

TRANSMITTAL AND ABSTRACT OF SENATE REPORT

Date Presented to the Senate: April 23, 2009

Presenter: Sabrina Baron, Chair of Elections, Representations, and Governance Committee

Subject of Report: Eligibility Timeline for Staff Elections

Senate Document Number: 08-09-13

**Voting: (a) on resolutions or recommendations one by one, or
(b) in a single vote
(c) to endorse entire report**

A. Statement of Issue: On November 18, 2008, the SEC charged the ERG Committee to provide advice on the eligibility timeline requirements for the election of Staff to the Senate. ERG considered this charge at our regular meeting on November 19, 2008.

B. Recommendation: The Committee believes that the following should be added to the end of clause 2.1.c of the Bylaws: "Staff candidates for the Senate must have been employed at the University of Maryland College Park for 12 months prior to standing as candidates for Senate. Staff members may not stand for Senate elections while in the probationary period of employment."

Further, clause 2.1.d should have the following language added at the end: "Such ex officio members should also have been employed by the University of Maryland College Park for 12 months prior to standing as candidates for the Senate."

In short, the Committee believes that 12 months of prior employment should apply to all members of the University community who stand for Senate seats.

The committee considers that Contingent 2 Staff are entitled to Senate representation and should be subject to the twelve months of prior employment timeline with everyone else. The idea of the twelve-month period was to provide an opportunity for employees of all categories to obtain familiarity and experience with University policies and practices.

This orientation serves to make them more thoughtful and productive members of the campus community and of the University Senate. It also provides parity across categories of employees.

C. Committee Work: The Committee voted unanimously that there should be changes in the way the Eligibility Timeline reads for Staff Elections.

D. Alternatives: The Senate could decline to vote for the Eligibility Timeline for Staff Elections.

E. Risks: None

F: Financial Implications:

There are no indications of a financial risk.



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March 24, 2009

TO: Kenneth G. Holum
Chair, University Senate

FROM: Sabrina Baron
Chair, ERG Committee

SUBJECT: Eligibility Timeline for Staff Elections (Senate Document number 08-09-13) Further Advice on Contingent Staff

ERG considered the need for further advice on Contingent Staff at our regular meeting this morning, March 24, 2009.

This question turns on the fact that under University personnel rules, there are two categories of Contingent Staff: Contingent 1 and Contingent 2. In the Senate By-Laws there is reference only to Contingent Staff without distinction.

Contingent 1 Staff are hired on six-month contracts that may be renewed for only one additional six-month period, or a total of twelve months. Moreover, they are considered to be hourly employees. As such they are not considered official University employees and thus are not included in apportionment counts.

Contingent 2 Staff are hired on one-year contracts that are renewable for three years. They are considered official University employees and as such, are included in apportionment counts. They are not subject to a probationary period in their employment.

Thus the Committee considers that Contingent 2 Staff are entitled to Senate representation and should be subject to the twelve months of prior employment timeline with everyone else. The idea of the twelve-month period was to provide an opportunity for employees of all categories to obtain familiarity and experience with University policies and practices. This orientation serves to make them more thoughtful and productive members of the campus community and of the University Senate. It also provides parity across categories of employees.

Under this rubric, Contingent 1 Staff are not entitled to participate in Senate representation.

The Committee further recommends that the Senate By-Laws should be amended in accordance with this finding. Section 2.2.d of the By-Laws currently reads:

The contingent staff shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as all other Staff Senators.

The Committee recommends this language be amended to read:

The Contingent 2 Staff shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as all other Staff Senators. The Contingent 2 Staff Senator shall have been employed by the University for twelve months prior to their election.



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March 3, 2009

TO: Kenneth G. Holum
Chair, University Senate

FROM: Sabrina Baron
Chair, ERG Committee

SUBJECT: Eligibility Timeline for Staff Elections (Senate Document number 08-09-13)

On November 18, 2008, the SEC charged the ERG Committee to provide advice on the eligibility timeline requirements for the election of Staff to the Senate. ERG considered this charge at our regular meeting on November 19, 2008.

From the minutes of our meeting:

The Senate Bylaws do not clearly state the length of time that a Staff member has to be employed at the University of Maryland College Park prior to becoming a Senator. Senate Office documentation states that Staff must be employed as of May of the year prior to taking their Senate seat. This timeline is reflected in copies of the Senate candidacy applications for the past 10 years. There is no written guideline as to why this timeline was implemented.

In this context, the Committee believes that the following should be added to the end of clause 2.1.c of the Bylaws: "Staff candidates for the Senate must have been employed at the University of Maryland College Park for 12 months prior to standing as candidates for Senate. Staff members may not stand for Senate elections while in the probationary period of employment."

Further, clause 2.1.d should have the following language added at the end: "Such ex officio members should also have been employed by the University of Maryland College Park for 12 months prior to standing as candidates for the Senate."

In short, the Committee believes that 12 months of prior employment should apply to all members of the University community who stand for Senate seats.



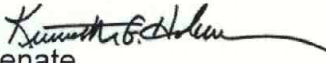
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November 18, 2008

TO: Sabrina Baron
Chair, Senate Elections, Representation & Governance Committee

FROM: Kenneth G. Holum 
Chair, University Senate

SUBJECT: Eligibility Timeline for Staff Elections (Senate Document Number 08-09-13)

The Senate Executive Committee (SEC) requests that the Elections, Representation & Governance (ERG) Committee provide advice on the eligibility timeline requirements for the election of Staff to the Senate.

The Senate Bylaws do not clearly state the length of time that a Staff member has to be employed at the University of Maryland College Park prior to becoming a Senator. Senate Office documentation states that Staff must be employed as of May of the year prior to taking their Senate seat. This timeline is reflected in copies of the Senate candidacy applications for the past 10 years. There is no written guideline as to why this timeline was implemented. Our best educated guess is that this period coincides with the Staff probationary period. However, now that Staff have been divided into non-exempt and exempt classifications, the probationary periods are 6 months and 12 months respectively.

The SEC would like your advice on the following:

1. Should we make the eligibility timeline correspond to the probationary period of each Staff category? (ie. Non-Exempt Staff must be employed 6 months prior and Exempt Staff must be employed 12 months prior to taking their Senate seat)
2. Should we leave the timeline as is for all Staff? (ie. All Staff must be employed 12 months prior to taking their Senate seat)
3. Should we make some other timeline change that also seems reasonable?

We ask that you submit your report and recommendations to the Senate Office no later than December 15, 2008. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.

KGH/rm