

Author:

Colton Halter

Sponsors:

Nicolis Cantu

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A Bill -

To be entitled "No Free Labor Act" to amend the code and mandate payment to cabinet members for work that falls outside their stated duties within the Student Government Code and Constitutions through the Student Government Budget.

WHEREAS: The Student Government Code (Appendix A) and the Student Constitution (Appendix B) layout certain responsibilities to the Cabinet; and

WHEREAS: These responsibilities do not include mandatory office hours or meetings outside of one (1) weekly; and

WHEREAS: The President is given the power to regulate the operations of the senate, including mandating extra-time in office and other activities outside their stated responsibilities; and

WHEREAS: Members of the Cabinet know the responsibilities when applying and as such they are willing, unpaid, public servants;
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WHEREAS: Mandatory activity outside of regular duties eats into the time of Cabinet Members to work, go to class, study, do homework, and participate in extracurricular activities; and

WHEREAS: These extra working hours contribute to an existing problem in Student Government which is that is is primarily made up of relatively privileged individuals who are able to allocate the necessary time away from working or studying in order to devote it to Student Government, this is found even more so in the Cabinet where the time commitment is even greater leading to the Cabinet being made up almost exclusively of individuals of a higher socio-economic status than the general student population; and

WHEREAS: If Student Government wishes to properly represent its student body then it should not make its highest levels of influence prohibitively time intensive for working class students without offering some compensation; and

WHEREAS: These do contribute a level of public good to the University and it is not in the best interest of the students to suspend these activities; and

WHEREAS: Despite this these activities can present real material harm to the Cabinet Members who, in their regular duties, already devote a large amount of time to the betterment of the University and the support of its students, as it can take away time from work and school leading to loss of income and potentially lower grades; and

WHEREAS: The 13th Amendment to the United States Constitution states "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." and

WHEREAS: While voluntary in a sense, these outside duties are not stated in the Code or Constitution and thus it cannot be reasonably assumed that Cabinet Members are thoroughly informed of these extra duties and thus not truly voluntary; and

WHEREAS: This is authorized under Title I, Chapter 100, Article III, §5 of the Student Government Code; and

BE IT ENACTED: That the Student Government Code be amended to include the following

ARTICLE II. THE CABINET

§10 **EXTRA DUTIES.** In the event that, in their role as leader of the cabinet, the Student Body President imposes additional duties of cabinet members outside of what is required through the Code and the Constitution; these additional hours of work must be fairly compensated by at least minimum wage. These funds are to be included in the budget for the year, however in the event that the funds allocated for the year are insufficient to fairly compensate the Cabinet then they shall be compensated through discretionary

funds or, in the event that no funds are available, be given the option to suspend these extra duties until funds become available. Extra duties can include, but are not limited to, mandatory office hours, non-regularly scheduled meetings, etc.

BE IT FURTHER ENACTED: That upon passage, this legislation be forwarded to the Student Body President for further action.

Appendix A

"ARTICLE II. THE CABINET

§1 COMPOSITION. The Cabinet shall be comprised of the Chairs of each of the Commissions, the President, the Vice President, the Senate Pro-Tempore, the House Leader, and Supreme Court Chief Justice. The Vice President shall serve as vice Chair of the cabinet and Chair in the event the President cannot attend.

§2 PURPOSE. The Cabinet is the primary forum, under the direction of the President, for the officers of Student Government to advise the President. The Cabinet has a collective responsibility to support each other and the President in order to achieve to the common vision of Student Government. As such members shall support

or not oppose publicly decisions made in Cabinet, with the exception of the Chief Justice who shall provide his official court opinion without restriction. Generally the Cabinet will make their recommendations to the President based on consensus, but majority vote will prevail otherwise. All members of Cabinet are encouraged to support consensus and majority vote recommendations. Members of Cabinet will keep confidential the discussions in Cabinet. The President can accept, reject, or change whatever the Cabinet recommends. In advising the President the Cabinet may: (a) Review legislation passed by the Senate or House and provide the President their recommendations on signing or vetoing the legislation.

(b) Review and assist the President in proposing an annual budget, with each Director proposing specific allocations for their Commission.

(c) Meet with the Student Government Advisors at least monthly. (d) Confirm recess appointments until reviewed by the Senate is possible.

(e) Review and provide advice to the President on University and Student Government appointments.

(f) Review and approve replacement Senators as forwarded by the Senate Committee on Selections and Appointments and decide which of the names is forwarded to the Senate for confirmation.

(g) Review changes to any rules or regulations of Student Government before the Senate, unless the President overrides this requirement.

§3 MANAGEMENT POWERS OF COMMISSION [sic] CHAIRS. Commission Chairs shall have direct supervisory and administrative control of the Commissions they Chair but they, along with their Commission, shall report and comply with all lawful instructions of the President.

§4 RANK OF CABINET MEMBERS. Commission Chairs serve at the pleasure of the President and may be released from that obligation on authority of the President at any time. The Vice President, Supreme Court Chief Justice, and House Leader are permanent constitutional officers and members of Cabinet and cannot be removed from Cabinet or their office by the President.

§5 INSTALLATION OF NEW CABINET UPON NEW TERM. Directors shall offer their resignation upon the end of the President's term or the special election of a new President or the installation of the Vice President as President.

§6 REPORTING TO THE SENATE. All Cabinet positions shall report to the Senate when called to do so.

§7 CABINET MEETINGS. Cabinet shall meet once weekly on a day as decided by the President.

(a) Cabinet meetings may be closed to the public under Executive Session.

(b) Failure to attend two (2) Cabinet meetings shall warrant removal from the cabinet and/or impeachment.

(c) A summary of the meeting will be published with a week after the meeting.

§8 COMMISSION MEETINGS AND ATTENDANCE. Commissions shall meet as business warrants at times and locations as decided by the Chair. Two (2) absences from a Commission meeting is grounds for removal from the Commission and/or impeachment.

§9 EXEMPTION FROM SENATE COMMITTEES. Directors shall be exempt from service on all Senate committees. With the permission of the President members of Commissions may be exempt from attendance to Senate committees so long as that absence is necessary for them to complete Commission related business."

Appendix B

"ARTICLE V - THE CABINET

Section 1: The Cabinet shall supervise, manage, and execute the various functions of Student Government and shall advise and report to the President on all such functions.

Section 2: The Cabinet shall consist of the President, Vice President, the Senate Pro-Tempore, House Leader, Supreme Court Chief Justice, the chairs of each commission, and others as the Senate so establishes. The President will serve as Chair and may authorize informal, ex officio members of the Cabinet.

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Section 9: The Cabinet shall advise the President on the activity of their companionate of Student Government."