

ASUO EXECUTIVE RULES

Approved 1/12/99

Exec R 80.1 (revised 1995) Grievances

If there is an internal grievance in a program, and the problem cannot be resolved through in-program discussion, bring the problem to the attention of the ASUO Conflict Resolution Services. This impartial agency will attempt to reach a compromise.

If Mediation is unsuccessful, or if either or both parties are unwilling to use mediation, bring the problem to the attention of the ASUO Programs Administrator. S/he will meet with the individuals involved to discuss the problem, and to develop a plan that will alleviate the problem. If the Programs Administrator concludes that the situation is unresolvable s/he may recommend corrective action if deemed necessary, including the removal from office of any program member, and set a deadline by which the problem must be resolved. If the grievance involves staff members, the ASUO Programs Administrator should refer to the 'Terms of Employment Statement' outlined in Exec R 84.1. The corrective action to be taken by the Programs Administrator is explained in Exec R 84.2. Any action taken by the Programs Administrator may be appealed to the ASUO President. Any Presidential action taken under this rule may be appealed to the ASUO Constitution Court.

If the grievance directly involves actions of the Programs Administrator, the ASUO President or his/her designee will fill the role of the Programs Administrator in the process described above.

It is important for program members, before initiating the grievance procedures outlined above, to consult their program's by-laws and/or charter as well as UO Rules or Oregon Administrative Rules to see if a separate grievance procedure is mandated within any of those documents. If the program is in violation of the ASUO Constitution, ASUO Executive Rules, University Rules, or State Law, or if the problem is one other than an internal grievance, refer to Exec R 81.1.

Exec R 80.2 (revised 1999) Staff Selection Procedures

The following guidelines for staff selection and affirmative action procedures applies to all positions in ASUO recognized programs that are not elected positions unless an exception is granted by the ASUO Programs Administrator. (See Exec Rule 83.1 for elections procedures.) Please direct questions to the Administrator or to the Director of the Office of Student Advocacy.

1. Form a selection committee consisting of the program director or committee chair, if possible, and at least one other person with knowledge of the program. Non-students may sit on selection committees, but should not constitute a majority of the

committee. The committee must remain consistent throughout the hiring process. A temporary employee may not sit on the selection committee if s/he is applying for a permanent position.

2. The committee should prepare a position description clearly stating the position responsibilities and making no references to gender, ethnicity or other non-job-related criteria. See Exec Rule 82.1 for the ASUO policy on protected classes. The position description must include at least the following affirmative action statement: "An affirmative action/equal opportunity/Americans with Disabilities Act employer " (AA/EOE/ ADA).
3. Programs should use the standard ASUO application form or a form which is approved by the ASUO Programs Administrator. Standard forms are available from the ASUO Receptionist or Administrative Assistant.
4. A copy of the job announcement/position description must be sent to the following programs and agencies:

Asian Pacific American Student Union (APASU)
 ASUO MultiCultural Advocate
 ASUO Programs Administrator
 ASUO Women's Center
 Black Student Union (BSU)
 Chinese Student Association (CSA)
 Hong Kong Students Association (HKSA)
 International Students Association (ISA)
 Jewish Student Union (JSU)
 Lesbian, Gay, Bisexual, Transgender Alliance (LGBTA)
 MEChA
 MultiCultural Center
 Muslim Students Association (MSA)
 Native American Student Union (NASU)
 Office of MultiCultural Affairs (OMA)
 Services for Students with Disabilities
 Singapore Students Association (SSA)
 Student Employment Office
 YWCA

The ASUO Administrative Assistant will assist you in distributing these announcements.

5. Run an advertisement in the *Oregon Daily Emerald*. This must be a classified ad at minimum. (Selection procedures which do not include ODE advertising will be declared invalid by the ASUO Executive.) The ad may not contain reference to gender, ethnicity, religion, or any other non-job related criteria. The ad must contain at least the following affirmative action statement: "An affirmative action/equal opportunity/Americans with Disabilities Act employer (AA/EOE/ADA)." The ad must

- include the application deadline which must be no earlier than the day the final ad runs in the ODE. Advertisements must run for at least three (3) days for all positions. Summer term ads must run for at least two (2) days, preferably both a Tuesday and Thursday. Applications must be accepted for at least five (5) days for all positions.
6. The Selection Committee shall determine criteria, based on the position description, for screening applicants. The same committee must participate in all interviews and the basic questions of all applicants shall be the same. The Selection Committee shall choose the best qualified candidate for the position. If two candidates are deemed equally well-qualified, special consideration should be given to a candidate who is a member of a "protected class," as defined by Affirmative Action guidelines. Should none of the candidates be qualified for the position, it may be reopened, and process 4 and 5 repeated (again advertised for three (3) days).
 7. All applicants shall be notified that the position has been filled. (This is a matter of common and professional courtesy which is often neglected.)
 8. Applications and interview notes should be kept for two years. If this is inconvenient for your organization, you may contact University Archives to help with storage.
 9. Selection procedures which do not include ALL of these provisions may be declared invalid by the ASUO Executive.

Exec R 81.1 (revised 1999) Rule Violations

In the event that any incidental fee funded or ASUO program ceases to manage its affairs in a reasonable and responsible manner, or violates the rules of the ASUO Executive, the ASUO Constitution, the Erb Memorial Union, the University of Oregon, or the State of Oregon, the ASUO Programs Administrator may take corrective action as the designated representative of the ASUO Executive. Any action taken by the ASUO Programs Administrator under these rules may be appealed to the ASUO President. (See Exec R 92.1)

The ASUO President may act directly in response to program actions if s/he deems it necessary. Punitive action taken by the ASUO Executive may include any fiscal controls up to and including indefinite freezing of funds. It may also include removal of program staff, denial of certain privileges to program staff (see Exec Rules about staff selection especially Exec Rule 84.2) and/or withdrawal of ASUO recognition or registration. In the event that the corrective actions are unsuccessful, the President may dissolve a program and/or absorb its functions under the ASUO Executive office. In the event of illegal use of program money or University facilities, the ASUO reserves the right to direct violations to the University of Oregon Conduct Code Committee. In the event that the violating individuals are no longer students, the ASUO President may initiate legal action against the responsible individuals. Also, the individuals may be billed directly for any program

expenses incurred by the violation. Any Presidential action taken under this rule may be appealed to the ASUO Constitution Court.

Exec R 81.2 (revised 1995) Telephone Use

Members of programs that receive incidental fee money for long distance calls may receive phone authorization codes. This process is initiated by a request from a program director or co-director to the ASUO Administrative Assistant. It is advisable for programs to keep records of long distance calls as they are made. Incidental fee funded programs receive a monthly printout of income/expense, which includes phone expenses. A more in-depth report, available from the EMU Accounting Office, provides a list of phone calls made, cost of call, length of call, who made the call, and total charges. It is the responsibility of each program to monitor long distance expenses to insure that they do not exceed the budgeted amount. The ASUO Executive has the right to terminate a phone authorization code if a program exceeds its budgeted amount for long distance expenses.

Exec R 82.1 (revised 1986) Equal Opportunity

The ASUO affirms the right of all individuals to equal opportunity in education, employment and access to incidental fee funded programs and their funded activities, without regard to race, color, religion, sex, sexual orientation, age, different ability, national origin, marital status, veterans' status, or any other considerations not directly and substantially related to effective participation.

Exec R 82.2 (revised 1999) Temporary Hires and Appointments

For those positions lasting three months or fewer, a temporary director or other temporary staff, may be hired or appointed without going through the usual process, provided that the *Oregon Daily Emerald* is not publishing, or that there is some valid reason why the usual selection process cannot be followed without undue disruption of program activities. People hired under this rule may be chosen by a decision by the group, but are limited to three months in office. The ASUO Programs Administrator should be notified of all such hires and appointments. The position must be formally opened within three months and the formal selection process followed. A temporary employee may not sit on the selection committee if s/he is applying for the permanent job.

Exec R 82.3 (revised 1999) Selection Process Exemptions

The staff selection and related practices contained in these sections need not apply to programs which employ professional, GTF, or classified staff, provided that such programs comply with the generally recognized principles of hiring which apply to them under their professional, GTF, or classified status.

Programs hiring work study students may be exempted from the ASUO hiring process for those positions at the discretion of the ASUO Programs Administrator. Any program wishing to have work study exemptions under this provision should contact the Programs Administrator prior to filling the position.

Exec R 82.4 Expenditure Restrictions on Political Activities

No incidental fees may be spent to support the campaign of any individual, or party, for public office. Fees may be used to promote appearances and discussions between several candidates for public office, in order to increase student knowledge of issues and candidates.

Exec R 83.1 (revised 1995) Elections

Programs may elect their directors and other staff provided the following criteria are met. All candidates must be afforded the same opportunity to disseminate information to the electorate. The electoral process must insure that every constituent has an equal opportunity to vote and that every constituent's vote has equal weight in determining the outcome of the election. Only student members of the program may vote in an election for any position having authority in an ASUO program. **Membership in a program may be defined by the program as long as the membership rules allow an equal opportunity for all students to participate in the program and there is no other violation of the rules of the ASUO, the University of Oregon or the State of Oregon.** Membership rules must be filed with the ASUO Programs Administrator prior to any election. The ASUO Programs Administrator must be notified of any elections, and either the Programs Administrator or Elections Coordinator may oversee the elections at the request of the program or as directed by the ASUO President.

Exec R 84.1 (revised 1999) Terms of Appointment/Employment Statements

All program personnel (professional and student) receiving ASUO program stipends or salaries must submit to the ASUO Head Controller, an ASUO "Terms of Appointment/Employment Statement" **prior to receiving their stipend or salary.** This statement defines the selection procedure, immediate supervisor, period of appointment/employment, and basic position responsibilities of each individual. This information will help the ASUO Programs Administrator facilitate staff personnel grievances. The "Terms of Appointment/Employment Statement" is not intended to replace but rather supplement the ASUO Program Contract which is also required of all ASUO programs.

Information on the use of Personal Service Contracts may be found in the UO Activity Reference Guide.

Exec R 84.2 (revised 1999) Termination

In the event that a personnel problem can not be resolved through intra-group resolution or mediation as described in Exec. R 80.1, the individuals involved should contact the ASUO Programs Administrator. If the Administrator finds that there is just cause for firing the employee or appointee, the Programs Administrator will authorize written notice of termination, with at least a one-week delay between notice and termination. Only written notice approved by the ASUO Programs Administrator and the ASUO President is valid for termination. If the subject of termination is the ASUO Programs Administrator, written notice approved by the ASUO President is valid for termination.

Exec R 84.3 (revised 1987) Estimates and Purchase Orders

No purchase orders will be honored if the amount billed is greater than 10% above the amount of the estimate. (Estimates are discussed in the paragraph below.) In the event that additional services which were **not** included in the original estimate increase charges, a new estimate will be given. The new charges shall be approved by the involved program through the ASUO Controllers **before** the additional services are rendered. Additional purchase orders will not be honored to cover original estimates which reflect vendor error or negligence.

Estimates can be given over the phone. In the case of a phone estimate, clear records of the exact services to be rendered should be kept by both parties. When a service is being provided, for example in the cases of the Facilities Services, the ODE and University Press, written estimates must be obtained. They must include both the signatures of the person making the estimate and an authorized program representative.

Exec R 88.1 Membership

No individual can be excluded from a program on the basis of political ideology, but every individual involved in a program must be sincere to the goals of the program.

Exec R 88.2 (Revised 1995) Governance Documents

All incidental fee funded and all ASUO Recognized or Registered Programs must submit governance documents and/or by laws to the ASUO Programs Administrator by the first week of fall term. Membership must be defined in these documents. The ASUO Programs Administrator must be notified of any changes in these documents.

Exec R 92.1 Grievance Procedure

When the appeal is filed with the ASUO President under the process outlined in Exec. R 80.1 or 81.1, the ASUO President or designee must convene a committee of three,

including the ASUO President or designee, the President of the Student Senate and the ASUO MultiCultural Advocate, within ten working days after the complaint is filed. However, if any of these individuals have any conflict of interest in the matter of the investigation, the remaining individuals will appoint a neutral person(s) to fill the vacancy and complete the committee.

This committee shall have thirty days from the time that the committee is formed to complete all the information in the form of interviews, documents, or whatever information is needed to complete the investigation. This committee may request all information that will help them form a comprehensive conclusion. If the committee determines that the investigation cannot be reasonably completed within thirty days, it will inform the complainant of this in writing prior to the initial deadline, and provide justification for the delay and an alternative deadline for completion.

This committee shall have the authority to conduct an objective investigation into wrongdoing. The ASUO President shall recommend appropriate action based on the outcome of the investigation. In the instance that the complaint involves an ASUO recognized program, the ASUO Executive may take action under Exec R 81.1. In the instance that the complaint involves a non-ASUO recognized organization, the organization is responsible for taking reasonable action based on the recommendation made by the ASUO investigation committee.

No information collected in the investigation will be held in confidence unless it complies with the exemptions from disclosure as described in the Oregon Public Records Law or the Buckley Amendment to the federal Freedom of Information Act. Any action may be appealed to the Constitution Court.

Exec R 93.1 (revised 1995) Motor Pool Usage by Fee Funded Programs

The ASUO Executive shall have the authority to enforce rules of the ASUO, University of Oregon, or the State of Oregon regulating State Motor Pool usage by any ASUO or incidental fee funded program by invoking sanctions against the program. These rules include ASUO "Instructions for State Motor Pool Drivers" and "Van Safety Rules" as well as OAR 571-10-100 to 571-10-120. Copies of these rules are available in the ASUO Executive office.

When a violation occurs, sanctions shall be invoked by the ASUO President and may include but not be limited to loss of motor pool usage for the program for a specified period of time, freezing of program funds, referral to the Student Conduct Code Coordinator, and a requirement to complete an educational project related to state vehicle usage and safety.

Exec R 93.2 (Revised 1999) Accidents Involving State-Owned Vehicles

Any accident involving state-owned vehicles being used on official ASUO business shall be reported within 24 hours to the ASUO Programs Administrator or his/her designee. A full description of the accident including a copy of the State Department of Motor Vehicles

Traffic Accident and Insurance Report shall be provided to the Programs Administrator. He or she will review the accident and determine any actions to be taken to address violation of rules, payment for damages, or other steps necessary to resolve the situation. All actions required by the State Motor Pool in the event of an accident, as described in the accident packet in the state vehicle, must also be completed by representatives from the ASUO program involved.

Exec R 94.1 Program Financial Obligations

Programs are expected to determine that funding is available prior to entering into any contract with financial obligations. If an incidental fee funded program runs a deficit in any line item, the program's budget may be frozen until line item reimbursement has been made. If an incidental fee funded program ever has an overall budget deficit, funds will be extracted from that program's fundraising account to cover the deficit.

Exec R 94.2 Equipment Reserve Requests

ASUO Programs wishing to purchase equipment costing over \$500 must file an ASUO Equipment Reserve purchase request with the ASUO Executive. This procedure will insure that the equipment purchased will be placed on the ASUO inventory list and fully insured. It is expected that the program will reimburse the ASUO Equipment Reserve account to the greatest extent possible.

Exec R 94.3 ASUO Recognition Status

The ASUO Executive will only grant the status of "Recognition" to programs that add to the "cultural and/or physical development of the University Community." That status is a privilege and may be revoked if the program does not conduct itself in a manner consistent with ASUO rules, UO rules, and State law.