

AGENDA

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Meeting: 8:25 a.m., Wednesday, January 24, 2001
Glenn S. Dumke Conference Center

Bob Foster, Chair
Frederick W. Pierce, IV, Vice Chair
William D. Campbell
Shailesh J. Mehta
Anthony M. Vitti
Stanley T. Wang

Consent Items

Approval of Minutes of Meeting of November 8, 2000

Discussion Items

1. Paid Holidays—Cesar Chavez Day—March 31, *Action*

**MINUTES OF MEETING OF
COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL**

**Trustees of The California State University
Office of the Chancellor
Glenn S. Dumke Conference Center
401 Golden Shore
Long Beach, California**

November 8, 2000

Members Present

Robert G. Foster, Chair
Frederick W. Pierce IV, Vice Chair
William D. Campbell
Laurence K. Gould, Jr., Chair of Board, ex-officio
Anthony M. Vitti
Stanley T. Wang
Charles B. Reed, Chancellor, ex officio

Members Absent

Shailesh J. Mehta

Other Trustees Present

Roberta Achtenberg
Daniel N. Cartwright
Martha C. Fallgatter
Debra S. Farar
Harold Goldwhite
William Hauck
Neel I. Murarka
Ali C. Razi

Chancellor's Office Staff

Richard P. West, Executive Vice Chancellor and Chief Financial Officer
Jackie R. McClain, Vice Chancellor, Human Resources
Douglas X. Patiño, Vice Chancellor, University Advancement
Christine Helwick, General Counsel

Chair Foster called the meeting to order at 3:36 p.m.

Approval of Minutes

The minutes of July 18, 2000, were approved as submitted.

Trustee Foster asked vice chancellor Jackie McClain to present the discussion items to the Board.

University and Private Vehicles Policies and Procedures; Delegation of Authority

Vice chancellor McClain explained that it is recommended that the Board develop policies and procedures for the use of University and private vehicles and that authorization be delegated to Chancellor Reed.

Paid Holidays – Cesar Chavez Day – March 31

Vice chancellor McClain then informed the Board that it is the California State University's goal to provide Cesar Chavez Day as a paid holiday for employees. She explained that the CSU has begun the process required according to HEERA and that this item will be presented to the Board for action at the January Board meeting. Ms. McClain also stated that there will be a change in Title 5 to reflect both Cesar Chavez Day and Martin Luther King, Jr. Day as a paid holiday.

Workers' Compensation and CSU Volunteers

The Board was informed that CSU volunteers without approval of the Board are not covered under Workers' Compensation. Ms. McClain stated that the volunteers are used in academic and athletic programs. A motion was then made and carried to consider such volunteers as employees for purposes of Workers' Compensation. (UFP 11-04-00).

Adjournment

The meeting adjourned at 3:45 p.m.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Paid Holidays - Cesar Chavez Day – March 31

Presentation By

Jackie R. McClain, Vice Chancellor
Human Resources

Summary

Cesar Chavez Day as a designated paid holiday for CSU employees will be recommended. Additionally, amending Title 5 to reflect all CSU paid holidays will be recommended. This item was brought to the November Board meeting as an information item.

Background

This past legislative session SB 984 amended Government Code Section 19853 and introduced March 31 as Cesar Chavez Day, a state holiday for certain state employees. This Government Code section does not apply to CSU employees.

Under Education Code Section 89500(a), the Trustees have authority to designate paid holidays for nonrepresented CSU employees by Board resolution. Additionally, under Education Code Section 89500(b) and Title 5, California Code of Regulations, Section 43825, holiday designations can be established for represented employees under the terms of a collective bargaining agreement negotiated between the Trustees and the exclusive employee representatives.

It is recommended that the Board adopt a resolution designating Cesar Chavez Day as a paid holiday for nonrepresented CSU employees. In accordance with HEERA, the CSU also advised exclusive representatives of CSU's collective bargaining unions of the university's goal to provide Cesar Chavez Day as a paid holiday for eligible represented employees and all unions have signed agreements adopting that day as a paid holiday. The agreements will be presented for ratification to the Committee on Collective Bargaining.

The recommended Title 5 amendment also includes language reflecting Martin Luther King Day as a paid CSU holiday. That holiday was previously granted to CSU employees under Education Code authority and through collective bargaining. If the Cesar Chavez Day paid holiday is approved, it will be appropriate to place both these holidays in Title 5.

Proposed Revision

RESOLVED, By the Board of Trustees of The California State University, acting under the authority prescribed herein and pursuant to Sections 89030 and 89500 of the Education Code, that the Board hereby amend its regulations in Section 42920, Article 4.1, Subchapter 7, Chapter 1, Division 5 of Title 5 of the California Code of Regulations as follows:

§ 42920. Holidays.

The Chancellor for the systemwide staff and the President for each campus shall be responsible for the administration of paid holidays for the employees under their supervision.

(a) The following holidays, when not occurring on a Saturday or Sunday, shall be observed on the days specified:

- (1) January 1
- (2) Third Monday in January (Martin Luther King, Jr. Day)
- (3) March 31 (Cesar Chavez Day)
- (4) July 4
- (5) First Monday in September (Labor Day)
- (6) Thanksgiving Day
- (7) December 25
- (8) Any other day designated by the Governor of this state for a public fast or holiday.

(b) The following days are designated holidays which the Chancellor or President may reschedule to another day consistent with the needs of the campus or systemwide offices:

- (1) Third Monday in February (President's Day)
- (2) February 12 (Lincoln's Birthday)
- (3) Last Monday in May (Memorial Day)
- (4) September 9 (Admission Day)
- (5) Second Monday in October (Columbus Day)
- (6) November 11 (Veteran's Day)
- (7) Personal holiday, to be designated by each employee. The employee may be required to supply reasonable advance notice of intent to

take the personal holiday.

(c) Any holiday which falls on a Saturday shall be observed on the preceding Friday and any holiday which falls on a Sunday shall be observed on the following Monday.

(d) On days when the campuses or systemwide office are observing holidays, particular employees may be required to work to perform necessary services.

NOTE: Authority cited Sections 89030 and 89500, Education Code. Reference: Section 89500, Education Code.

And, be it further

RESOLVED, That the Board of Trustees has determined that the adoption of the proposed amendment will not impose a cost or savings on any state agency; will not impose a cost or savings on any local agency or school district this is required to be reimbursed under Section 17561 of the Government Code; will not result in nondiscretionary cost or savings to local agencies; will not result in any cost or savings in federal funding to the State; and will not impose a mandate on local agencies or school districts;

And, be it further

RESOLVED, That the Board of Trustees delegates to the Chancellor of The California State University authority to further adopt, amend, or repeal this revision pursuant to the Administrative Procedure Act if further adoption, amendment or repeal is required and is nonsubstantial or solely grammatical in nature, or sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action.