

DEPARTMENT BY-LAWS

1. Bylaws at the department level reflect agreement among the faculty regarding certain rights, responsibilities, authority, and procedures that will help guide the conduct of department business.
2. Bylaws should answer questions such as: What are the department's standing committees, what is the purview of each, how is each composed, and do any have alternate members? Who gets to vote? On what? Through what process and at what time of year? Must voting occur in person? Electronically? By proxy? What constitutes a quorum? What are the general rights, privileges, and responsibilities of faculty on leave (family leave, leave without pay, parental leave, sabbatical leave, sick leave)? How long are terms of administrative office-holders? Are there term limits? How are the bylaws amended? And more.
3. Bylaws should reflect the measured judgment of the faculty with regard to how they believe department business should be conducted.
4. Bylaws may not conflict with or override the law, the collective bargaining agreement, established policies, or the rights of other individuals or units.
5. Some departments believe they don't need bylaws, and they may not—until they need them badly to settle a thorny dispute over rights or procedures or to articulate departmental practices in an atmosphere where administration seeks to define them for departments. Bylaws are now required of each department per the MSP Contract.
6. Bylaws should not be used to reiterate or interpret other policies. For example, bylaws may refer to the collective bargaining agreement but should generally not quote the collective bargaining agreement (which may change through bargaining, thereby creating a conflict between that document and the bylaws). However, where the collective bargaining agreement or other policy provides flexibility in departmental decision-making (such as how to elect members of the DPC), bylaws should take that opportunity while being careful not to overstep.
7. MSP is happy to work with departments on bylaw development. Drafts will be reviewed by MSP and the administration to ensure compliance with applicable laws, University policies and the collective bargaining agreement. Please call 545-2206 or email us at msp@umass.edu if you'd like guidance or have questions.