

**BY-LAWS OF
EMPLOYEES' ADVISORY COUNCIL
HERTFORD COUNTY PERSONNEL SYSTEM**

February 2015

Article 1

NAME

This body shall be known as the Employees' Advisory Council of Herford County, hereinafter called the Council or EAC.

Article II

STATEMENT OF PURPOSES AND OBJECTIVES

Section 1 The express purpose of the Employees' Advisory Council, acting as a representative body of all employees, shall be to serve in an advisory capacity to the Human Resources Director, County Manager and their fellow employees.

Section 2 To improve understanding between management and employees, the Council shall render assistance both to management and their fellow employees.

1. Members of the Council are urged to assist in resolving problems between employees and management where such assistance would not interfere or interrupt the general procedures set forth in the Personnel Ordinance dealing with such matters.

Section 3 The Council is charged with developing and recommending ideas related to working conditions, morale, public image, efficiency, employee safety, employee insurance programs, and other employee related benefits.

Section 4 Furthermore, no member of the Council shall use it as a means for personal or political gain, nor shall the Council as a whole take part in any movement not in keeping with the real purpose and objective of the Council.

Article III

MEMBERSHIP

Membership of this Council shall consist of fifteen (15) members.

Article IV

MEETINGS

Section 1 **MEETINGS:** Normally there shall be regular monthly meetings of this Council on the _____ of each month. Said meetings to be held at _____, at a designated location.

Section 2 **SPECIAL MEETINGS:** Special Meetings may be held at the call of the Chairperson or Vice Chairperson, by the request of at least eight (8) members of the Council, or by the Director of Human Resources.

Section 3 **NOTICE:** Normally at least _____ days notice of each special meeting shall be furnished to each member of the Council

Section 4 **ORDER OF BUSINESS:** The order of business at regular meetings shall be:

1. Call to Order
2. Roll Call and Introduction of Guests
3. Approve Minutes of Previous Meeting
4. Committee Reports
5. Old Business (unresolved issues)
6. New Business (issues brought up for the first time)
7. Adjournment

Section 5 **QUORUM:** Eight (8) of the members constitute a quorum for the transaction of business.

Section 6 **VOTING:** Every member of the Council shall have the right and be entitled to one vote, in person, upon every proposal properly submitted to vote at any meeting.

Article V

COUNCIL COMPOSITION

Section 1 **MEMBER COMPOSITION:** The Council shall be composed of fifteen (15) members to be apportioned as follows.

General Government	Three (3) Members
Human Services	Four (4) Members
Public Safety	Four (4) Members
Board of County Commissioners	Three (3) Members
Advisory Council	One (1) Member-At-Large
TOTAL EAC MEMBERS	Fifteen (15) Members

TERM: Council members shall serve two (2) year terms.

The commencement of each term shall be staggered so that no more than eight (8) of the Council seats will need to be filled through a regular election at one time.

HUMAN RESOURCES DEPARTMENT'S ROLE: In addition to the duly elected members of the Council, the Director of Human Resources or his/her designee shall act in an advisory and liaison capacity to the Council.

Section 2 **QUALIFICATIONS:** The members shall have been employed for at least one year by Hertford County as a permanent employee.

Section 3 **DUTIES:** The duties of the Council members shall be to transact all business brought before the Council for said Council's disposition.

Section 4 **POWERS TO ELECT OFFICERS:** The Council, at their December meeting each year, shall elect a Chairperson, a Vice Chairperson, and a Secretary. These officers will take office at the first scheduled meeting in _____.

Section 5 **REMOVAL OF OFFICERS AND/OR MEMBERS:** Members missing three (3) consecutive monthly meetings or six (6) meetings over a twelve (12) month period shall have a review by the Council and the possible action of removal.

Section 6 **ANNUAL REPORTS:** The Chairperson shall present his/her respective report of operation of the Council the preceding year, at the December meeting of the Council. Report must be provided to the Human Resource Director and County Manager.

Section 7

ELECTION PROCESS: It shall be the responsibility of the Employees' Advisory Council to establish, with the approval of the Human Resources Director the electoral process for all parties elected to said Council. The Council shall appoint an Election Committee to oversee this election process including the responsibility of supervising same.

The Elections Committee shall consist of three council members not up for re-election. It shall be the Elections Committee's responsibility to dispense, collect and tally all ballots, as well as addressing and investigating any irregularities in the campaign, nomination and balloting processes and referring them to the Council for disposition.

The following are general rules and guidance governing actions prior to actual elections:

Notification of the upcoming Elections shall be sent to departments, employees, appointing authorities, and posted on the website the first week in _____.

Candidates for election can self-nominate or be nominated by a person from any Area by submitting a nomination form to the Human Resources Department. Employees must obtain approval of departmental management prior to becoming a candidate for the election.

Each candidate will be asked to provide brief information about themselves and a statement addressing why he or she would like to be elected to the Council. This information will be distributed to voters with their ballots during the Elections.

1. The Election for area Council member shall occur the _____ of _____. Official ballots and copies of each candidate's completed nomination form for that area shall be distributed to employees in those areas up for election. There will be one official ballot issued for each permanent employee. The HRM shall monitor the balloting. Completed official ballot forms must be returned to the Human Resources department in the self-addressed envelope provided by the Committee. Ballot forms not returned in this manner or votes not on an official form will not be counted. All completed official ballot forms must be returned no later than close of business fourteen (14) days after distribution. They will be counted by the Human Resource Management the following Tuesday.
2. All elections will be based on a plurality for a winning decision. In case of a tie, one run-off will be held two (2) weeks later among those involved. In the event of another tie, the winner will be decided by lot.
3. When a vacancy arises in any group of the Council, the Council has the option of either selecting a "spokesperson" that will fill the role until the next annual

election, or selecting the remaining eligible candidate with the second most votes in the last General Election for that group.

If the council selects the remaining eligible candidate with the second most votes in the last Election, the new Council member will have complete voting privileges and will serve for the unexpired term of the former member.

Instead of selecting the remaining eligible candidate with the second most votes in the last Election, the Council shall have the authority to appoint, by two-thirds (2/3) vote of the existing Council members, a spokesperson from the affected Group to speak on behalf of the employees affected by the vacancy. Any Council member may nominate an employee for discussion and vote. Under this option, this person will not vote on Council business unless there is at least six months remaining on the original term vacated, if so the Council may grant voting rights. At the next annual election, a replacement shall be selected following normal election procedures regardless of whether or not the group was scheduled for election that year. The new Council member will have complete voting privileges but, if necessary will face re-election the following year in order to return the group to its scheduled election cycle.

4. The At Large Representative shall be appointed by a quorum of the other 14 representatives on the Council following the election of officers. This representative shall serve for a two-year term and is eligible for reappointment by a quorum vote of the Council at the end of each two-year term. This representative shall meet the same employment qualifications as the other representatives on the Council and shall be subject to the same removal procedures as the other members on the Council.

Section 8

An employee who believes that inappropriate activities, such as have significantly affected the general election, may file a written complaint to the HRM, which shall investigate the matter and present a report to the chairperson. If, in its report, the HRM finds merit in the complaint, the chairperson shall schedule a meeting, within 10 working days, for the entire Council, during which it shall review the report and consider what action to take regarding the situation. After considering the evidence presented, and the greater good to all concerned, the Council, with the support of two-thirds vote of those voting, may require a new election in the EAC area(s) affected.

Article VI

OFFICERS

Section 1 **OFFICERS' DUTIES:** Officers of the Council shall perform the following duties:

Section 2 The **CHAIRPERSON** shall:

1. Preside at all meetings of the Council.
2. Make all Committee appointments.
3. Be a member Ex-Officio of all committees.
4. Represent the Council on any external committees, working groups, or other similar activities within County government wherein Council participation has been designated or invited.
5. Perform all other duties pertaining to the Office of the Chairperson.

Section 3 The **VICE CHAIRPERSON** shall:

1. Act as Chairperson in his/her absence.
2. Perform all other duties pertaining to the Office of Vice Chairperson as prescribed by the Chairperson and/or the Council.

Section 4 The **SECRETARY** shall:

1. Record the minutes of all meetings.
2. Take attendance records at all meetings.
3. Maintain Committee reports.
4. Perform such other duties as may be delegated by the Council of the Chairperson.
5. Publish approved minutes for distribution.

Article VII

COMMITTEES

Section 1 The Chairperson shall appoint members of the Council to serve on committees.

Section 2 All committees will furnish verbal reports at all subsequent meetings until completion or release.

Article VIII

OPERATIONAL YEAR

The operational year of the Council shall be January 1st of one calendar year through December 31st of the same calendar year.

Article IX

RULES OF ORDER

“Robert’s Rules of Order” shall be the parliamentary authority for all matters of procedure not specifically covered by these By-Laws.

Article X

AMENDMENTS

The Council may later amend, revise, add to, or repeal these By-Laws and/or adopt new By-Laws at pleasure by a two thirds (2/3) vote of the members of the Council after two (2) weeks’ notice to the members and the Director of Human Resources.