



Constitution

Revision Proposed: August 28, 2019, Approved: September 25, 2019

History and Future

The Fairmont State University Staff Council, originally known as the *Classified Employee Staff Council*, was originally created by the West Virginia Legislature via HB 2224 under WV State Code §18B-6-6. The council's purpose was to provide classified staff employees at state institutions of higher education with a means to share information and discuss issues affecting them or the efficient and effective operations of an institution. The council was formed with recognition that all matters at Fairmont State University are governed by state law, by the Fairmont State University Board of Governors, and Fairmont State University policies and procedures.

Today's Fairmont State Staff Council keeps its original purpose but in preparation for the anticipated changes to Code §18B-6-6 to transfer all "Classified-Staff" to "Staff", the Staff Council has made all appropriate changes.

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Article I – Name

The name of this organization shall be the Fairmont State University Staff Council, hereinafter referred to as the *Staff Council*.

Article II – Authority

The Staff Council will be a unit of Fairmont State University (hereafter referred to as the *University*) and will continue to be so until such time as the West Virginia Legislature withdraws recognition. The organization of the Staff Council will in no way affect the right of the University employees to belong to other organized groups of their choice, nor will it preclude the functioning of such organizations.

Article III – Mission

The Staff Council serves as a representative body and a voice for all members of Fairmont State University staff and will provide a forum for discussion of staff concerns.

The Staff Council will:

- Provide and share community service opportunities in our efforts to give back to the local community.
- Provide and increase educational financial assistance opportunities for staff by awarding scholarships (ex. Staff Council Scholarship).
- Communicate new or proposed legislation that may directly or indirectly effect staff.
- Promote, improve, and make recommendations for the good of the general welfare and working conditions of all staff personnel being aware and concerned with the subsequent effect on Fairmont State University as a whole.
- Act in fostering improvement of working conditions for employees through input into staff development programs and appointment of election of staff employees to major University committees. The Staff Council may consider questions, concerns and recommendations of any individual or groups of individuals within the staff personnel of Fairmont State University.
- Act in an advisory capacity and will have the responsibility of making recommendations related to concerns of the staff personnel to the Higher Education Policy Commission, Board of Governors, the President, University administration, and legislature as deemed appropriate.
- Oversee all aspects of the Staff Employee Scholarship Fund established and maintained by the Staff Council in conjunction with the President of the Fairmont State University Foundation.

The Staff Council responsibilities DO NOT include acting as a grievance board for individual cases.

Article IV – Maximum Membership

- A. Eligibility: Must be a staff employee, defined as a non-faculty regular full-time or part-time employee of the University who holds a position that is assigned a particular job title and pay range.
- B. The Staff Council shall consist of:
 - I. The Staff Council Chair (voting).
 - II. The Institutional Board of Governors (BOG) Staff Representative (ex officio, voting).
 - III. The State Advisory Council Representative (ex officio, voting).
 - IV. Up to two (2) staff employees from the Executive/Administrative/Managerial sector, excluding Vice Presidents (EEO category 1).
 - V. Up to two (2) staff employees from the Professional/Non-faculty sector (EEO category 3).
 - VI. Up to two (2) staff employees from the Clerical/Secretarial sector (EEO category 4).
 - VII. Up to two (2) staff employees from the Technical/Paraprofessional sector (EEO category 5).
 - VIII. And up to two (2) staff employees from the Skilled Crafts and Service/Maintenance sectors (EEO categories 6 and 7).
- C. There shall also be one elected alternate for each in EEO category 1, 3, 4, 5, 6-7. In the temporary or permanent absence of a Council member, the appropriate category alternate shall serve as a voting member.
- D. The retiring Chair of the Staff Council may serve as advisor during the transition from one administration to another upon approval of the Council during a fiscal year.

Article V - Terms of Office

- A. The term of office for a member of Staff Council shall be two years and shall begin on July 1 of each odd-numbered year.
- B. Elections of representatives will be done in the manner prescribed in Article VI of this Constitution.
- C. Transfer of a Staff Council member from one EEO category to another shall not affect his/her unexpired term on the Council.
- D. Vacancies will be created by death, termination of service to the University, resignation, or four (4) unexcused absences from regularly scheduled Staff Council Meetings per term.
- E. After a member has accrued three (3) unexcused absences, the Council Chair will notify the member, in writing, that one additional absence will result in his/her removal from the Council. Vacancies will be filled according to the procedures as outlined in Article VI of this Constitution.
- F. Staff Council category members, Chair, and ACCE representative have unlimited eligibility to succeed themselves. However, the BOG representative is eligible to succeed herself/himself for three additional terms, not to exceed a total of eight consecutive years.

Article VI – Elections

- A. Elections shall be held each odd-numbered year in the month of April. The elections will be held for the ACCE representative, the BOG representative, the Staff Council Chair, and the members of each category of EEO staff and their alternates during the second week of April of each odd-numbered year.
- B. Elected positions shall consist of:
 - 1. Staff Council Chair
 - 2. State Advisory Council Representative
 - 3. Institutional Board of Governor’s Representative
 - 4. EEO Category Representatives
- C. The Council’s chosen designee will accept nominations and conduct the elections as described in this Constitution.
- D. All EEO classes of staff employees have the opportunity to vote for the ACCE Representative, BOG Representative, and Staff Council Chair. Each employee will vote for their specific EEO representatives.
 - 1. Nominations for the elected positions of representatives to the ACCE, the BOG, the Staff Council Chair, and the members of each EEO category and their alternates will be accepted. Nominees for Staff Council Chair should have served as a full Council member (this excludes Alternate Representatives who do not serve full time) of the Council for at least one year. Employees will be given at least five working days to submit their online nominations. The Council’s designee will confirm that the nominee accepts the nomination.
 - 2. Votes for nominees to the positions of ACCE Representative, BOG Representative, Staff Council Chair, and Staff Representatives will only be accepted via the online ballot process. Employees will be given at least five working days to submit their online votes.
 - 3. If more than one candidate is nominated for the ACCE, BOG, or Staff Council Chair position, the elected person must receive the majority of votes cast. In the event of a tie, a run-off election will be held between the tied candidates.
 - 4. If only one person is nominated for either the State Advisory Council (ACCE), BOG, or Staff Council Chair position, that person will be accepted to the position; a formal vote is not necessary.
- E. Only staff employees from within each EEO job category may nominate and vote for their respective representatives and alternates.
 - 1. Nominations for EEO category representatives and alternates will be accepted via an online nomination process. Employees will be given at least five working days to submit their online nominations.
 - 2. Votes for nominees to the positions of EEO category representatives and alternates will only be accepted via the online process.
 - 3. If more than one candidate is nominated for an individual category representative or alternate position, the elected person must receive the majority of the votes cast. In the event of a tie, a run-off election will be held between the tied candidates via the online process.
 - 4. If only one person is nominated for an individual category representative or alternate position, that person will be accepted to the position; a formal vote is not necessary.

- F. Once the online nomination process is complete, an online ballot will be created and made available to all staff. The ballot will include nominees to the positions of State Advisory Council Representative (ACCE), BOG Representative, Staff Council Chair, and Staff Representatives. Employees will be given at least five days to submit their votes via the online process. The ballot's records will be retained in the designee's office for a period of 60 days after elections are complete and are subject to Freedom of Information Act (FOIA).
- G. The Executive Officers of the outgoing Staff Council will certify the election results. In cases where officers are running for reelection, the Chair will appoint a Council Member as a substitute for the ineligible officer.
- H. In the event that a vacancy should occur in the positions of Staff Council Chair, the representative to the ACCE, or the representative to the BOG, a special election will be held to fill the unexpired term, with nominations accepted via the online process prior to the election from all staff employees.
- I. In the event that a vacancy should occur in a category representative's position, the elected alternate will assume the Council position. The staff members in the affected category will be asked to nominate and elect a person for the unexpired term of that alternate. If there was no alternate elected that can assume the vacant position, then the nomination and election will be for both the representative and an alternate.
- J. In the event that a category has no elected representatives or an alternate from the last regular election, the Chair can either call for a special election or simply appoint representatives and an alternate with the approval of the Council members to fill the vacancy. The appointed representatives and alternate will serve out the remainder of the term.
- K. All special elections will be held within 30 days of the occurrence of the vacancy. In the event of a tie, a run-off election will be held between the tied candidates.

Article VII - Officers and their Duties

- A. The Officers of the Staff Council shall be Chair, Vice Chair, and Secretary. The Chair will be elected in the regular election. The Chair shall appoint a Vice Chair and a Secretary. If either office becomes vacant later, an election by members of the Council shall be held as soon as possible after notice of such vacancy is given.
- B. The Chair will:
 - 1. Preside at all regular and special meetings and enforce all regulations and policies of the Staff Council.
 - 2. Preside over the Executive Committee and be responsible for preparing the committee structure.
 - 3. Provide the Staff report, along with the ACCE Representative, at scheduled BOG meetings.
 - 4. Be responsible for the Staff Council budget.
 - 5. Call special meetings when it is deemed necessary.
 - 6. Appoint standing committee chairs (or serve as committee chair, if position is vacant).

7. Appoint ad-hoc committees and chairs, as necessary.
 8. Appoint staff employees to serve on University committees.
 9. Coordinate public relations efforts for the Staff Council.
- C. The Vice Chair will:
1. Assume the duties of the Chair in the absence of or at the request of the Chair.
 2. Record and prepare meeting minutes in the absence of the Secretary.
 3. Prepare an agenda for each regular meeting at least seven working days prior to the scheduled meeting.
 4. Track attendance of council members and report to Chair.
 5. Distribute the meeting agenda to all staff within five working days prior to the scheduled meeting.
- D. In the event of the absence of both the Chair and Vice Chair at a regularly scheduled meeting, a *President Pro Tempore* will be elected by the Staff Council members present to conduct the meeting.
- E. The Secretary will:
1. Record and prepare minutes of Executive Committee meetings.
 2. Record and prepare minutes of regular meetings.
 3. Record and prepare minutes of special meetings.
 4. Provide a draft copy of the minutes to each member of Staff Council via email within ten working days after the meeting.
 5. Have the approved minutes posted to the Council's web site and distribute a copy of the approved minutes to:
 - a. All staff employees.
 - b. The President of the University.
 - c. All faculty and supervisors of staff employees.
 - d. All members of the University Board of Governors.
 6. Be responsible for retaining all records of the Staff Council, including fiscal records obtained from the Fairmont State Foundation Office.
- F. The Staff Council may relieve any Officer of the Staff Council from his or her seat, except the Chair, of his/her duties by a two-thirds vote of the total body of the Staff Council.
- G. In the absence of the duly elected staff employee representative to the ACCE, the Chair of the Staff Council shall appoint an alternate to attend the ACCE meeting. The alternate will be authorized to serve as a proxy (voting member) at the designated ACCE meeting.
- H. Restrictions:
1. No agreement made by the officers or members of the Council will be considered to be the Staff Council's position until it has been approved by the Staff Council by a quorum vote.
 2. No expenditure of funds allocated under Staff Council or expenses incurred by its members will be made or reimbursed unless approved by the Staff Council. In the interim between regular monthly meetings, the Executive Committee will have authority to incur or approve costs.

Article VIII – Meetings

- A. Regular meetings of the Staff Council shall be held once a month. The date of the next meeting will be decided at each meeting. There will be no scheduled meeting in the month of July.
- B. Council members shall be given release time from their regular duties to attend Council meetings and conduct Council business. Supervisors and managers will be notified of meeting dates and times in advance to encourage employee attendance.
- C. The Chair may authorize special meetings of the Staff Council when necessary or appropriate in matters concerning staff employees.
- D. The Staff Council will meet with the President of the University at least quarterly to discuss matters affecting staff employees.
- E. The Staff Council will meet with the University Board of Governors at least once each fiscal year in an informal meet and greet format.
- F. A quorum at a regular meeting will be a majority of the total voting membership present at that meeting.
- G. All Council meetings will be open to the public except as provided for in Executive Session by state law. Non-members of Staff Council may participate in discussions upon recognition by the Chair of the Council.

Article IX – Executive Committee

- A. The Executive Committee shall be composed of the Staff Council Chair, the Vice Chair, the Secretary, the ACCE representative, and the BOG representative.
- B. The Executive Committee is authorized to act for the Staff Council on an emergency basis between meetings of the Council and to assist the Chair in making appointments to all committees.
- C. Any actions of the Executive Committee must be presented to the entire Staff Council for approval at the next regularly scheduled meeting.

Article X – Committees

- A. Unless otherwise specified, the Chair, with the assistance of the Executive Committee, shall appoint all committee members, for which the entire staff are eligible, and designate a chair for each committee from within the membership of the Council. Committee members shall receive release time to attend committee meetings.
- B. The Staff Council shall have the following Standing Committees:
 - 1. *Legislative Affairs* - The Legislative Affairs Committee serves to identify issues relevant to Employees and the University community and bring those issues to the attention of our

- regional legislators with the goal of making positive changes through legislation. The Committee shall maintain and provide a key list of area legislators and key members of the Executive and Legislative branches of state government for distribution to Staff Council.
2. *Election* – The Election Committee, working with the Council’s designee, shall coordinate elections for the positions of Council members and alternates, Staff Council Chair, BOG representative, and ACCE representative. The committee also ensures appropriate procedures are followed as outlined in the Constitution and recommends changes to Staff Council.
 3. *Staff Development* - The Staff Development Committee shall be concerned with the promotion and coordination of development, training, and educational opportunities to heighten the professional level and effectiveness of staff employees in their assigned duties and for personal advancement. The committee is also responsible for offering programming and events to enhance personal development and the moral of the staff. The Committee shall make recommendations to the Council.
 4. *Website* – The Website Committee is responsible for maintaining and updating the Council website.
 5. *Scholarship* – The Scholarship Committee will oversee the annual scholarships that the Staff Council awards either to a staff member, his/her spouse, his/her children or step-children. There will be two separate scholarships, one for full-time enrollment and one for part-time enrollment. This committee will be responsible for all fundraising activities to fund these scholarships, determine the amounts, and to determine the recipients.
 6. *Technology* - The Technology Committee will discuss technology related issues as they relate to the staff and to present any and all ideas, issues, and concerns the staff may have regarding technology on campus to the Office of Information Technology. The Office of Information Technology may also utilize this committee to seek input and to act as an advisory board for changes to the campus technological environment, in its training offerings, and in its development and maintenance of IT related policies, standards, practices, and procedures.
 7. *Survey* - The Survey Committee will be responsible for creating content for surveys that will go out to all staff to get their inputs and opinions on a variety of issues and topics.
- C. Each Committee Chair will bring all proposals in writing to the Staff Council for approval prior to implementation. Each Committee Chair will report at each regular monthly Council meeting.
- D. Each member of Staff Council will serve on at least one Council committee.
- E. Committee appointments will be for the duration of the two-year Council membership term or until the Committee is dissolved by the Council.
- F. No position or agreement made by any Standing Committee or member shall be considered to be the Staff Council’s position until it has been approved by Staff Council.
- G. The Staff Council will create Ad-Hoc committees as deemed necessary. The Council Chair, with assistance from the Executive Committee, will appoint Ad-Hoc committee members and designate a Chair for each. No agreement made by any Ad-Hoc committee will be considered to be the Staff Council’s position until it has been approved by the Council.

H. The Staff Council Chair is an ex-officio member of all committees.

Article XI – Procedures

- A. Any staff employee may present ideas, opinions, and requests to any member of the Staff Council to consider for inclusion on the agenda of the next regular meeting. The Council member will forward the information to the Vice Chair who will consult with the Chair to determine whether or not the request will be included on the agenda. The employee will receive notification of the disposition of the Council regarding the request.
- B. All formal proposals created and approved by the Staff Council will be submitted to the President for his/her consideration.
- C. The Staff Council reserves the right, after the President's review, to forward the proposal to the BOG and/or the ACCE.

Article XII – Amendments

- A. Amendments to the Constitution may be proposed by any Council member and must be presented to the Council in the form of a motion.
- B. A notice that an amendment is being proposed must be distributed to all staff employees at least 20 working days prior to the meeting at which voting will occur.
- C. Amendments to the Constitution will be considered approved with the majority vote at the Council meeting at which it is presented.

Article XIII - Parliamentary Authority

Robert's Rules of Order, as revised, shall govern the proceedings of the Staff Council except where otherwise specified in this Constitution.

Appendix 1 - EEO Job Categories

Executive/Senior Level Officials and Managers (Category #1.1). This category is reserved for the highest level within the organization. This level includes individuals who plan, direct, and formulate policies, they set the strategy, and they provide information to be approved by the board of directors. Some examples are the chief executive officer or the chief operating officer.

Executive/Administrative/Managerial (Category #1). Individuals in this category all persons whose assignments require primary (and major) responsibility for management of the institution, or a customarily recognized department or subdivision thereof. Assignments require the performance of work directly related to management policies or general business operations of the institution's department or subdivision, etc. Assignments in this category customarily and regularly require the incumbent to exercise discretion, independent judgment, and to direct the work of others.

Professional, Non-Faculty (Category #2). Jobs in this category provide academic support, student service and institutional support activities and whose assignments would require either college graduation or experience of such kind and amount as to provide a comparable background such as librarians, accountants, personnel, counselors, systems analysts, coaches, lawyers, and pharmacists for example.

Clerical/Secretarial (Category #4). These jobs include persons whose assignments typically are associated with clerical activities or are specifically of a secretarial nature. These are personnel who are responsible for internal and external communications, recording and retrieval of data (other than computer programmers) and/or information and other paper work required in an office, such as bookkeepers, stenographers, clerk typists, office-machine operators, statistical clerks, payroll clerks, etc.

Skilled Crafts (Category #6). Individuals in this category typically will have a specific skill set that makes them qualified for a particular subset of jobs. For example: carpenters, brick and stone masons, plumbers, painters, auto mechanics, and roofers, just to name a few. The distinction here is that a craft worker will have a specific skill to set them apart.

Service/Maintenance (Category #7). Assignments require limited degrees of previously acquired skills and knowledge and in which workers perform duties which result in or contribute to the comfort, convenience and hygiene of personnel and the student body or which contribute to the upkeep and care of buildings, facilities or grounds of the institutional property. Jobs in this category can include cafeteria and restaurant workers, truck drivers, bus drivers, garage laborers, custodial personnel, gardeners and groundskeepers.

Appendix 2 - Non-Exempt and Exempt Employees – What's the Difference?

Employees are either exempt or non-exempt—but what IS the difference between the two?

The Federal Fair Labor Standards Act (FLSA) requires that employers appropriately assign jobs to either non-exempt or exempt status; non-exempt employees are covered and protected by FLSA rules and regulations, but exempt employees are not. The FLSA (enacted in 1938, at the height of the Great Depression) was the first federal legislation that established minimum wage, overtime regulations, child-labor, record-keeping and other protections for the vast majority of American workers. If you are a non-exempt employee, then you are “not exempt” from the provisions and protections of the FLSA and are

thus eligible for overtime pay and minimum wage protections. If you are an exempt employee, then you are “exempt” from and are not covered by the provisions of the FLSA and have no guarantees of overtime pay or minimum wage. It’s as simple as that.

What isn’t so simple, however, is determining who may be exempt from FLSA protections. Typically, the status of “exempt” is assigned to positions that earn at least \$455 per week in addition to holding certain professional degrees and/or performing job responsibilities at a certain level. The three exemption categories permitted by the FLSA are executive, administrative and professional, and in each, the work assigned to and/or the education required of these positions must meet very stringent “tests”.

The **executive** exemption is supported if the employee has an enterprise-management role, supervises more than two employees, has the authority to hire and fire other employees and is compensated at a minimum of \$455 per week. At Fairmont State University, examples would be the president, vice presidents and directors.

The **professional** exemption may be invoked if the employee’s job duties and responsibilities require knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction. Examples would be faculty and nurses.

The **administrative** exemption is appropriate if an employee’s position involves the performance of office or nonmanual work related to the employer’s management or general business operations; the exercise of discretion and independent judgment with respect to significant matters in the employer’s business or operations and if it compensates the employee at a rate not less than \$455 per week. Examples would be assistant directors, program managers, coordinators, and office administrators.

Thus the greater majority of positions will fall into the non-exempt category and be overtime-eligible. So, who’s non-exempt at our institution? Most of our staff employees are—around 75%. These employees must be paid at least the minimum wage (currently \$8.75 per hour). Non-exempt employees’ hours worked must be accurately recorded and maintained, which for our institution is done through the Kronos time-clock system. If they work over 40 hours in a workweek (our workweek is from Saturday at 12:01 a.m. to the following Friday at midnight), then they must be compensated at time-and-one-half. (Because we work a 37.5 hpw schedule, any hours a non-exempt employee works between 37.5 - 40 are paid at the regular, straight-time hourly rate. Overtime compensation is not paid until the 40-hour threshold has been reached.)

And what does being an exempt employee at our institution mean? Exempt employees are expected to “work to get the job done,” and regardless of how many hours per week that takes, the exempt employee will receive only his/her established salary. Exempt employees are not protected by overtime or minimum wage provisions and therefore do not and are not allowed to receive overtime compensation in any form for hours worked over the established workweek. This further means that a manager or supervisor can require an exempt employee to work overtime to meet deadlines or service needs.

Exempt fulltime (1.0) FTE employees at are expected to maintain a minimum level of 37.5 hours on the job in a given workweek or to request appropriate leave to cover absences.

An important aspect to remember is that exemption is not based on a job’s title, but on its duties/responsibilities. This means that an employer is not permitted to give titles such as “manager” or “professional secretary” just to make an employee exempt and non-overtime-eligible.

Non-exempt employees are actually “hourly” workers, even though the State of West Virginia, up until the new wvOASIS system was implemented a couple of years ago, had traditionally referred to them as “salaried.” Being paid hourly has nothing to do with one’s level of skill or work ethic or dedication to his/her job, but rather with the duties performed and the employer’s obligation under the Fair Labor Standards Act to make sure that all hours worked by a non-exempt/hourly employee are recorded and paid correctly, to include time-and-one-half overtime compensation.

Exempt employees are paid on a salary basis, which means that their compensation doesn’t change based on the actual hours they work, nor are they entitled to extra pay for hours worked in excess of their established schedule each week. Exempt employees are paid to get a job done, and it is thus to be expected that the workweeks of exempt staff might frequently exceed 37.5 hours per week. Again, managers/supervisors also have the prerogative of scheduling exempt/salaried employees for more than 37.5 hours per week without consideration of extra compensation or compensatory time off.

FLSA status for jobs at our institution is determined by the Office of Human Resources staff based on information provided in job descriptions. If you have a question about the FLSA or exemption status, please contact Cindy Curry in the Human Resources Office at 304.367.4386 or at cindy.curry@fairmontstate.edu.

Amendment I – Amending the Constitution

Proposed: February 26, 2020, Approved: March 25, 2020

- A. To modify the current process of amending the Constitution of the Staff Council (Article XII). This amendment will clarify the current language of the constitution pertaining to amendments and will allow it to be amended more efficiently.
- B. Under this amendment, the process to amend the constitution will be:
 - 1. An amendment must be proposed and presented by a Staff Council member as a motion at a regular meeting. The proposed amendment can originate from the Staff Council member themselves or on behalf of a member of their constituency. The Staff Council member making the proposal will compose the draft text of the amendment and then present it to the Staff Council.
 - 2. The Staff Council will take the amendment under advisement until the next regular meeting in which it will vote to approve or to not approve the proposal. During this advisement period, the Staff Council can debate, modify, or re-word the proposal with a majority of the members agreeing.
 - 3. The Chair will provide the proposed amendment, in its final form, to the entire staff for public comment prior to the meeting in which it will be voted on (either via a staff-wide email or attached to the meeting request). The amendment will be read by either the Council member sponsoring the amendment, or the Chair, and the staff members present will have the opportunity to give public comment. The Chair can delay the vote if there is sufficient opposition from the staff members present. All unresolved concerns will be taken into another advisement period leading up to the next regular meeting where the process will repeat until the amendment is either approved or defeated.
 - 4. Voting can only take place at a regular meeting with a majority of the Staff Council members present, assuming there is a quorum. If a quorum is not present the vote will be re-scheduled until the next regular meeting. A simple majority of the members present is required for approval of the amendment.

Amendment II – Establishment of the appointed position of Communications Officer

Proposed: February 26, 2020, Approved: March 25, 2020

- A. The establishment of a new Chair appointed position titled *Communications Officer*.
- B. This position must be appointed from the existing members of the Staff Council and will also serve as a member of the Executive Committee.
- C. This position will be responsible for the following:
 - 1. Write, edit, proof-read, and distribute content to promote the Staff Council and its activities. This would include publications, press releases, website content, reports, speeches, and other material that communicates the Staff Council's activities, and/or services.
 - 2. Act as a liaison between the Staff Council, the public, and the media.
 - 3. Collaborate with the other members of the Staff Council to develop and implement an effective communications strategy based on our various target groups.

4. Respond to media inquiries, arrange interviews, and act as a spokesperson for the Staff Council.
5. Establish and maintain an effective relationship with the media.
6. This will be a two-year appointment at the discretion of the Chair.

Amendment III – Establishment of a Student Government Association selected Student Representative

Proposed: February 26, 2020, Approved: March 25, 2020

- A. The establishment of a Student Government Association selected position to serve as the *Student Representative to the Staff Council*.
- B. This position will be responsible for:
 1. Representing the interests of the student body on the Staff Council.
 2. Be an advocate for student employees that work in administrative areas.
- C. This position will be a Student Government Association selected position and it will be subject to any selection process, term lengths/limitations, requirements, and/or responsibilities as outlined in its bylaws.

Amendment IV – Vacancies on the Staff Council

Proposed: February 26, 2020, Approved: March 25, 2020

- A. To modify the current process of filling vacancies on the Staff Council (Article VI, Section E, Sub-Section H through K).
- B. This amendment will clarify the current language of the constitution pertaining to filling vacancies in the following manner:
 1. In the event that a vacancy should occur in the positions of the Staff Council Chair, the Representative to the ACCE, or the Representative to the BOG, a special election will be held to fill the remainder of the term. In the event it is the position of the Chair that is vacant, the appointed Vice Chair will preside over both the Staff Council and the special election.
 2. In the event that the vacancy should occur in one of the EEO Category Representative positions, the elected alternate for that group will assume the position. If there is no alternate, the Chair can either call for a special election to fill the position OR the Chair can decide to appoint a replacement. The special election or appointment will be limited to the affected EEO Category. This decision to elect or appoint should be based on the amount of time remaining in the position's term or the likelihood of nominees in a special election. If there is no resolution to the vacancy, then the position will remain vacant until an appointment can be made or the next regular election. If the elected alternate is used, then it is the alternate position that will need to be filled using the same process. The individual that has assumed the position, been elected, or appointed will serve as an interim for the remainder of the vacated position's term.
 3. If the event that the vacancy should occur in one of the appointed positions, the Chair will simply appoint a replacement among the members of the Council.

4. All special elections or appointments must be attempted within 30 days of the occurrence of the vacancy. If the vacancy is to be filled by special election, the election must adhere to the election specifications outlined in the Constitution (Article VI). If the vacancy is filled by appointment, the Chair will make a motion to vote on the appointment. Voting can only take place at a regular meeting with a majority of the Staff Council members present, assuming there is a quorum. If a quorum is not present the vote will be re-scheduled until the next regular meeting. A simple majority of the members present is required for approval of the amendment.