


THE CALIFORNIA STATE UNIVERSITY
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Date: May 26, 2000 **Code:** TECHNICAL LETTER
HR/SA 2000-08

To: Human Resources Directors

From: 
Cathy Robinson, Senior Director
Human Resources Administration

Subject: Revision of Title 5 Regulations for the Management Personnel Plan

Title 5 regulations for the Management Personnel Plan were recently revised per the attached resolution (RUFPP 05-02-00). Title 5, Section 42723, which addresses the Management Personnel Plan (MPP), was revised to delete the provision that states when possible, notice of termination shall be given one year prior to the employee's separation date. A MPP employee will continue to receive at least three month's notice prior to his or her separation date or salary in lieu of notice, and the President or Chancellor still retains the option to provide notice or salary in lieu of notice greater than three months if appropriate.

If you have any questions, please contact Pamela Chapin in Human Resources Administration at (562) 951-4414. This memorandum can be found on Human Resources Administration's WEB site at <http://www.calstate.edu/tier3/HR-Adm/memos.html>.

CR/lb

Attachment

Distribution:

CSU Presidents
Vice Chancellor, Human Resources
Vice Presidents, Administration
Employee Relations Designees
Budget Officers

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Revision of Title 5, California Code of Regulations, Section 42723, Management Personnel Plan (RUPP 05-02-00)

RESOLVED, By the Board of Trustees of The California State University, acting under the authority prescribed herein and pursuant to Section 89030.1 of the Education Code, that the board hereby amends its regulations in Section 42723, Article 2.2, Subchapter 7, Chapter 1, Division 5 of Title 5 of the California Code of Regulations as follows:

§42723. Management Personnel Plan

(a) A Management Personnel Plan employee serves at the pleasure of the campus President or the Chancellor, as appropriate. A Management Personnel Plan employee shall not serve a probationary period and shall not receive permanent status.

(b) A Management Personnel Plan employee who had permanent status in a class prior to January 1, 1984 shall retain permanent status in the class despite inclusion as a Management Personnel Plan employee. A Management Personnel Plan employee who prior to January 1, 1984 was serving a probationary period may be awarded permanent status by the appointing power upon the successful conclusion of the probationary period. Upon acquisition of permanent status such an employee shall retain permanent status in the same manner as an employee who has permanent status prior to January 1, 1984.

(c) A Management Personnel Plan employee who retains permanent status under subdivision (b) and who is placed in or promoted to a position under the Management Personnel Plan shall retain retreat rights as described in this subdivision (c) to the former class in which permanent status is held. Should the appointing power terminate the Management Personnel Plan employee's service in a Management Personnel Plan position, the employee shall have the right to return to the former class in which permanent status is held at the salary last received in the permanent class.

(d) Except in the case of layoff, the President or Chancellor, as appropriate, shall give a Management Personnel Plan employee notice of termination at least three months prior to the employee's separation date or shall give a Management Personnel Plan employee corresponding salary in lieu of notice. ~~When possible, notice of termination shall be given one year prior to the employee's separation date.~~

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

And, be it further

RESOLVED, That the Board of Trustees has determined that the adoption of the proposed revisions 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 that is required to be reimbursed under Section 17561 of the Government Code; 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.