



STAFF COUNCIL BY LAWS
Effective Date: May 29, 2024

History & Future

The Bluefield State University Staff Council, originally known as the Classified Employee Staff Council, was 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 the recognition that all matters at Bluefield State University are governed by state law, by the Bluefield State University Board of Governors, and by Bluefield State University policies and procedures.

Today's Bluefield 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 these changes.

ARTICLES:

- Article I Name**
 - Article II Authority**
 - Article III Purpose**
 - Article IV Membership**
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Article I – Name

The name of this organization shall be the Bluefield State University Staff Council, hereinafter referred to as the ~~Classified~~ Staff Council.

Article II – Authority

The Staff Council will be a unit of Bluefield State University (hereafter referred to as the University) and will continue to be so until 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 Bluefield 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;
- communicate new or proposed legislation that may directly or indirectly affect 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 Bluefield State University as a whole;
- act in fostering the improvement of working conditions for employees through input into staff development programs and appointment or 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 Bluefield 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.

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

Article IV – Maximum Membership

1. Eligibility: A Staff Council constituent must be a regular full-time or part-time staff employee of the University who holds a position that is assigned a particular job title and pay grade. “Staff, Staff Member or Staff Employee” mean any employee not employed in a faculty, academic administrator, executive level, or athletic appointment position. Staff are not eligible for salary increases until after six months of employment

The Staff Council shall consist of:

- i. One (1) Staff Council Chair (voting);
- ii. One (1) Institutional Board of Governors (BOG) Staff Representative (*ex officio*, non-voting)
- iii. One (1) State Advisory Council Representative (*ex officio*, voting);
- iv. up to two (2) staff employees from the First/Mid-Level Officials and Managers sector; Excluding Vice Presidents and also exclude members of the President’s Cabinet. **(EEOC category 1.2)**;
- v. up to two (2) staff employees from the Professionals sector **(EEOC category 2)**;
- vi. up to two (2) staff employees from the Technicians sector **(EEOC category 3)**;
- vii. up to two (2) staff employees from the Administrative Support Workers sector **(EEOC category 5)**;
- viii. and up to two (2) staff employees from the Craft Workers, Operatives, Laborers & Helpers, and Service Workers sectors **(EEOC categories 6, 7, 8, and 9)**.
 - a. There shall also be one elected, alternate for each **EEOC category 1.2, 2, 3, 5, 6-9**. In the temporary or permanent absence of a Council member, the appropriate category alternate shall serve as a voting member.
 - b. The retiring Chair of the Staff Council may serve as an advisor during the transition from one administration to another upon approval of the Council during a fiscal year.

Article V - Terms of Office

1. The term of office for a member of the Staff Council shall be two years and shall begin on July 1 of each odd-numbered year.
 2. Elections of representatives will be done in the manner prescribed in Article VI of this Constitution.
 3. Transfer of a Staff Council member from one EEOC category to another shall not affect his/her unexpired term on the Council.
 4. Vacancies will be created by death, termination of service to the University, resignation, or three (3) unexcused absences from regularly scheduled Staff Council Meetings per term.
 5. After a member has accrued two (2) 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.
 6. Staff Council category members, Chair, and ACCE representatives 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.
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Article VI – Elections

1. Elections shall be held each odd-numbered year in April.
 - a. The elections will be held for the ACCE representative, the BOG representative, the Staff Council Chair, and the members of each category of EEOC staff and their alternates during the second week of April of each odd-numbered year. Nominees for Staff Council Chair must have served on the Council for at least one full year preceding the Chair term for which he or she is being nominated
 - b. The Council Chair shall request a current list of staff, current as of April 1 of the election year, who are eligible to be nominated for Staff Council positions. This list shall be distributed to Staff one week before the election.
 2. Elected positions shall consist of:
 - a. Staff Council Chair
 - b. State Advisory Council Representative
 - c. Institutional Board of Governor's Representative
 - d. EEOC Category Representatives
 3. The Council's chosen designee will accept nominations and conduct the elections as described in this Constitution.
 4. All EEOC classes of staff employees have the opportunity to vote for the ACCE, BOG, and staff council chair representative. Each employee will vote for their specific EEOC representative.
 - a. Nominations for the elected positions of representatives to the ACCE, the BOG, the Staff Council Chair, and the members of each EEOC category and their alternates will be accepted by campus mail or email no later than one week before the specified election date. The Council's designee will confirm that the nominee accepts the nomination. A list of nominees will be distributed to all staff employees at least two work days before the scheduled election date.
 - b. Votes for nominees to the positions of ACCE Representative, BOG Representative, Staff Council Chair, and Staff Representatives will only be accepted on the specified election date and can be provided either in person at the designated polling area or via email.
 - c. If more than one candidate is nominated for the ACCE, BOG, or Staff Council Chair position, the candidate with the most votes is the newly elected member for that position
 5. If only one person is nominated for either the ACCE, BOG, or Staff Council Chair position, that person will be accepted to the position; a formal vote is not necessary.
 6. Only staff employees from within each EEOC job category may nominate and vote for their respective representatives and alternates.
 7. Nominations for EEOC category representatives and alternates will be accepted by campus mail or email during the week before the specified election date. the candidate with the most votes is the newly elected member for that position.
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8. Votes for nominees to the positions of EEOC category representatives and alternates will only be accepted on the specified election date and can be provided either in person at the designated polling area or via email.
 9. 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, the candidate with the most votes is the newly elected member for that position
 10. 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.
 11. The Council's designee will conduct the final vote for each election by secret ballot Voters identity will be confidential. The ballot records will be retained in the designee's office for 60 days after elections are complete and are subject to the Freedom of Information Act (FOIA).
 12. The Executive Staff Council 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.
 13. In the event, 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 by mail or email two weeks before the election from all staff employees.
 14. If 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.
 15. 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.
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Ballots and General Election Procedures:

- a. Ballots will be available electronically.
- b. Write in candidates will not be accepted.
- c. Ballots will contain clear and concise instructions specifying cut off dates and voting procedures.
- d. Each candidate will be given the opportunity to submit a short statement of no more than 50 words. The statements will be posted on-line.
- e. Announcements regarding the election will appear in various University communications media. Such announcements will include instruction for electronic voting.
- f. Employees may vote only once.
- g. Electronic ballots will be counted automatically by the election software.

Article VII - Officers and their Duties

1. The Officers of the Staff Council shall be Chair, Vice Chair, and Secretary.
 - a. 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.
 2. The Chair will:
 - a. preside at all regular and special meetings and enforce all regulations and policies of the Staff Council,
 - b. prepare an agenda for each regular meeting at least seven working days before the scheduled meeting,
 - c. provide the Staff report, along with the ACCE Report to the BOG Staff representative, who will then provide to the BOG members during scheduled BOG meetings,
 - d. be responsible for the Staff Council budget,
 - e. call special meetings when it is deemed necessary,
 - f. appoint standing committee chairs,
 - g. appoint ad-hoc committees and chairs, as necessary,
 - h. appoint staff employees to serve on university committees,
 - i. coordinate public relations efforts for the Staff Council,
 3. The Vice-Chair will:
 - a. assume the duties of the Chair in the absence, disability or resignation or at the request of the Chair,
 - b. record and prepare meeting minutes in the absence of the Secretary.
 - c. conduct an election in odd-numbered years
 - d. distribute the meeting agenda to all staff within five working days before the scheduled meeting,
 - e. 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,
 - f. prepare the BSU Holiday schedule that is published by April for the upcoming school year.
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4. The Secretary will:
 - a. record and prepare minutes of regular meetings,
 - b. record and prepare minutes of special meetings,
 - c. provide a draft copy of the minutes to each member of the Staff Council via email within ten working days after the meeting,
 - d. have the approved minutes posted to the Council's website
 - e. track attendance of council members and report to Chair

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.

5. 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.
6. Restrictions:
 - a. 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.
 - b. No expenditure of funds allocated under the 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 Chair and Vice Chair will have the authority to incur or approve costs.

Article VIII – Meetings

1. Regular meetings of the Staff Council shall be held once a month. The date of the next meeting will be decided at each meeting. The Staff Council shall meet nine (9) times during the fiscal year, the staff council will decide during a regular scheduled meeting if they will meet the following month. (i.e. January, July, December)
 2. 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.
 3. The Chair may authorize special meetings of the Staff Council when necessary or appropriate in matters concerning staff employees.
 4. The Staff Council will meet with the President of the University at least quarterly to discuss matters affecting staff employees.
 5. The Staff Council will meet with the University Board of Governors at least once each fiscal year in an informal meet-and-greet format.
 - a. A quorum at a regular meeting will be a majority of the total voting membership present at that meeting.
 - b. All Council meetings will be open to the public except as provided for in Executive Session by state law. Non-members of the Staff Council may participate in discussions upon recognition by the Chair of the Council.
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Article IX – Committees

1. Unless otherwise specified, the Chair, with the assistance of the Executive Staff Council Committee, shall appoint all committee members and designate a chair for each committee from within the membership of the Council. Committee members shall receive release time to attend committee meetings.
 2. The Staff Council shall have the following Standing Committees:
 - a. 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 to make 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.
 - b. 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.
 - c. 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 shall make recommendations to the Council. The Committee shall also coordinate the Staff Council tuition waiver program.
 - d. Website – The Website Committee is responsible for maintaining and updating the Council website.
 - e. Special Events - The Special Events Committee is responsible for coordinating, planning, and publicizing the annual Staff Employee Recognition luncheon, holiday luncheons, and other social activities.
 2. Each Committee Chair will bring all proposals in writing to the Staff Council for approval before implementation. Each Committee Chair will report at each regular monthly Council meeting.
 3. Each member of the Staff Council will serve on at least one Council committee but not more than two.
 4. Committee appointments will be for the duration of the two-year Council membership term or until the Committee is dissolved by the Council.
 5. 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.
 6. The Staff Council will create Ad-Hoc committees as deemed necessary. The Council Chair, with assistance from the Vice Chair, 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.
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Article X – Procedures

1. Any Staff Council constituent 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.
2. All formal proposals created and approved by the Staff Council will be submitted to the President for his/her comments.
3. The Staff Council reserves the right, after the President's review, to forward the proposal to the BOG and/or the ACCE.

Article XI – Amendments

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

Article XII - Parliamentary Authority

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

Article XIII – Flower Fund

1. This fund is solely supported by donations from the Staff and voluntary by contributions. If need arises, the Staff Council may hold a fundraiser to supplement the fund.
 2. Flowers will be sent to any staff employee who is in the hospital or in the event of the death of a staff member, her/his spouse, child, or parent.
 3. A card will be sent in the event of the death of other family members.
 4. A contact person will be appointed for each building. That person will contact the Flower Fund chair regarding an illness or death.
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Appendix 1: EEOC Job Categories:

2023 EEO-1 Component 1 Data Collection
Instruction Booklet

OMB Control Number: 3046-0049
Expiration Date: 11/30/2026

Appendix 1: EEOC Job Categories: DESCRIPTION OF JOB CATEGORIES

1. Executive/Senior Level Officials and Managers

- Individuals who plan, direct and formulate policies, set strategy and provide the overall direction of enterprises/organizations for the development and delivery of products or services, within the parameters approved by boards of directors or other governing bodies. Residing in the highest levels of organizations, these executives plan, direct or coordinate activities with the support of subordinate executives and staff managers. They include, in larger organizations, those individuals within two reporting levels of the CEO, whose responsibilities require frequent interaction with the CEO.
 - Examples: chief executive officers; chief operating officers; chief financial officers; line of business heads; presidents or executive vice presidents of functional areas or operating groups; chief information officers; chief human resources officers; chief marketing officers; chief legal officers; management directors and managing partners.

2. First/Mid-Level Officials and Managers

- Individuals who serve as managers, other than those who serve as Executive/Senior Level Officials and Managers, including those who oversee and direct the delivery of products, services or functions at group, regional or divisional levels of organizations. These managers receive directions from the Executive/Senior Level management and typically lead major business units. They implement policies, programs and directives of executive/senior management through subordinate managers and within the parameters set by Executive/Senior Level management.
 - Examples: vice presidents and directors; group, regional or divisional controllers; treasurers; human resources, information systems, marketing, and operations managers. The “First/Mid-Level Officials and Managers” subcategory also includes those who report directly to middle managers. These individuals serve at functional, line of business segment or branch levels and are responsible for directing and executing the day-to-day operational objectives of enterprises/organizations, conveying the directions of higher-level officials and managers to subordinate personnel and, in some instances, directly supervising the activities of exempt and non-exempt personnel.
 - Examples: first-line managers; team managers; unit managers; operations and production managers; branch managers; administrative services managers; purchasing and transportation 100

3. Professionals

- Most jobs in this category require bachelor and graduate degrees, and/or professional certification. In some instances, comparable experience may establish a person’s qualifications.
 - Examples: accountants and auditors; airplane pilots and flight engineers; architects; artists; chemists; computer programmers; designers; dieticians; editors; engineers; lawyers; librarians; mathematical scientists; natural scientists; registered nurses; physical scientists; physicians and surgeons; social scientists; teachers; and surveyors.
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4. Technicians

- Jobs in this category include activities that require applied scientific skills, usually obtained by post-secondary education of varying lengths, depending on the particular occupation, recognizing that in some instances additional training, certification, or comparable experience is required.
 - Examples: drafters; emergency medical technicians; chemical technicians; and broadcast and sound engineering technicians.

5. Sales Workers

- These jobs include non-managerial activities that wholly and primarily involve direct sales.
 - Examples: advertising sales agents; insurance sales agents; real estate brokers and sales agents; wholesale sales representatives; securities, commodities, and financial services sales agents; telemarketers; demonstrators; retail salespersons; counter and rental clerks; and cashiers.

6. Administrative Support Workers

- These jobs involve non-managerial tasks providing administrative and support assistance, primarily in office settings.
 - Examples: office and administrative support workers; bookkeepers; accounting and auditing clerks; cargo and freight agents; dispatchers; couriers; data entry keyers; computer operators; shipping, receiving and traffic clerks; word processors and typists; proofreaders; desktop publishers; and general office clerks.

7. Craft Workers

- Most jobs in this category include higher skilled occupations in construction (building trades craftworkers and their formal apprentices) and natural resource extraction workers.
 - Examples: boilermakers; brick and stone masons; carpenters; electricians; painters (both construction and maintenance); glaziers; pipe layers, plumbers, pipefitters and steamfitters; plasterers; roofers; elevator installers; earth drillers; derrick operators; oil and gas rotary drill

8. Laborers and Helpers

- Jobs in this category include workers with more limited skills who require only brief training to perform tasks that require little or no independent judgment.
 - Examples: production and construction worker helpers; vehicle and equipment cleaners; laborers; freight, stock and material movers; service station attendants; construction laborers; refuse and recyclable materials collectors; septic tank servicers; and sewer pipe cleaners.

9. Service Workers

- Jobs in this category include food service, cleaning service, personal service, and protective service activities. Skill may be acquired through formal training, job-related training or direct experience.
 - Examples (Food Service): cooks; bartenders; and other food service workers.
 - Examples (Personal Service): medical assistants and other healthcare support positions; hairdressers; ushers; and transportation attendants.
 - Examples (Cleaning Service): cleaners; janitors; and porters.
 - Examples (Protective Service): transit and railroad police and fire fighters; guards; private detectives and investigators
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