

## UNIFIED PERSONNEL SYSTEM

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**Beverly Waldron**  
Interim Director

TO: The Honorable Chair and Members of the Unified Personnel Board

FROM: Beverly Waldron, Interim Director of Human Resources

SUBJECT: EAC Bylaws Revision and Election Procedures Policy

DATE: October 1, 2015

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**Recommendation:** The Employees' Advisory Council is requesting to update their Bylaws to move the election provisions into a separate procedure to be approved each year by the EAC.

**Background:** At the July 15, 2015 Employees' Advisory Council Reps meeting, the group adopted a new process for this year's election that replaces paper ballots with an electronic voting option. In order to facilitate any future changes in election procedures, the EAC Representatives decided that Article 5, Section 7 of the Bylaws would be amended to remove most of the elections provisions and to create a separate election policy that could be easily updated each year as needed. On Sep 16, 2015, the EAC Representatives voted unanimously to adopt the updated Bylaws and the new 2015 Election Procedures. These changes are being brought to the Personnel Board, per Article X of the EAC Bylaws which requires Personnel Board approval of Bylaws revisions.

In addition to the changes under Article 5, there are some general housekeeping changes.

# **EAC Bylaws Revisions and Election Procedures**

## **from the EAC Election Bylaws Committee**

9/16/15

### *DRAFT revisions to Bylaws:*

- Page 1: Add EAC banner
- Page 1: Change spelling of “By-Laws” to “Bylaws” to be consistent with other county organizations such as MPO and EMS Advisory Council
- Page 4 and 8: Remove elections text including the campaigning guidelines to be replaced with a notation to refer to the policies adopted each year, no later than the July meeting.
- Page 6: Add language that the delegate roster may be updated during the year as needed due to organizational or staffing changes.

### *DRAFT 2015 Election Procedures:*

- Changed 5 to 6 candidates for primary election
- Add provision that campaigning via email is not permitted.
- Changed dates to month only (e.g. November for general election instead of 2<sup>nd</sup> payday in November)
- Add online voting info
- Add 5:00 p.m. cutoff time for ballot submission

added or revised

removed

[ add EAC banner header ]

**BY-LAWS BYLAWS OF  
EMPLOYEES' ADVISORY COUNCIL  
TO THE PERSONNEL BOARD OF THE PINELLAS COUNTY  
UNIFIED PERSONNEL SYSTEM**

~~February 2011~~

**Article I**

**NAME**

This body shall be known as the Employees' Advisory Council to the Personnel Board of the Pinellas County Unified Personnel System, 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 classified employees, shall be to serve in an advisory capacity to the Personnel Board, management 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 rules dealing with such matters.
2. Where there is evidence of unjust or unnecessary treatment involving a group of employees, the Council shall investigate and attempt to resolve the matter with those parties involved.
3. When conditions warrant, and with the approval by the Council, the Appointing Authorities may be invited to any Council meeting for discussion of mutual problems or information sharing. In addition to any such meeting, informal discussion between the Appointing Authorities and the Advisory Council are encouraged.

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 third (3rd) Wednesday of each month. Said meetings to be held at 2:30 p.m. 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 three (3) 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. Council members may vote on an individual proposal by Proxy by sending an email to the Chair with the Proxy's name prior to voting.

## Article V

### **COUNCIL COMPOSITION**

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

Tax Collector	-	One (1) Member
Clerk of the Circuit Court	-	Two (2) Members
Property Appraiser	-	One (1) Member
Supervisor of Elections	-	One (1) Member
Representative At Large	-	One (1) Member
Other Appointing Authorities	-	One (1) Member
Board of County Commissioners	-	Eight (8) Members
TOTAL EAC MEMBERS	-	Fifteen (15) Members

One Council member shall be elected from each of the following:

(1) TAX COLLECTOR

(1) CLERK OF CIRCUIT COURT GROUP 1 - NORTH COUNTY

(1) CLERK OF CIRCUIT COURT GROUP 2 - SOUTH COUNTY

(1) PROPERTY APPRAISER

(1) SUPERVISOR OF ELECTIONS

(1) REPRESENTATIVE AT LARGE – appointed by a quorum of the 14 EAC Elected Members

(1) OTHER APPOINTING AUTHORITIES

(Construction Licensing Board, County Attorney, Human Rights, Human Resources, Planning Council, Business Technology Services)

(8) BOARD OF COUNTY COMMISSIONERS GROUPS 1 - 8

GROUP COMPOSITION: The Council shall establish the composition of each Group according to geographical, organizational and numerical considerations, in a manner that will best serve the established purposes and objectives of the Council.

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 Pinellas County as a permanent employee of the classified service.

**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 January.

Section 5 REMOVAL OF OFFICERS AND/OR MEMBERS: Any officer and/or member may be removed by the Council whenever, in the judgment of the Council, the best interest of the Council will be served thereby, by a two thirds (2/3) vote of the Council, after two (2) weeks notice and reason for removal to the members of the Council and the Human Resources Director. Members missing three (3) consecutive monthly meetings or six (6) meetings over a twelve (12) month period shall have a review by the Council with the possible action of removal.

Section 6 ANNUAL REPORTS: The Chairperson shall present his/her respective report of operation of the Council for the preceding year, at the December meeting of the Council.

Section 7 ELECTION PROCESS: It shall be the responsibility of the Employees' Advisory Council to establish, with the approval of the Personnel Board, the electoral process for all parties elected to said Council and for Classified service employees within the Unified Personnel System aspiring to be elected to the Council. The Council shall appoint an Elections Committee to oversee this election process including the responsibility of supervising the Primary and the General Elections.

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

The Elections Committee shall conduct each election annually in accordance with the policies and procedures approved by the Employees' Advisory Council each year. The policies and procedures shall be approved by the Employees' Advisory Council no later than the July meeting.

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

~~Notification of the upcoming Primary and General Elections shall be sent to appointing authorities, delegates and bulletin boards the first week in September.~~

~~Candidates for election can self-nominate or be nominated by a person from any Delegate Area within the same EAC group by submitting a nomination form to the Human Resources Department. "Campaigning" is confined to co-workers in all delegate areas within the nominee's own group. Employees must obtain approval of departmental management prior to becoming a candidate for the election.~~

~~Campaign activity will permit candidates to get support from employees in other delegate areas of their group and must be conducted in accordance with "EAC Campaign Policies and Guidelines".~~

~~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 Primary and General Elections.~~

- ~~1. A Primary Election will be held only if the Elections Committee deems one is necessary to reduce the number of candidates running in the General Election. In no case will a Primary Election be held if there are five (5) or fewer qualified candidates for a group. If a Primary Election is deemed necessary for a group, the election shall occur the second payday in September. Official ballots and copies of each candidate's completed nomination form for that group shall be distributed with paychecks to those delegate areas up for election. There will be one official ballot issued for each permanent, classified employee. The delegate for the area shall monitor the balloting. Completed official ballots forms must be returned to the EAC Elections Committee c/o the Human Resources department, no later than close of business fourteen (14) days after distribution of the ballots. Only official ballot forms will be counted by the Elections Committee on the following Tuesday. The three (3) nominees with the most votes from that group will be candidates for the General Election in November. In the event a top vote-getter declines or is disqualified, the person with the next highest number of votes will be added to the General Election ballot. Additional nominees will be included in the General Election ballot in event of a tie for the final eligible candidate.~~
- ~~2. The General Election for group Council members shall occur the second payday of November. Official ballots and copies of each candidate's completed nomination form for that group shall be distributed to employees in those delegate areas up for election. There will be one official ballot issued for each permanent, classified employee. The delegate for the area shall monitor the balloting. Completed official ballots forms must be returned to the EAC Elections Committee c/o 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 Elections Committee the following Tuesday.~~
- ~~3. Elections Committee members and ballot counters will certify the results of the balloting.~~
- ~~4. 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.~~

- 1.5 When a vacancy arises in any group of the Council, the Council has the option of either selecting a "spokesperson" who 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 General 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 General Election, the Council shall have the authority to appoint, by two-thirds ( $\frac{2}{3}$ ) 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 that 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.

26. 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 The Council members shall, with approval of the affected Appointing Authorities, determine the number of delegate areas necessary to adequately represent employees in an EAC group. Delegates shall be selected in a manner prescribed by the Council and the appointments made with the approval of the Council.

The delegate roster shall be updated in January of each year or as needed due to organizational or staffing changes. Council members are responsible for assuring that each of the delegate areas in their group is staffed. New delegates are introduced at the March delegate meeting.

Section 9 A classified employee who believes that inappropriate activities, such as violation of campaign rules, voter fraud, voter coercion, ballot stuffing, etc., have significantly affected a primary or general election, may file a written complaint to the Elections committee, which shall investigate the matter and present a report to the chairperson. If, in its report, the Elections Committee finds merit in the complaint, the chairperson shall schedule a meeting, within ten working days, for the entire Council, during which it shall review the Elections Committee 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 group(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.
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4. Perform such other duties as may be delegated by the Council of the Chairperson.
5. Publish approved minutes for distribution.

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

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## Article VIII

### OPERATIONAL YEAR

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

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### 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~~ Bylaws.

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### AMENDMENTS

The Council may later amend, revise, add to, or repeal these ~~By-Laws~~ Bylaws and/or adopt new ~~By-Laws~~ Bylaws 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 and approval of the Personnel Board.

### ~~EAC CAMPAIGN POLICIES AND GUIDELINES~~

- ~~1. All candidates who have obtained permission from departmental management shall receive a copy of the EAC's campaign policies. For further clarification or questions, please contact the EAC Elections Committee.~~
- ~~2. Candidates may campaign at their own or other work sites by distributing campaign literature or discussing campaign issues. However, campaigning shall not interfere with employees' performance of their official duties.~~
- ~~3. Campaign literature may consist of posters, flyers or handouts and should be posted only in break areas and on bulletin boards. Handouts may be distributed during the employees' lunch or break periods and limited to areas not devoted to the performance of the employees' official duties.~~



## **BYLAWS OF EMPLOYEES' ADVISORY COUNCIL TO THE PERSONNEL BOARD OF THE PINELLAS COUNTY UNIFIED PERSONNEL SYSTEM**

### **Article I**

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(1) REPRESENTATIVE AT LARGE – appointed by a quorum of the 14 EAC Elected Members

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Section 5 **REMOVAL OF OFFICERS AND/OR MEMBERS:** Any officer and/or member may be removed by the Council whenever, in the judgment of the Council, the best interest of the Council will be served thereby, by a two thirds (2/3) vote of the Council, after two (2) weeks notice and reason for removal to the members of the Council and the Human Resources Director. Members missing three (3) consecutive monthly meetings or six (6) meetings over a twelve (12) month period shall have a review by the Council with the possible action of removal.

Section 6 **ANNUAL REPORTS:** The Chairperson shall present his/her respective report of operation of the Council for the preceding year, at the December meeting of the Council.

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

The Elections Committee shall conduct each election annually in accordance with the policies and procedures approved by the Employees' Advisory Council each year. The policies and procedures shall be approved by the Employees' Advisory Council no later than the July meeting.

1. When a vacancy arises in any group of the Council, the Council has the option of either selecting a "spokesperson" who 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 General 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 General 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 that 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.

2. 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** The Council members shall, with approval of the affected Appointing Authorities, determine the number of delegate areas necessary to adequately represent employees in an EAC group. Delegates shall be selected in a manner prescribed by the Council and the appointments made with the approval of the Council.

The delegate roster shall be updated in January of each year or as needed due to organizational or staffing changes. Council members are responsible for assuring that each of the delegate areas in their group is staffed. New delegates are introduced at the March delegate meeting.

**Section 9** A classified employee who believes that inappropriate activities, such as violation of campaign rules, voter fraud, voter coercion, etc., have significantly affected a primary or general election, may file a written complaint to the Elections committee, which shall investigate the matter and present a report to the chairperson. If, in its report, the Elections Committee finds merit in the complaint, the chairperson shall schedule a meeting, within ten working days, for the entire Council, during which it shall review the Elections Committee 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 group(s) affected.

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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.

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4. Perform such other duties as may be delegated by the Council of the Chairperson.
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**Section 1:** The Chairperson shall appoint members of the Council to serve on committees.

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

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"Robert's Rules of Order" shall be the parliamentary authority for all matters of procedure not specifically covered by these Bylaws.

## **Article X**

### **AMENDMENTS**

The Council may later amend, revise, add to, or repeal these Bylaws and/or adopt new Bylaws 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 and approval of the Personnel Board.



## Employees' Advisory Council 2015 Election Procedures

- **Notification:** Notification of the upcoming Primary and General Elections shall be sent to the Appointing Authorities in September.
- **Nominations:**
  - Candidates for election can self-nominate or be nominated by a person from any delegate area within the same EAC group by submitting a nomination form to the Human Resources Department.
  - Candidates must agree to participate in the election.
  - Approval of departmental management is required.
- **Campaign Policies:** Campaign activity will permit candidates to get support from employees in other delegate areas of their group and must be conducted in accordance with the following policies:
  - Campaigning is confined to co-workers in all delegate areas within the nominee's own group.
  - Candidates may campaign at their own or other work sites by distributing campaign literature or discussing campaign issues.
  - Campaigning shall not interfere with employees' performance of their official duties.
  - Campaign literature may consist of posters, flyers or handouts and should be posted only in break areas and on bulletin boards.
  - Handouts may be distributed during the employees' lunch or break periods and limited to areas not devoted to the performance of the employees' official duties.
  - Campaigning via County email is not permitted.
  - For further clarification or questions, please contact the EAC Elections Committee.
- **Candidate Information Form:** 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 Primary and General Elections.
- **Primary Election:** A Primary Election will be held only if the Elections Committee deems one is necessary to reduce the number of candidates running in the General Election.
  - In no case will a Primary Election be held if there are six (6) or fewer qualified candidates for a group.
  - If a Primary Election is deemed necessary for a group, the election shall occur in October.
  - Official ballots and each candidate's nomination form for that group shall be distributed to those delegate areas up for election.
  - There will be one official ballot for each permanent, classified employee.
  - Completed ballots must be submitted to the EAC Elections Committee c/o the Human Resources Department by 5:00 p.m. no later than fourteen (14) days after the balloting period begins.
  - Elections Committee members will certify the results of the election.
  - The three (3) nominees with the most votes from that group will be candidates for the General Election.



- In the event a top vote-getter declines or is disqualified, the person with the next highest number of votes will be added to the General Election ballot.
  - Additional nominees will be included in the General Election ballot in event of a tie for the final eligible candidate.
- **General Election:** A General Election for group Council members shall occur in November.
  - Ballots and candidates' information forms for that group shall be distributed to employees in those delegate areas up for election.
  - There will be one official ballot for each permanent, classified employee.
  - Completed ballots must be submitted to the EAC Elections Committee c/o the Human Resources Department by 5:00 p.m. no later than fourteen (14) days after the balloting period begins.
  - Elections Committee members will certify the results of the election.
  - 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.
- **Online Election:**
  - Ballots for contested seats in the EAC Representatives election will be distributed electronically.
  - Paper ballots will be available upon request.
  - Nomination forms will be distributed electronically by email and posted to the EAC website.