

CONSTITUTION

Classified Personnel Association
Concord University

Preamble:

The Classified Employees of Concord University adopt the following plan to insure the proper representation and governance of their members. Further, inherent in this plan, lie the rights of autonomy and the responsibilities, direction, sanction, and the insurance of high professional standards, which, in part, define the function of the classified personnel. In accordance with this, the Classified Personnel Association recognizes the Concord University Board of Governors and/or the West Virginia Higher Education Policy Commission as the ultimate authority under law and the President of Concord University as the local official of final responsibility to the Board and the Commission.

Bylaws:

ARTICLE I: Name

The name of this organization shall be the Classified Personnel Association of Concord University.

ARTICLE II: Membership

The Classified Personnel Association is composed of all employees of Concord University who are hired into a position that is covered under the classification program set out in the Series 8 legislative rule and are defined under the rule as either full-time or part-time. Temporary or contract employees are not eligible for membership.

ARTICLE III: Functions and Responsibilities of the Classified Personnel Association

The Classified Personnel Association conducts plenary meetings that will be called by the chairperson of the Classified Employees Council, hereto referred to as the "staff council." The Staff Council will serve as the representative voice for all Classified Employees at Concord University. Classified Staff Councils were established in state code on March 8, 2003 with House Bill 2224 for the purpose of providing the classified employees at each institution a means to share information and discuss issues affecting them or the efficient and effective operations of their institution with the President of the institution and its Board of Governors.

The Classified Personnel Association will elect sector representatives of the Staff Council, the representative to the Advisory Council of Classified Employees and the representative to the Concord University Board of Governors in accordance with West Virginia State Code and procedures established by the Staff Council and contained herein. Further, through the Staff Council, the Classified Personnel Association is responsible for maintaining a vehicle for the examination and expression of concerns dealing with the policies and procedures that affect the functioning within the respective classified positions, and to make those concerns known to the President and/or the Board of Governors, and where deemed necessary, members of the WV legislature.

ARTICLE IV: Staff Council

Section 1: Membership

The Staff Council is composed of ten (10) representatives elected under ARTICLE V, who represent the varying sectors of classified employees in accordance with §18B-6-6. Two (2) representatives may be elected from the following five (5) sectors:

1. Administrative/Managerial
2. Professional
3. Paraprofessional
4. Secretarial/Clerical
5. Physical Plant/Maintenance

The Council shall also include the elected representative to the Advisory Council of Classified Employees (ACCE) and the representative to the Concord University Board of Governors (BOG) who shall be ex-officio, voting members of the Staff Council.

Section 2: Quorum

A simple majority of the elected officers constitutes a quorum, which is necessary to conduct official business of the Staff Council. A majority vote of those present is required for the passage of any council transaction. Any question on which a majority decision cannot be reached by the Staff Council will be returned to the general Classified Personnel Association for a vote to be taken and where a simple majority of those present shall rule.

Section 3: Removal from Office

If an elected staff council sector representative is absent for three consecutive meetings or if a majority of the staff council find a member to be neglectful of his/her duties, the chair shall be notified in writing and a vote shall be taken by the remaining staff council members to remove that member from the Council. The representative shall receive due process at the next scheduled meeting. At the discretion of the Staff Council, the chair may appoint another representative from the same sector of employees to complete the remainder of the term or, the chair may hold a sector election to fill the position, or, if the remainder of the term is less than 6 months, the position shall remain vacant until the next election.

If the elected chair of the staff council is absent for three consecutive meetings or if a majority of the staff council find the chair to be neglectful of his/her duties, the secretary shall be notified in writing and the chair shall be given due process at the next scheduled meeting. A vote shall be taken by the remaining staff council members to remove the chair from the Council. The secretary will serve as temporary chair until an election of the Classified Personnel Association can be held to elect a new chair.

A sector representative or the chair may request, in writing, the Staff Council allow an exception to the absence rule in cases of illness or other reason deemed acceptable by a majority of the Staff Council members.

Section 5: Responsibilities and Duties of the Staff Council

- A. The Staff Council shall act in an advisory capacity, and will have the responsibility of making recommendations related to the concerns of the classified personnel to the University administration, the President, the legislature, and/or the Board of Governors as deemed appropriate.

- B. The Staff Council shall strive to promote and/or improve the general welfare and working conditions of all classified personnel being aware and concerned with the subsequent effect upon Concord University as a whole.
- C. The Staff Council may consider questions and concerns of any individual or any group of individuals within the classified personnel of Concord University through procedures established by the Staff Council.
- D. The Staff Council shall have the power to establish committees and other appointed positions and to establish rules and powers of such committees in accordance with the realms of functioning, membership, and charge.
- E. The individual members are responsible to their respective sectors and to the entire Classified Personnel Association through their representation on the Staff Council.
- F. The Staff Council shall act as the official representatives of the Classified Personnel Association and will be empowered to transact any and all Association business.
- G. To oversee all aspects of the Classified Employee Scholarship Fund established and maintained by the Classified Personnel Association in conjunction with the Executive Director of the Concord University Foundation, Inc.
- H. To establish procedures for any and all elections of representatives to the ACCE, the BOG and/or the Staff Council.
- I. To enforce the By-Laws adopted by the Concord Classified Personnel Association.

Section 6: Meetings

- A. **Staff Council:** The Staff Council shall meet at least monthly, or at the call of the chair as per §18B-6-6 (e), or at the request of a majority of the Staff Council members. With appropriate notification to the institutional president, the chair may convene classified personnel association meetings for the purpose of sharing information and discussing issues affecting the classified employees or the efficient and effective operations of the institution. Staff Council meetings are not subject to the Open Meetings Law as per §6-9A-3. However, should any member of the Classified Personnel Association wish to attend a meeting, they should contact the Chair or any member of the Staff Council so adequate time on the agenda can be arranged. The member must be recognized by the chair and shall not in any way disrupt the meeting.
- B. **Staff Council meetings with the President:** The Staff Council shall meet with the President at least quarterly to discuss matters affecting classified employees. [18B-6-6 (f)]. Any member of the Classified Personnel Association wishing to attend a meeting of the Staff Council with the President should contact the Chair of the Staff Council as well as the President's Office, at least three working days in advance.
- C. **Staff Council meetings with the Board of Governors:** As per WV State Code, the Staff Council shall meet with the Board of Governors at least annually to discuss matters affecting classified employees and the effective and efficient management of the institution. §18B-6-6 (g). All meetings of the Board of Governors, except when in executive session, are subject to the Opens Meetings Law, as per §6-9A-3.

ARTICLE V. Elections and Terms of Office:

- A. All classified employee representative elections shall take place in the month of April of odd numbered years in accordance with procedures established by the Staff Council as per (§18B-6-6 (b)). The effective date of the elections shall be July 1 of said year.
- B. The Classified Personnel Association will decide prior to any election, if the ACCE and the BOG representative will be the same or two different representatives.
- C. The Classified Personnel Association shall elect one representative to the Advisory Council of Classified Employees. This position shall be an ex-officio, voting member of the Staff Council as per §18B-6-6 (6) of WV State Code.
- D. If the Classified Personnel Association votes to elect a different person to represent them on the Board of Governors, that position shall be elected at the same time and shall serve as an ex-officio, voting member of the Staff Council.
- E. Two (2) representatives may be elected from and by the following five (5) sectors:
 - 1. Administrative/Managerial;
 - 2. Professional;
 - 3. Paraprofessional;
 - 4. Secretarial/Clerical;
 - 5. Physical Plant/Maintenance.

Employees shall nominate from the floor, members of their respective sectors who must agree to be placed on the ballot.

- F. Elected members of the Staff Council shall serve a term of two years and are eligible to succeed themselves. Elected members of the ACCE shall serve a term of two years and shall be eligible to succeed themselves. Elected members of the BOG shall serve a term of two years and are eligible to succeed themselves, but serve no more than a total of eight (8) years.
- G. All members of the Classified Personnel Association are eligible to vote for the chairperson of the Staff Council as per §18B-6-6 (d). The chair shall be chosen from the elected sector representatives. The chair shall act as a liaison with the University President, call all meetings, prepare an agenda, and preside over the meetings. The chair, along with the classified Board of Governors representative, shall be responsible for the annual presentation to the Board of Governors. The chair shall serve as a voting member of the Staff Council.
- H. The Staff Council may elect from its membership, a secretary. The secretary shall keep and prepare Minutes of all meetings and distribute them in a method approved by the Staff Council that will allow access for all classified employees.
- I. All elections shall utilize a secret ballot process. Nominations shall come from the floor on the day of the election, or through sealed, written communication to the Staff Council secretary. Members not in attendance shall forfeit their right and privilege to vote. Notice of an election date, time, and location, must be communicated to the Classified Personnel Association at least 10 working days prior to the election. Counting of the ballots shall take place by individuals in a different sector and chosen by the Chair of the Staff Council immediately following all voting.

ARTICLE VI. Duties of the ACCE and BOG Representatives

Duties of the Advisory Council of Classified Employees (ACCE) representative shall include:

- A. to serve as a representative for all classified employees under the authority of the Higher Education Policy Commission, herein referred to as the COMMISSION and of the Community and Technical College Council, herein referred to as the COUNCIL in accordance with WV Code 18B-6-1a(i),
- B. to participate in such policy matters of the COMMISSION and of the COUNCIL that affect classified employees,
- C. to provide an avenue of information exchange concerning issues of mutual concern to the classified employees and to the COMMISSION and to the COUNCIL,
- D. to foster a spirit of unity and cooperation among all classified employees under the authority of the COMMISSION and of the COUNCIL in accordance with WV Code 18B-6-1a(i),
- E. to consider methods and means by which employment conditions may be improved and the operating efficiency of the COMMISSION and of the COUNCIL may be increased,
- F. to act in an advisory capacity to the COMMISSION and to the COUNCIL as well as the Legislative and Executive branches of state government on policy matters and working conditions of classified employees,
- G. To report to the Staff Council on meetings of the ACCE and the BOG as per §18B-66-(6).

Duties of the Board of Governors (BOG) classified employee representative shall include:

- A. to serve as a representative for all classified employees employed by the Concord University Board of Governors,
- B. to participate in the development of, and make all classified employees at the institution aware of institutional policy matters affecting classified employees.
- C. to coordinate the classified employee evaluation of the President,
- D. to coordinate, in conjunction with the Staff Council, the annual meeting with the Board of Governors,
- E. to act in an advisory capacity to the Board of Governors on matters affecting classified employees,
- F. to provide BOG agendas to and solicit input from the Staff Council on any relevant issues,
- G. to report to the Staff Council on meetings of the BOG.

ARTICLE VII. Grievance Procedure

The grievance procedure to be utilized by all classified employees is in West Virginia state code, Chapter 29, Article 6. A copy of this procedure can be found on the Internet at various sites, or can be obtained through the Human Resources Office, or through your sector representative. Your Staff Council representatives may provide advice, but are under no obligation to represent you or any employee in a grievance.

ARTICLE VIII. Classified Employee Scholarship Fund

There is hereby created by this article, and in accordance with ARTICLE IV, Section 3 (G) , a Classified Employee Scholarship Committee, herein referred to as "Scholarship Committee" whose purpose shall be to advertise, research, and utilize agreed upon criterion for the purpose of awarding to the son or daughter, either natural or adopted or stepson or stepdaughter, a monetary grant used exclusively by that individual for college expenses as they pursue an undergraduate degree at

Concord University. This committee shall report to the Staff Council the names of any awardees. The Staff Council shall determine the criterion to be used to make scholarship award determinations in conjunction with the Associate Director of Financial Aid, and the Executive Director of the Concord University Foundation, Inc.

a.) Membership and Criterion:

The Committee shall be composed of one classified employee from each sector represented on the Staff Council and the Associate Director of Financial Aid who shall act in an ex-officio, non-voting member. The Financial Aid position shall serve ex-officio and shall provide advice and guidance and necessary information used to determine eligibility rules as required to meet legal, procedural and academic requirements. The classified employee members of the scholarship committee shall have sole authority and responsibility to make the final decision of the award. All members of the Scholarship Committee shall serve at the request of the Staff Council. The term shall be two years and members are eligible to succeed themselves. None of the members of the committee shall be eligible to serve if he/she has a son or daughter who is presently attending or is expected to attend Concord University during his/her term on the committee. The Scholarship Committee shall recommend to the Staff Council additional rules or guidelines as required that will insure the Classified Employee Scholarship Fund is protected and properly administered. Application forms shall be established by the Scholarship Committee and made available in the Financial Aid Office. The award shall be for one year given in two semester increments and shall be payable to Concord University toward the recipient's tuition/fees. The amount awarded shall be determined by the Staff Council in consultation with the Vice President for Development or the Executive Director of the Concord University Foundation, Inc., with consideration given to the return on the principal amount in the account. Criteria shall be:

1. Completion of the federal FAFSA form.
2. Financial Need
3. Academic Achievement and GPA
- 4) Date of Application
4. 5) Completion of a 125 Word Essay.

b) Management of the Scholarship Fund:

Until otherwise amended, the amount of the award shall not exceed \$1000 per year given in increments of \$500.00 per semester. The Funds which support this scholarship are derived from various fundraising projects, contributions, and other sources. . The funds are managed by the Concord University Foundation, Inc. The Office of Development shall furnish a written record of the account transactions and balances each quarter. All fund-raising efforts must receive prior approval of the President. Funds raised for the specific purpose of scholarship shall be delivered to the Development Office for investment by the Staff Council Chair or Secretary.

ARTICLE VIII. Staff Development Policy

The Staff Development Policy, in accordance with West Virginia Code, §18B-7-5, is designed to enhance the professional level and effectiveness of the staff member in his/her assigned duties and to broaden the knowledge and skills for future job assignments, where appropriate. This policy will apply to all classified employees as defined in HEPC Series 8. These activities will be made available to all eligible employees without regard to race, color, age, religion, sex, or national origin.

a) Purpose and definition:

The purpose and definition of the training and development are to increase professionalism, productivity, and both individual and organizational effectiveness. This includes both individual and group efforts which may include, but are not limited to, skills acquisition, job-related skill enhancement, personal development, career development, instructional development, and research and scholarship where appropriate. Staff development activities are job-related in nature, whether directly or indirectly, and are considered an investment in both the individual employee and in Concord University. The successfulness of this policy will be measured in improved job performance and in increased employer/employee satisfaction. Staff development and training needs may be identified by any classified employee, supervisor or administrator, or by the Staff Council or Staff Development Committee.

b) Staff Development Committee and budget:

The Staff Development Committee shall be appointed by the President with the advice of the Staff Council and defined membership being: the, one cabinet-level and two Classified Employee representatives. This committee shall meet on an “as needed” basis or as called by the President. Employees shall submit requests on the appropriate form to the Human Resources Office. A yearly staff development budget shall be established upon approval of the Board of Governors, with funding distributed on the basis of request date, job-related nature of the request, and availability of funds. All requests will be considered in the order received until funds have expired.

ARTICLE IX. Amendments to these By-Laws

Any and all proposed amendments to this document must be presented to the Staff Council in writing denoting the specific article where the change is requested and the reason for the request. The Staff Council shall discuss the request at the next scheduled meeting of the Staff Council, or at a specially called meeting for that purpose, if warranted. Unless the request is determined to be arbitrary or capricious in nature, or in violation of WV State Code, the request will be presented to the Classified Personnel Association via print or electronic media and within ten working days, a general assembly will be held to take up the issue. At that general assembly, the request must be presented to the Classified Personnel Association in the form of a motion and must receive the vote of two-thirds of those members in attendance for passage. If the amendment is successful, the article will be revised and the date noted on this document.

APPROVED AS REVISED:

REVISED: March 1992 REVISED

March 2005

CC: Mrs. Margaret Sayre, Chair

Concord University Board of
Governors

and Jerry L. Beasley, President

Concord University

Athens, West Virginia