Clerical/Secretarial. Because two of the nominees in Full-Time Executive/Administrative/Professional will be elected in their constituency, the winners in the at-large race are the 5 highest vote-getters from the 7 who did not win other elections.

Here is another for-instance to illustrate a scenario that could have happened in the above example. If there had been somewhere between 3 and 6 nominees, inclusive, in Full-Time Executive/Administrative/Professional (rather than 8), then it would still have been necessary to run the election to fill the vacancies in Full-Time Executive/Administrative/Professional and at-large because the ones who win seats in their own constituencies will serve longer terms.

Finally, suppose that instead of vacancies in every constituency, there had been a surplus of first-year representatives in a constituency due to a drastic reduction in the size of the constituency. The number of these representatives who are over the number of representatives that should represent that constituency in the new Council will be considered at-large in the new Council and will reduce the number of available at-large seats in the election. It does not matter which of the first-year representatives in the affected constituency are considered at-large, because they are all serving their second year in the new council, and their term will expire anyway. Further, pretend there is both a surplus of representatives in a constituency and a large number of nominees in every category, such that there will not be at-large seats available that year. In that case, the surplus representatives continue onto the new Council, which will be oversized for one year, and the ballot will show the constituency races but no at-large race.

Article II: Officers

Section I: Manner of Elections

Elections for the offices named in the Constitution shall be held at the June meeting. Elections are considered official business and are subject to quorum, but the voting may take place by secret ballot.

Section II: Vacancies

An election to fill a vacancy in any office shall be conducted at the next regular meeting after such vacancy occurs.

Section III: Duties

Chair

The duties of the Chair shall be:

- To preside over all public and closed-session meetings.
- To determine, in consultation with the Secretary, the agenda items in accordance with items submitted prior to meeting.
- To determine the meeting times of both regular and special meetings of the Council in accordance with these Bylaws.

- To serve as the face of the Council in the University community and in public.
- To enforce the Constitution and Bylaws of the Staff Council.
- To perform other duties as necessary.

Vice-Chair

The duties of the Vice-Chair shall be:

- To preside over all public and closed-session meetings in the absence of the Chair.
- To conduct all elections of constituency and at-large representatives and to solicit appointments of regional representatives.
- To perform other duties as necessary.

Secretary

The duties of the Secretary shall be:

- To assist the Chair in preparing the agenda for Council meetings.
- To record accurate minutes of regular and special meetings of the Council.
- To promptly prepare a draft of the minutes of each meeting and distribute it to the members of the Council for review.
- To keep a roll of the membership of the Council and an accurate record of attendance of Council meetings.
- To perform other duties as necessary.

Treasurer

The duties of the Treasurer shall be:

- To recommend to the Council, when necessary, a budget which itemizes the funds needed to sustain the Council's operation.
- To maintain financial reports and to provide information as requested by the Council.
- To serve permanently as a member of the Book Scholarship standing committee.
- To manage, approve the use of, report upon, and reconcile the Staff Council procurement card.
- To serve as the financial manager of the Staff Council budget index.
- To perform other duties as necessary.

Technology Officer

The duties of the Technology Officer shall be:

- To maintain the Council website (www.wku.edu/staffcouncil), including updating representative information and posting meeting minutes.
- To maintain all electronic stores (file shares) of council information and documents.

- To assist with providing video conferencing or streaming services for the benefit of regional representatives or for public viewing of Council proceedings.
- To maintain the Council email account (staffcouncil@wku.edu).
- To administer the Council mailing list (staffcouncil@lists.wku.edu).
- To serve as a permanent member of the Book Scholarship standing committee.
- To assist with technology related endeavors of the Council.
- To perform other duties as necessary.

Communications Officer

The duties of the Communications Officer shall be:

- To issue all official communications regarding meetings (announcements, minutes, etc.).
- To disseminate items of Council business to all staff.
- To filter and make homologous all communication from the Council to all staff.
- To conduct all matters of public relations including marketing and branding of the Council.
- To perform other duties as necessary.

Article III: Meetings

Section I: Time and Date

The Council shall hold its regular meeting at 9:00 AM on the first working Wednesday of every month. Sparingly, regular meetings may be rescheduled within the month due to extenuating circumstances (lack of quorum, venue availability, etc.). A regular monthly meeting should generally not be cancelled entirely.

Section II: Notice

All staff will be notified by email of the date, time, and agenda of every public meeting. Notices of all meetings shall be sent at least 24 hours before the start of the meeting.

Section III: Agenda

The Council determines the agenda for its meetings. Council members must submit agenda items to the Secretary no less than 24 hours before a meeting. Agenda items that are received less than twenty-four hours before a regular meeting may be considered as other business and discussed if time permits, or they may be added to the agenda of the next meeting.

Mandatory Agenda Items

All public meetings of the council must include the following:

- Reserved time for the Staff Regent to report on the activities of the Board of Regents.
- Reserved time for members of the public to present concerns or opinions prior to the close of the meeting.

Section IV: Closed Session

Closed sessions, in accordance with the Kentucky Open Meetings Law (KRS 61.810), may occur when matters requiring confidentiality are discussed.

Section V: Retreat

The June meeting of the Council will be designated as the annual Staff Council Retreat. This meeting is attended by both current and newly elected Council members. Official business at the meeting is conducted by the current council before the newly elected members are sworn in. The newly elected members then elect new officers and schedule the July meeting, where the new Council will conduct its first business. Outgoing members do not participate in the election of new officers.

Article IV: Committees

Section I: University Committees

The Council Chair may appoint one or more of its representatives to serve on various University committees. Terminated representatives may not continue to serve, and their replacements will be appointed by the Chair.

Section II: Ad-hoc Committees

The Council may create ad-hoc committees as necessary to complete specific projects. The Council will vote on the creation of these committees, and the Chair will appoint representatives to serve on them. Ad-hoc committees that have completed the project(s) for which they were created will be automatically disbanded.

Section III: Standing Committees

The Council may create standing committees as necessary to work on projects that occur annually (such as events or surveys) and the Chair will appoint representatives to serve on them.

Section IV: Appointments/Term

A representative's appointment lasts for the duration of his/her term, unless he/she resigns or is otherwise removed by the Chair. New appointments are made as soon as possible following a vacancy.

Article V: Amendments to the Bylaws

Section I: Proposal

Any proposal to amend these Bylaws shall be submitted by a petition signed by five representatives of the Staff Council. Amendment proposals must be submitted to the Secretary of the Staff Council for placement on the agenda of the next regular meeting according to the agenda limitations set forth in these Bylaws.

Section II: Passage

A proposal to amend these Bylaws shall be voted upon during a regular meeting at which a quorum is present. The amended Bylaws shall be considered ratified or adopted immediately upon an affirmative vote of two-thirds of the quorum. The Secretary will enter the approved changes along with the document's approval date. The updated Bylaws will be published by the Technology Officer, and announced to the staff by the Communications Officer.