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# **CONSTITUTION OF THE PROFESSIONAL STAFF**

## **UNIVERSITY AT BUFFALO, THE STATE UNIVERSITY OF NEW YORK**

### **Article I: Name and Responsibilities**

1. This body shall be known as the Professional Staff of University at Buffalo, The State University of New York.
2. Representation of the Professional Staff shall be administered within the Office of University Shared Governance.
3. The general membership elects officers and senators to the Professional Staff Senate (PSS); nominates and elects in conjunction with the Faculty Senate, representatives from the professional staff or the faculty, senators to the SUNY University Faculty Senate; and proposes and considers for approval amendments to the *Constitution of the Professional Staff*, *Bylaws of the Professional Staff Senate* and the *Code of Ethics of the Professional Staff*.
4. The general membership participates in shared governance practices by (including but not limited to) electing senators; serving on committees of the PSS, UB Faculty Senate and other university committees; and by consulting with faculty, administration, governing boards, and the student assembly to aid in the development of policies and decisions that affect the University.
5. All other rights and responsibilities of the general membership shall be discharged through the elected Professional Staff Senate.
6. The Professional Staff Senate shall be a fact-finding, deliberative, and consultative body, with authority to make studies, reports, and recommendations on all governance matters which have a significant bearing on professional employees. The PSS shall operate, in accordance with the policies set forth by the Board of Trustees of the State University of New York, as a recognized part of the University's shared governance system, and shall, as appropriate, work jointly with others within the five pillars of shared governance: faculty, staff, students, administration and councils.
7. To promote the general welfare of its members and of the University, the Professional Staff Senate shall:
  - a. Actively participate in the policy decisions of the University.
  - b. Provide a forum for exchange of information, discussion of ideas, and consideration of matters related to the administration of the University.
  - c. Promote the professional development of individuals committed to careers in higher education.
  - d. Cultivate collegiality among all members of the University community.
  - e. Maintain liaison with other organizations concerned with shared governance and University affairs.

### **Article II: Definitions**

Unless otherwise specified, the terms used in this Constitution shall have the meaning ascribed to them in the *Policies of the Board of Trustees*.

1. "University" — University at Buffalo, The State University of New York.

2. "Exempt staff" — As defined by the U.S. *Fair Labor Standards Act*.
3. "Professional staff" — As defined in Article III: Membership of the Professional Staff.
4. "Business days" — Excludes weekends and all days the University is officially closed.
5. "SUNY University Faculty Senate" — The state-wide organization comprised of representatives from each State-operated unit and contract college.
6. "General Membership" — Members of the Professional Staff as defined in Article III (1).
7. "Professional Staff Senate" — Senators and Officers elected by the general membership.
8. "Executive Committee" — As defined in the *Bylaws of the Professional Staff Senate*, Article VI.
9. "Senators" — Elected by the general membership to serve on the Professional Staff Senate.
10. "At-Large Senators" — Elected to represent the whole membership of the Professional Staff Senate, rather than their respective electoral area. At-Large Senators are ineligible to run for or vote for Executive Committee Seats.

## **Article III: Membership of the Professional Staff**

1. Membership shall include all state employees who are professional staff (as defined in the *SUNY Policies of the Board of Trustees*) who do not hold academic rank as well as exempt staff of the Research Foundation, the Faculty Student Association and UB Foundation.
2. Interpretation of the above definition of membership is to be provided by the Executive Committee.

## **Article IV: Officers of the General Membership**

### **Section A — Officers and Their Duties**

#### **1. President**

The President of the University shall be the President of the general membership.

#### **2. Chairperson**

The elected official who:

- a. Serves as liaison between the Professional Staff and the President of the University.
- b. Maintains liaison with offices both internal and external to the University deemed necessary and appropriate to Professional Staff matters.
- c. Convenes meetings of the Executive Committee, the Senate, and the general membership and who presides at these meetings.
- d. Prepares the agenda for meetings of the general membership, Senate, Executive Committee and any necessary special meetings.
- e. Is an *ex officio* member of all PSS committees.
- f. May, in accordance with the Bylaws of the UB Faculty Senate and of the SUNY University Faculty Senate, serve as an *ex officio* member of designated committees and governance bodies.

- g. Nominates individuals, for Executive Committee approval, who will represent the Professional Staff in dealings with other organizations.
- h. May assume additional duties as designated by the Executive Committee.

### **3. Vice Chairperson**

The elected official who:

- a. Undertakes prescribed tasks for the Chairperson in their absence.
- b. Coordinates committee activities and is an *ex officio* member of all Senate committees.

### **4. Secretary**

The elected official who:

- a. Notifies participants, at least ten (10) days in advance, of the date, place and time of the meetings of the general membership, Senate and Executive Committee.
- b. Distributes the agenda for meetings of the general membership, Senate, Executive Committee and any necessary special meetings. Agendas are to be distributed to participants five business days prior to the meeting.
- c. Prepares the minutes of meetings of the general membership, Senate and Executive Committee and any necessary special meetings. These minutes are to be distributed to meeting participants within ten (10) days after each meeting, and also published on the PSS website.
- d. Prepares periodic summaries of Senate activities, special reports and Senate correspondence as required by the Chairperson or Executive Committee.
- e. Records attendance of officers and senators at all meetings of the general membership, Senate and Executive Committee.

### **5. Parliamentarian**

- a) Responsibility
  - 1. The Parliamentarian serves as an expert advisor to the Chair (or other presiding officer) regarding matters of procedure. The Parliamentarian will be required to attend all PSS Executive Committee and Senate/General Membership meetings.
  - 2. In the event that the appointed Parliamentarian is unable to attend a meeting, the Chair or other presiding officer may designate an individual to act as Parliamentarian for that meeting. No benefits or compensation will be given to this designee.
- b) Qualifications
 

The Parliamentarian shall not hold any other elected position within the PSS at the time of appointment. Preference will be given to candidates who are familiar with Roberts Rules of Order, or willing to be trained in such, and/or have prior Parliamentarian experience.
- c) Term
 

The Parliamentarian will be appointed concurrent with the two-year term of the officers.
- d) Appointment
  - 1. The Parliamentarian will be appointed by the Executive Committee on the recommendation of a special Parliamentarian Appointment Committee. In February prior to the end of the term (June 30), the Parliamentarian Appointment Committee will convene to discuss and decide to either recommend reappointment of the current

Parliamentarian, or to initiate a search for a new candidate, giving preference to members of the professional staff.

2. The Committee will be led by the Chair of the PSS and be comprised of any newly elected incoming officers (plus, if there are fewer than three new incoming officers, the incumbent Vice Chair and Secretary), and 1 member of the Executive Committee selected by the Executive Committee. The current outgoing Parliamentarian shall not be a member of this committee. The Committee will make a recommendation to the Executive Committee at a regular meeting no later than April prior to the end of the term, to allow for a search to be conducted, if necessary.

e) Removal

The Parliamentarian can be removed at any point during their term, at the recommendation of the Officers and with a majority vote of the Executive Committee. Any items made available to the Parliamentarian shall be returned to the UB Office of Shared Governance: Faculty and Professional Staff Senates, and all future compensation shall be forfeited.

f) Search Procedure

If at any time the current Parliamentarian resigns, is removed, is not reappointed by the Executive Committee, or if the seat is otherwise vacant, the special Parliamentarian Appointment Committee will convene and initiate a search. The Committee, led by the Chair of the PSS, will issue a call for interested candidates. The committee will review the list of candidates, conduct interviews, and recommend at least one nominee to the Executive Committee within four (4) weeks of the call for candidates or the next scheduled Executive Committee meeting, whichever is later.

## **Section B — Terms of Office**

1. Elected officers shall assume office on July 1 of odd numbered calendar years.
2. They shall serve a two-year term.
3. After two consecutive two year terms, an officer shall be ineligible for re-election to that same office for a period of two years.

## **Section C — Election of Officers**

1. The Elections Committee will exercise overall supervision of the election of officers.
2. A nomination ballot shall be made available to each general member no later than December 31.
3. Each member may nominate one individual for each office. Ballots must be received by January 31.
4. It is not permissible for candidates to run for positions on a joint ticket. Each candidate must declare their candidacy for a specific position and run independently of others.
5. To appear on the election ballot a nominee must accept the nomination and provide a brief written statement of no more than 500 words to be distributed with the election ballot.
6. The candidate for each office who receives the largest number of votes shall be elected.
7. If an officer-elect declines the seat, a new ballot will be distributed listing the name(s) of all current candidates. If none, a new call for nominations for that seat will be sent to the general membership, followed by a vote to the general membership.
8. In the case of a tie vote, a run-off election will be held.

9. The election of all officers shall be completed by April 1.

#### **Section D — of Elected Officers**

1. If the Chairperson is unable to complete the term, the procedure for replacement shall be as follows:
  - a. Six months or less remaining in the term — the Vice Chairperson becomes the Chairperson for the remainder of the term
  - b. More than six months remaining in the term — a special election shall be held.
2. If the Vice Chairperson or Secretary is unable to complete the term, the procedure for replacement shall be as follows:
  - a. Six months or less remaining in the term — Executive Committee shall appoint.
  - b. More than six months remaining in the term — a special election shall be held.

#### **Section E — Removal of Officers**

Officers of the General Membership may be removed from office by vote of two-thirds of members voting. The intention to offer a motion to remove an officer must be presented to the Chair for placement on the agenda of a regular or special meeting of the General Membership at least ten (10) business days prior to the meeting; voting on the motion will be conducted according to Section F, below no sooner than ten (10) days after the meeting. Any items made available to the officers shall be returned to the UB Office of Shared Governance, and all future compensation shall be forfeited.

#### **Section F – Voting**

The election, replacement and removal of Officers shall be conducted by secret ballot of the general membership, either paper or secured electronic (online) method, as decided by the Elections Committee of the Professional Staff Senate. All ballots must be received within 15 business days of mailing or the opening of online voting and shall be counted within two business days from the date voting is closed.

### **Article V: Meetings of the General Membership**

#### **Section A — General Membership Meetings**

1. There shall be at least two general membership meetings each year; a Fall and a Spring meeting.
2. The Spring meeting shall, among other items, be devoted to the reports of the elections of new officers and senators.

#### **Section B — Special Meetings**

A special meeting may be called by:

1. The Chairperson.
2. A majority vote of the entire Executive Committee.
3. A majority vote of the Senate.
4. By petition of at least ten percent of the membership.
  - a. A petition for a special meeting shall be in writing, signed by each of the petitioning members.
  - b. A petition for a special meeting shall set forth the matters to be presented at the special meeting.

## **Section C — Distribution Deadlines**

Distribution deadlines for meeting-related documents can be found in the *Constitution*, Article IV, Section 4, a–c.

## **Article VI: Amendment Procedures**

### **Section A — Amendment Proposals**

Proposals to amend the *Constitution* may be presented as motions to be considered by the general membership by one of the following:

1. A signed petition of at least ten percent of the general membership, as determined by the Office of University Shared Governance under the guidance of the Executive Committee.
2. A majority vote of the Professional Staff Senate.
3. A majority vote of the entire Executive Committee.

### **Section B — Deadlines**

Such proposed amendments must be submitted to the elected Secretary at least 20 business days prior to a regular or special meeting of the general membership. They will be circulated to the members at least ten (10) business days prior to the scheduled meeting.

### **Section C — Voting**

Voting must occur within ten business days after the meeting at which amendments were proposed. Voting shall be conducted by secret ballot of the general membership, either paper or secured electronic (online) method, as decided by the Elections Committee of the Professional Staff Senate. All ballots must be received within 15 business days of mailing or the opening of online voting and shall be counted within two business days from the date the ballots were due.

### **Section D — Implementation**

Amendments shall become a part of this *Constitution* if approved by two-thirds of the members voting. Amendments shall take effect immediately after ballots are counted unless a specific effective date is provided with the amendment.

Ratified - May 5, 1972

Revised - 1974

Revised - 1976

Revised - 1982

Revised - June 1987

Revised - 1992

Revised - July 1, 1999,

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