

# *Montana State University All Staff Council Operating Agreement*

## **ARTICLE I: Organization**

### **Section 1: Structure**

MSUASC shall consist of thirty-three council members plus the Program Coordinator (ex officio, non-voting), governed by the Executive Board.

#### **A. Executive Board**

The Executive Board of MSUASC shall be comprised of seven voting council members consisting of the Chair, Chair Elect, Governance Committee Chair, Professional Development Committee Chair, Special Events & Recognition Committee Chair, Diversity, Equity, and Inclusion Committee Chair, Member-at-Large and one non-voting council member consisting of the Program Coordinator. The Executive Board duties shall consist of coordinating the efforts of all committees; providing general oversight for the membership; forming ad hoc committees as needed; budget review and approval; responding to issues or recommendations brought before it by the President, senior administrators, committees, or council members.

The Executive Board shall meet prior to the next monthly meeting to discuss issues and concerns that were brought up at the previous meeting and to decide on the next month's agenda. The Chair shall have the right to cancel this meeting if they decide it is not necessary further noting the Chair shall work with the Program Coordinator to create an agenda for the next monthly meeting if the Executive Board meeting is cancelled. Non-voting members may attend this monthly meeting but are not required to attend.

##### **i. Chair**

The Chair is the presiding officer over MSUASC and the primary representative of all staff at Montana State University, embodying the ideals of competence, reliability, honesty, and excellence. The Chair's duties include presiding over all meetings and representing MSUASC at various collegiate and community functions, including Board of Regents (BOR) meetings. Attending these events are considered University business and shall be attended on university time. If the Chair is unable to attend a function or meeting, they may send the Chair Elect or, if the Chair Elect is not available to attend, the Past Chair may attend on behalf of the Chair or a member of the Executive Board. The Chair is also responsible for working with the Committee Chairs and Program Coordinator to create the annual budget. The Chair shall also participate as the representative of all staff on the following councils:

1. President's Executive Council (PEC)
2. University Council
3. Association of Shared Governance Leaders (ASGL)
4. President's Bus Tour (when scheduled)
5. Any other special meetings or events requested by the President

##### **ii. Past Chair**

The Past Chair shall act as an advisor to the Chair and MSUASC membership and is a non-voting member of the Executive Board. The Past Chair will have the option to serve on the Executive Board for one-year post chairmanship. This will be the end of their term on the council. The Past Chair may attend any meeting or function on behalf of the Chair or Chair Elect. The Past Chair may serve as a voting proxy for vacant Executive Board

positions, including the Chair and Chair Elect, if needed. If the Past Chair position is vacant, it is not required to be filled.

iii. **Chair Elect**

The purpose of the position of the Chair Elect is to prepare an individual to become the next Chair. The position of Chair Elect requires a three-year commitment to MSUASC (one year as the Chair Elect, one year as the Chair, and one year serving as the Past Chair). If the Chair cannot attend a meeting, the Chair Elect shall fill in for them. The Chair Elect shall shadow the Chair and learn the duties of the Chair in order to be equipped to become the sitting Chair when the current Chair's term expires. The Chair Elect shall attend a minimum of two meetings on each of the councils the Chair sits on, preferably one in the fall and one in the spring.

The Chair Elect shall serve as the MSUASC representative on the Montana University System Staff Association (MUSSA).

iv. **Member-at-Large**

The Member-at-Large shall be responsible for ensuring all meetings are conducted in accordance with *Robert's Rules of Order*. The Member-at-Large shall be required to become an expert in parliamentary procedure and shall work with the Governance Committee as needed. The Member-at-Large shall serve as the Pure Gold Reviewer.

v. **Program Coordinator**

The Program Coordinator is a university employee who is assigned to provide administrative support to the Council which includes: preparing agendas, minutes, and correspondences; assisting the Chair with preparing the annual budget; managing the budget; maintaining and updating the webpage; ordering supplies; and keeping records current and up to date, including all agendas, minutes, elections, annual reports, and correspondences. The Program Coordinator, or a designee, shall attend all meetings to take minutes. The Program Coordinator shall also assist the committee chairs in complying with university processes and fulfilling their respective responsibilities. The Program Coordinator shall also offer administrative assistance to MUSSA every other year in conjunction with the Program Coordinator at the University of Montana. The Program Coordinator is the Election Commissioner for annual elections. The program coordinator will schedule quarterly updates from the Inter-Unit Benefits Committee (IUBC) representative or Montana State University Chief Human Resource Officer (MSUCHRO). The Program Coordinator is a non-voting member of MSUASC and the Executive Board and is ineligible to serve as an elected, voting MSUASC council member.

vi. **Committee Chairs**

The chairs of the Professional Development Committee, Special Events & Recognition Committee, and Diversity, Equity, and Inclusion Committee shall be appointed by the Governance Committee through an appointment process post-election. Each chair shall preside over their committee and shall report to the Executive Board.

B. **Staff Council Membership and Terms**

i. **Membership**

MSUASC shall consist of thirty-three elected council members. To be eligible to serve on MSUASC, an individual must be an MSU non-teaching employee who has completed their probationary period, if applicable, and is employed at an FTE of 0.5 or higher. Fixed-term, temporary, and student employees are not eligible to serve. Supervisor approval will be required for elected individuals to serve on MSUASC. It is expressly noted that any time spent to attend

to or complete MSUASC business is counted as work hours and must be reported. New members will be required to complete new member on-boarding provided by the Governance Committee.

**ii. Terms**

Each MSUASC council member shall serve a term of two years. With the option to extend for one year or two years at the end of your initial term. With the maximum of four years of service. When a council member terms out, they may be nominated and elected to serve again after a one-year break in service. (exception - see Article III Section 4).

Terms for the inaugural year election and appointments are hereby incorporated and attached as *Addendum B* to this *Operating Agreement*.

**C. MSUASC Committees**

MSUASC shall have the right to add new committees through a simple majority vote of the council or through direct approval by the MSU President.

**i. Governance Committee**

The Governance Committee aids the governance structure of MSUASC by developing and maintaining the polices and *Operating Agreement* by which MSUASC functions. This committee shall conduct the annual elections as well as administer amendments to the *Operating Agreement* or proposed policies. This committee shall be comprised of an elected chair and two appointed council members. This committee will meet as needed.

Areas the Governance Committee oversees shall include:

- name, mission, and vision
- goals
- code of conduct
- rules for public meetings
- shared governance structure
- elections
- amendments to the *Constitution* and *Operating Agreement*
- internal committee duties
- current and proposed policies
- new member on-boarding program
- all other duties & responsibilities as assigned by the Executive Board

**ii. Professional Development Committee**

Working with the Professional Development & Training unit of University Human Resources, the Professional Development Committee shall be tasked with bringing professional development opportunities to campus that will benefit all staff. Members of this committee shall also be tasked with assisting, promoting, and encouraging professional development opportunities sponsored by University Human Resources. This committee shall be comprised of a chair and two council members appointed through the Governance Committee.

**iii. Special Events & Recognition Committee**

The MSUASC Special Events & Recognition Committee shall develop and implement plans for special events on campus and create awareness of community service opportunities available for staff. This committee shall propose a schedule of events for the year.

The Special Events & Recognition Committee shall also be tasked with ensuring all staff at MSU are welcomed and valued members of the MSU community by recognizing excellence through a

variety of programs promoting and acknowledging the hardworking staff at MSU. This committee shall be responsible for the creating & distributing of new employee welcome kits. This committee shall be comprised of a chair and two council members appointed through the Governance Committee.

iv. **Diversity, Equity, and Inclusion Committee**

The MSUASC Diversity, Equity, and Inclusion Committee shall be tasked with evaluating and recommending language, activities, policies, and processes that build upon current diversity, equity, and inclusion work related to staff within MSUASC and across MSU. The committee will work with the Senior Diversity & Inclusion Officer, University Human Resources, and others as needed to accomplish this work. This committee shall be comprised of a chair and two council members appointed through the Governance Committee. The DEI chair will serve as the MSUASC representative on the Diversity & Inclusion Council.

v. **External Committee Positions**

The Governance Committee will receive nominations and recommend appointments of a MSUASC representative to any committee requiring MSUASC representation. MSUASC currently has representation on the following external committees:

- Americans with Disabilities Act Facilities Advisory Committee\*
- Budget Council
- Campus Sustainability Advisory Council (CSAC)\*
- Classroom Committee
- Research Council
- Outreach and Engagement Council
- Parking Appeals\*
- Transportation Advisory Committee (TAC)\*
- Personnel Board
- Planning Council
- President's Commission on the Status of University Women (PCSUW)\*
- Recreational Sports & Fitness Advisory Board
- Space Management\*
- University Facilities Planning Board (UFPB)\*
- Public Arts and Artifacts Committee (PAAC)\*
- MUSSA (General Member and Chair Elect)

*(\*designates committees whose appointments require approval from the President)*

There shall be two representatives from MSUASC to the Montana University System Staff Association (MUSSA). One shall be the Chair-Elect and the other preferably a general member. If a general member does not volunteer for the position, the Chair may appoint an MSUASC member as the MUSSA representative. Should either of these representatives not be able to attend a meeting or function, such as a meeting with the Board of Regents, the Chair or Past Chair may substitute in their place. MUSASC will cover the travel expenses of two representatives to Board of Regents meeting.

MSUASC council members shall be expected to vote in alignment with MSUASC philosophy and core values and, whenever possible, present issues up for vote to MSUASC before issuing their vote.

Each council member is responsible to provide a monthly written report for their assigned committee, unless there is nothing to report. Written reports are to be sent to the Program Coordinator within 48 hours of the monthly meeting.

For any member serving on a committee that is unresponsive (defined as no returned contact within 90 days from the Committee Chair) the member can petition MSUASC to be removed from that committee. The member must provide supporting documentation.

For any inactive committees, MSUASC can choose to withdraw participation except for the committees that require presidential approval. A simple majority vote is required to remove any inactive committees.

*For the inaugural year only, the appointment of external committee positions shall be conducted in accordance with the MSUASC Inaugural Year Procedures, attached as 'Addendum B' to this Operating Agreement.*

## **Article II: Meetings**

### **Section 1: Date & Time**

MSUASC shall hold a public meeting once each month on the 3<sup>rd</sup> Wednesday from 9 – 11 a.m. The Chair shall preside over each meeting. The Member-at-Large shall ensure *Robert's Rules of Order* are adhered to at all meetings. The meeting may be rescheduled at a new date and time with approval from Executive Board.

### **Section 2: Agendas and Minutes**

The Program Coordinator shall work with the Executive Board to create an agenda for each meeting. Said agenda shall be distributed to all council members as well as posted on the website at least 72 hours before each meeting. The Program Coordinator shall take notes at each meeting to use in drafting the minutes. MSUASC council members shall vote whether to approve the previous minutes at each monthly meeting. Once approved, all minutes shall be posted to the MSUASC website as soon as possible.

### **Section 3: Attendance**

MSUASC council members shall be required to attend each monthly MSUASC meeting as well as each of their external committee meetings. If a council member is unable to attend a monthly MSUASC meeting, they shall advise the Program Coordinator via email before the start of the scheduled meeting. If a council member is unable to attend an external committee meeting, they shall be required to find a replacement from MSUASC to attend as their proxy. If an item is up for vote, the MSUASC committee representative shall instruct their proxy regarding any voting items. If a council member has three consecutive unexcused absences, the Executive Board may declare their position vacant. The council member may appeal to the MSUASC at its next regularly scheduled meeting.

If a council member must take an extended leave of absence from MSUASC, they shall advise the Chair of their said leave of absence and whether or not they would like to keep their position on MSUASC. During an extended leave of absence, a position on MSUASC may be held open for up to nine (9) months. After the first three months, and every three months thereafter, the member shall check in with the Chair regarding their leave status and whether or not they would like to remain in their position on MSUASC. It is expressly noted members are not required to provide the reason for a leave of absence but are required to advise the Chair that they are in a leave of absence status and how long they expect to remain on a leave of absence.

## **Article III: Elections**

### **Section 1: Eligibility**

- A. **Voter Eligibility:** A record of voters in each election shall be maintained by the Program Coordinator. Eligible voters must be an MSU non-teaching employee who has completed their probationary period, if applicable, and is employed at an FTE of 0.5 or higher. Fixed-term, temporary, and student employees are not eligible to vote. To determine voting eligibility, voters will have to answer a question about their eligibility status prior to casting their vote. The questions will be in the form of yes or no answers as part of the ballot.
- B. **Member Eligibility:** To be eligible to serve on MSUASC the following must apply: Permanent MSU employee holding at least a .5 FTE in a staff position
- i. Fixed-term, temporary, and student employees are not eligible to serve on MSUASC.
  - i. Employee must have successfully completed their probationary period, if applicable.
  - iii. The employee's primary role at MSU must be staff. MSUASC recognizes that staff may hold secondary positions at MSU, such as teaching, etc., however they are eligible to serve on MSUASC if their primary role is a staff position.
  - iv. As nominations are made, eligibility will be verified by the Program Coordinator.

### **Section 2: Voting Procedures**

The Governance Committee shall develop a timeline for each annual election cycle. The Governance Committee, working with the Program Coordinator, shall send an electronic announcement to all eligible employees and publish an announcement in MSU Today, advising campus of any vacancies on MSUASC. Eligible employees shall be asked to nominate either an employee or themselves to serve on MSUASC. Employees shall be provided **two weeks (2)** to make their nominations. All nominees shall be contacted by the Program Coordinator and/or Governance Committee regarding their willingness to serve. A link to an electronic ballot shall be sent to all eligible voters. Voters shall be provided one week to cast their final vote. In the case of a tie, the voting period will be extended for one additional week (five working days) between the tied candidates. Elections will take place in April/May timeframe. The entire election process shall be completed no later than June 15th of each year.

If the nomination process does not yield an adequate number of candidates for the vacant positions, the Governance Committee shall meet to review the nomination results and plan for filling any candidacy shortage.

The Program Coordinator shall serve as the Election Commissioner, providing the pool of eligible participants and maintaining the voting results for a minimum of one year. The voting results shall be reviewed by the Governance Committee. The election results shall be reported to the Executive Board and then to council members prior to the general posting. The Program Coordinator shall be responsible for contacting all candidates with results prior to the general posting. Elected council members and new officers shall begin their terms on July 1<sup>st</sup> of each year.

An internal election shall be conducted at the April or May MSUASC meeting where current council members shall be elected to the Chair Elect, Member-at-Large, Professional Development, DEI, Special Events & Recognition and Governance Chair positions that are available. All current council members may run for said positions. The Chair Elect position is elected annually while the Member-at-Large, Professional Development, DEI, Special Events & Recognition and Governance Chair are elected every two years. The newly elected council members shall be appointed by the Governance Committee through an appointment process to serve in one of MSUASC's committees or general member positions.

The Governance Committee shall oversee the election and appointment processes with the assistance of the Program Coordinator.

- A. All MSUASC council members shall be allowed to submit their name to fill any of the seats. This will be allowed during the annual election.
  - i. If a current MSUASC member would like to move to a new committee, they will need to submit the request to the Governance Committee and the Program Coordinator for approval to vacate current committee or chair.
- B. Each council member may only serve in one position (i.e., the Parking Appeals representative cannot serve on another external committee nor on an internal committee such as the Governance Committee). If circumstances arise, the Governance Committee and/or the Chair may approve council members serving in more than one position.
  - i. The exceptions to this are the Chair Elect and Chair who shall serve on several councils, committees, and task forces representing the office of the Chair of MSUASC.
  - ii. If a council member already serves on a committee as part of their job, they will be asked to choose a different committee to represent staff for MSUASC.
  - iii. Members may also volunteer to assist MSUASC internal committees with council projects without violating the one committee rule.

### **Section 3: Staff Classification**

In order to maintain an inclusive and comprehensive staff organization, MSUASC will hold open elections that are not based upon staff classification or categorization. However, in order to maintain a diverse and representative staff governance body, each EEO category shall have no more than five staff members serving on MSUASC simultaneously. MSUASC will utilize University Human Resource's EEO categorization of employees to ensure compliance with this policy and the Program Coordinator shall complete a categorization check before each election cycle.

### **Section 4: Filling Vacant Terms**

In the event there is a vacancy, the Governance Committee shall review the ballots from the preceding election to determine the candidates next in line for the vacant position. The term limit for the candidate filling the vacant position will be that of the member leaving. Each candidate shall be contacted, in order of vote totals, then asked to serve on the council. The order shall be individuals with the next highest number of votes, working through the election results. A list of eligible candidates shall be maintained by the Program Coordinator. If a candidate is not found on the list, the position shall remain vacant.

- A. **If the Chair resigns**, the Executive Board shall choose one of the following actions to fill the vacated position:
    - i. The current Chair Elect shall move into the role of Chair for the remainder of the current term and then move into the position of Past Chair upon completion of their term as Chair. A new Chair Elect shall be elected from the current MSUASC membership and will move into the role of Chair after completion of their term as Chair Elect. The position the new Chair Elect vacates may be filled pursuant to the process outlined above or may remain vacant until the next election cycle.
  - OR
  - ii. The current Chair Elect shall serve as both the Chair Elect and Chair for the remainder of the term and the Past Chair shall act as a proxy voting member on the Executive Board. for the remainder of the term.
- B. **If the current Chair Elect resigns**, MSUASC shall elect a MSUASC council member to serve the remaining term and the newly elected Chair Elect shall be allowed to serve as Chair at the end of the term. The vacancy caused by the new Chair Elect leaving their position may be filled pursuant to the process outlined above or may remain vacant until the next election cycle.

- C. **If an internal committee chair resigns**, a member of said committee shall be elected to serve as chair. The vacancy of a committee member may be filled through the process outlined above or may remain vacant until the next election.
- D. **If a council member resigns**, the Governance Committee shall review the last election results to determine if there were more election participants than members elected. The non-elected participant receiving the most votes in the last election will be contacted and invited to become the newest council member. If there were no additional participants from the last election, the position will remain vacant until the next election cycle.

#### **Article IV: Voting Procedures**

##### **Section 1: Request Requiring Action**

All requests requiring action shall be reviewed by the Executive Board to ensure said request is within MSUASC's scope of authority. If said request is within MSUASC's authority, it shall be presented to the Council at the next monthly meeting. Council members shall be provided an opportunity to discuss and provide feedback and recommendations. When necessary, the Council shall vote on the action. The Executive Board shall review MSUASC's recommendations and voting results and issue a final recommendation. All final recommendations must pass by a quorum of the Executive Board voting members.

##### **Section 2: Power of Veto**

MSUASC council members shall have the power to veto any final decisions made by the Executive Board by a sixty percent (60%) majority. If the majority vote is reached, said ruling shall go back before the Council for discussion and a two-thirds (2/3) vote shall be required to pass or reverse the Executive Board's ruling.

#### **Article V: Amendments to the Operating Agreement**

This *Operating Agreement* may be amended by a simple majority vote of the current members of the Montana State University All Staff Council. Any staff member may submit proposed changes to any of these procedures to the Governance Committee. Submissions must be in writing. The Governance Committee shall review submissions and present them to the Executive Board and then the Council at the next monthly meeting. Council members shall be provided an opportunity to discuss the proposed amendments and make recommendations. Any adopted amendments shall be dated and a record kept by the Program Coordinator.

The aforementioned *Operating Agreement* shall be enacted beginning the 14<sup>th</sup> day of August 2019.

Operating Agreement amended 05-18-22.