

Nonexempt Staff Senate

Nonexempt Staff Senate Bylaws As Adopted March 8, 2018

Article I - Name

The name of this Senate shall be the Nonexempt Staff Senate (NESS) (hereafter called Senate).

Article II - Definition

This Senate is hereby constituted to represent Regular and Contingent II Nonexempt staff not otherwise represented by an exclusive bargaining agent.

Article III – Purpose and Functions of the Senate

The purpose and function of the Senate shall be:

- A. To advise and make recommendations to the UMBC administration on issues on behalf of nonexempt employees not represented by an exclusive collective bargaining agent,
- B. To review the actions of the other four Senates and make recommendations concerning those actions to the other Senates or to the UMBC administration,
- C. To establish its own bylaws and committees provided they are not in conflict with the provisions of the Plan of Organization for the Senates of UMBC,
- D. To appoint its members to conference committees with members of other Senates to reconcile differences among them,
- E. To engage in actions assigned to it by the Plan of Organization for the Senates of UMBC or by the Steering Committee,
- F. To make recommendations to the Board of Regents of the University System of Maryland to be forwarded by the Steering Committee through the President of UMBC and the Chancellor of the University System of Maryland after the following conditions are fulfilled:
 - 1. At the time the Senate develops a proposal to the Board of Regents, it shall also send a copy to the members of the Steering Committee,
 - 2. The officers of other Senates may bring any motion regarding the proposal to their Senates for consideration,
 - 3. The Chair of the Steering Committee shall forward the actions of the other Senates, with the original proposal, to the President to be forwarded to the Chancellor and the Board of Regents.
- G. To formulate and recommend policies subject to the advice of the other Senates, subject to the policies and procedures established by the Board of Regents or the UMBC President with regard to the following matters:

1. Principles governing nonexempt excluded staff personnel policies and practices including wages, benefits, and working conditions,
2. Review of academic policies and practices as they affect nonexempt staff,
3. Promotion of an improved work environment and enhanced morale among nonexempt staff.

Article IV – Membership

- A. The Senate shall consist of at least eight (8) eligible representatives elected from the Regular and Contingent II nonexempt staff members who are not otherwise represented by an exclusive bargaining agent. The membership may grow to have up to a 20 percent affiliation to allow for growth in the Senate membership as the eligible constituency may grow. Changes in the number of elected representatives of the Senate and the manner of their election shall be determined by two-thirds vote of the Senate.
- B. Non-voting ex-officio members of the Senate shall include the following UMBC officials: the President, the Provost, the Vice President for Administration and Finance, the Associate Vice President of Human Resources, the Senior Vice President for Academic Affairs, and the most recent Past President of this Senate unless such person is a currently serving Senator.
- C. All Regular and Contingent II nonexempt staff not otherwise represented by an exclusive bargaining agent may be appointed by the Senate President to serve on Senate (internal) committees.
- D. All Regular and Contingent II nonexempt staff not otherwise represented by an exclusive bargaining agent may also serve on University (external) committees if so decided by a simple majority vote of the Senate.

Article V – Organization

- A. There shall be three (3) officers of this Senate; the President, the Vice President, and the Treasurer.
 1. By ballot, Senators shall nominate and elect the President, Vice President, and Treasurer for the upcoming term at the last general meeting of the current term.
 2. The President, Vice President, and Treasurer shall serve a two-year (2) term beginning on July 1. Officers may not run for re-election after serving two consecutive terms unless one year has elapsed since they last held office.
 3. If the President cannot complete his/her term, the Vice President shall fill the remaining term. If the Vice President is unable to fill the vacancy, the Senate shall elect a new President from the Senate membership.
 4. If the Vice President or Treasurer is unable to complete his/her term, the Senate shall elect a replacement for the vacant position from the Senate membership.

- B. The members of this Senate shall be voted on by the Regular and Contingent II nonexempt staff not otherwise represented by an exclusive bargaining agent during a General Election. See Article VII for details and timing.
 - 1. Senators shall serve a two (2) year term.
 - 2. Any ties in the General Election will be resolved through selection of the candidate with the longest tenure at UMBC.
 - 3. When a vacancy occurs, appointment of new members shall be based on the preceding election results in descending order of votes received. The new member's term shall be for that period which the former member vacated.
 - 4. Senators may run for re-election during General Elections as many times as they desire.
- C. A Secretary shall be nominated and appointed to the Senate by the President. The Secretary shall be a non-voting member.

Article VI – Meetings

- A. Unless otherwise agreed to by the Senators, general Senate meetings shall be held once a month throughout the academic year at a designated time agreed on by the Senate by the first meeting each year.
- B. After two absences in an academic year, a Senate member may be replaced by majority vote of the Senate.
- C. A simple majority of the elected representatives shall constitute a quorum which must be present for Senate business to be conducted.

Article VII - Nominations and Elections

- A. The President, Vice President, and Treasurer shall serve as the Nominating Committee. They will be responsible for soliciting nominations and preparing the election ballots. The Nominating Committee shall be responsible for distribution of ballots. The Nominating Committee shall appoint a committee of Senators not on the ballot to tabulate the ballots.
- B. The Nominating Committee shall solicit nominations for new Senators in March. The General Election shall be held in April. The ballots shall be distributed in April to all excluded nonexempt staff on the current UMBC Central Payroll mailing list. Paper ballots or emailed ballots must be returned within one week. Late ballots will not be counted.
- C. Senators shall serve beginning July 1 of the year they are elected. Their term shall end on June 30 two (2) years from the year they were elected.
- D. The Senators at the last general meeting each academic year shall select the Senate's committee representatives for the following year.

Article VIII – Committees

- A. Ad-Hoc Committee(s) may be instituted by the Senate to consider particular concerns. These committees shall consist of at least two (2) Senators whenever possible and appropriate. Non-senators may be appointed at large from the nonexempt staff not otherwise represented by an exclusive bargaining unit.
- B. The following Senate (internal) Committees may consist of Senate members or non-Senators appointed at large from the nonexempt staff not otherwise represented by an exclusive bargaining unit:
 - 1. Nominating Committee - Three (3) members, the Senate President, Vice President, and Treasurer shall solicit nominations and prepare election ballots. Eligible non-Senate members may be appointed at large from the nonexempt staff not otherwise represented by an exclusive bargaining unit.
 - 2. Executive Committee - Five (5) members, the Senate President, Vice President, Treasurer, CUSS Representative, and President Ex-Officio shall comprise the Executive Committee.
 - 3. The Senate Scholarship Committee - The Scholarship Committee shall be composed of the Senate Vice President and three (3) Senators appointed by the Senate President.
 - 4. By-laws Committee - Two (2) Senators may be appointed by the Senate President.
- C. The following University (external) Committees may consist of Senate members or non-Senators from the nonexempt staff not otherwise represented by an exclusive bargaining unit except where otherwise noted. Senators may be appointed to these committees by the Senate President. Non-Senators from the nonexempt staff not otherwise represented by an exclusive bargaining unit may be elected to these committees by a simple majority vote of the Senate.
 - 1. Personnel Review Committee - President and Vice President. This committee shall make recommendations, revisions, and clarifications of University policy concerning conditions of employment for nonexempt staff not otherwise represented by an exclusive bargaining unit. This committee meets with Professional Staff Senate senators and the Associate Vice President of Human Resources. Only the Senate President and Vice President can serve on this committee.
 - 2. University Steering Committee - Only the Senate President and Vice President shall serve on this committee.
 - 3. Landscape Stewardship Committee - Two (2) NESS representatives.
 - 4. Athletic Policy Committee - One (1) NESS representative.
 - 5. Human Relations Committee - Two (2) NESS representatives.
 - 6. Library Policy Committee - One (1) NESS representative.
 - 7. Research Council - One (1) NESS representative.
 - 8. Council of University System Staff (CUSS) - One (1) NESS representative and one alternate.
 - 9. Information Technology Committee – One (1) NESS representative.

Article IX – Duties

- A. The duties of the President shall be to preside over general meetings, serve on the University Steering Committee, the Personnel Review Committee, the Nominating Committee, and the Executive Committee, appoint Senators to University Committees, co-sign for any expenditure of Senate funds, and represent the Senate at University functions.
- B. The duties of the Vice President shall be to substitute for the President when that officer is absent; and serve on the University Steering Committee, the Personnel Review Committee, the Executive Committee, and the Nominating Committee.
- C. The duties of the Treasurer shall be to act as comptroller of the Senate's funds, keep accurate records, submit a year-end financial report, cosign for any expenditure of Senate funds, and serve as a member of the Nominating Committee and the Executive Committee.
- D. The duties of the Secretary shall be to take minutes at the general Senate meetings and circulate these to all Senators prior to each general meeting. The Secretary will also maintain records of the Senate.
- E. The duties of the Senate's Committee Chairs shall include holding necessary meetings of their committees and reporting on them to the Senate.
- F. The duties of the Senate's representatives on University committees shall include monthly reports to the Senate and representation of this Senate's constituencies' concerns to those committees.

Article X - Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order shall govern the organization in all cases in which they are applicable and in which they are not inconsistent with these bylaws, or special rules of order which the Senate may adopt, or with the University Plan of Organization.

Article XI - Amending the Bylaws

The bylaws may be amended at any regular meeting of the Senate by a two-thirds vote of the elected members, provided that the amendment has been submitted in writing at the previous meeting and mentioned in the minutes.

Revised: 11-01-05, 04-25-06, 06-05-08, 07-12-08, 03-25-09, 03-08-18