

AGENDA

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Meeting: 3:00 p.m., Wednesday, November 8, 2000
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 July 18, 2000

Discussion Items

1. University and Private Vehicles Policies and Procedures; Delegation of Authority, *Information*
2. Paid Holidays – Cesar Chavez Day – March 31, *Information*
3. Workers' Compensation and CSU Volunteers, *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**

July 18, 2000

Members Present

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

Other Trustees Present

Roberta Achtenberg
Daniel N. Cartwright
Martha C. Fallgatter
Debra S. Farar
Harold Goldwhite
Neel "Bubba" Murarka
Ralph R. Pesqueira

Chancellor's Office Staff

David S. Spence, Executive Vice Chancellor and Chief Academic Officer
Richard P. West, Executive Vice Chancellor and Chief Financial Officer
Douglas X. Patiño, Vice Chancellor, University Advancement
Christine Helwick, General Counsel
Samuel A. Strafacci, Senior Director, Employee Relations, Human Resources

Chair Foster called the meeting to order at 3:20 p.m.

Approval of Minutes

The minutes of the May 10, 2000 meeting were approved as submitted.

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U&FP

Trustee Foster presented Agenda Item 1 recommending approval of the following Executive Compensation items: Executive salaries as presented; the annual housing levels as presented; that Dr. Stephen Weber be required to occupy the San Diego State University house effective with the transfer of the title to the University or its auxiliary; and that Dr. Jolene Koester be required to occupy the new official presidential residence for California State University, Northridge.

The committee recommended approval of the proposed resolution (RUFP 05-03-00).

Adjournment

The meeting adjourned at 3:25 p.m.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

University and Private Vehicles Policies and Procedures; Delegation of Authority

Presentation By

Jackie R. McClain, Vice Chancellor
Human Resources

Summary

It is recommended that the Board expressly delegate authority to the chancellor to develop CSU policies and procedures on the use of university vehicles and private vehicles for university business.

Background

In 1961, the Board of Trustees adopted a general delegation of authority to the Chancellor and the campus Presidents. Pursuant to that general delegation, the Chancellor developed policies and procedures for the CSU's use of university vehicles and private vehicles in conducting university business. As part of the periodic process of reviewing delegations of authority from the Board of Trustees to the chancellor, it has been determined to be in the university's interest to have the Board expressly delegate authority to the chancellor to develop CSU policies and procedures on the use of university vehicles and private vehicles for university business.

Recommended Action by Committee on Organization and Rules

Since delegations from the Board to the Chancellor are largely contained in the Standing Orders of the Board of Trustees, it is proposed that a new subdivision "j" entitled "Use of State Motor Vehicles and Private Vehicles in State Business" be added to Section 8, "Faculty and Staff Affairs," of Chapter III, "Delegation of Authority to the Chancellor," of the Standing Orders. Accordingly, the Committee on Organization and Rules, whose task it is to superintend the amendment of the Standing Orders, will be asked to approve the following amendment:

RESOLVED, By the Board of Trustees of The California State University, that the requirement of notice at an earlier meeting for this amendment to the Standing Orders is waived inasmuch as this amendment is not controversial and requires no further discussion; and be it further

RESOLVED, that subdivision "j" be added to Section 8 of Chapter III of the Standing Orders of the Board of Trustees to provide:

- j. Use of State Motor Vehicles and Private Vehicles in State Business

The Chancellor is authorized to develop policies and procedures for the use of university vehicles and for the use of private vehicles in university business.

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 discussed. Additionally, amending Title 5 at the January Board meeting to reflect all CSU paid holidays will be discussed.

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.

At the January 23-24, 2001 Board of Trustees' meeting, it is anticipated that the Trustees will be asked to adopt a resolution designating Cesar Chavez Day as a paid holiday for CSU employees. Currently, in accordance with HEERA, the CSU is also advising the 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. It is hoped that memoranda of understandings adopting Cesar Chavez Day as a paid holiday will be ratified by the January Trustees' meeting.

The Title 5 amendment will also include 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. The amendment will state the following:

Proposed Revision

§ 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.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Workers' Compensation and CSU Volunteers

Presentation By

Jackie R. McClain, Vice Chancellor
Human Resources

Summary

It is recommended that the Board adopt a resolution declaring that CSU volunteers are employees for the purpose of workers' compensation coverage.

Background

California State University (CSU) employees are covered under workers' compensation laws. Persons who perform voluntary service for a public agency who receive no remuneration for services other than meals, transportation, or reimbursement for incidental expenses are excluded from the definition of employee (Labor Code section 3352(i)). The law does allow a governing board of any public agency to adopt a resolution declaring its volunteers to be employees for purposes of workers' compensation coverage (Labor Code section 3363.5). It has been the CSU's practice to extend workers' compensation coverage to CSU volunteer employees as this practice is one that serves the best interests of both the university and the volunteer employee. Therefore, at this time, we recommend that the Trustees adopt a resolution which will declare that CSU volunteers are employees for the purposes of workers' compensation coverage

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, By the Board of Trustees of The California State University, that CSU volunteers, while performing services for the CSU, are defined as employees for purposes of workers' compensation coverage.