The California State University
Office of the Chancellor
400 Golden Shore
Long Beach, CA 90802-4275
(562) 985-2674

Date: July 7, 1997

To: Personnel Officers
Payroll Supervisors

From: Cathy Robinson, Senior Director
Human Resources Administration

Subject: VERIFICATION OF ELIGIBILITY FOR CSEA MSA SETTLEMENT

Implementation of the CSEA court decision regarding retroactive Merit Salary Adjustments (MSAs) is currently underway and a July 1, 1997 memorandum to the presidents updating the status of the implementation is attached for reference.

In preparation for payment of retroactive MSA payments to eligible CSEA employees, HR-PIMS has prepared the following CIRS Compendium Reports for campus review. Please review the lists of employees potentially eligible for the CSEA settlement, complete the attached certification (Attachment A) and FAX it back to this office at (562) 985-2070. ALL CAMPUS CERTIFICATIONS MUST BE RETURNED TO THIS OFFICE NO LATER THAN JULY 28, 1997. All of the following reports are under the Campus Detail Special Reports portion of the CIRS Compendium, using cycle 9706:

1) Report #X98 -- Lists employees who were in a CSEA classification with an anniversary date from 6/92 through 5/93 inclusive and provides employment history for each from 1/1/91 through 6/01/93. These employees appear to be eligible, but we need campus confirmation that the list is accurate and complete.

2) Report #X99 Lists CSEA employees with anniversary dates from 6/92 through 5/93 who have been hourly intermittent and we are unable to determine eligibility based upon Employment History. Please determine which of these employees should be included in the eligibility group.

3) Report #X96 -- Lists CSEA employees who appear to be ineligible for the payments because they separated, had a reclassification and/or anniversary date change, moved outside of the CSEA units, or went on leave prior to the MSA originally scheduled during the 6/92 through 5/93 period. Please verify that these employees are ineligible.

(Over)

Distribution: (All Without Attachments)

Presidents
Interim Senior Director, Human Resources
Vice Presidents, Administration
Accounting Managers
Budget Managers
Employee Relations Designees
Enclosed is an attachment (Attachment B) giving details for determining employee eligibility for the payments. You may find this useful in verifying your employee lists.

Please note, we did not audit anniversary dates for accuracy (i.e., anniversary date reflects a date earlier than the appointment effective date). If errors are discovered on employment history, please note them on the certification form and indicate an employment history error. You must correct ALL errors retroactively on employment history before the next phase of this process can continue. The deadline for corrections is August 13, 1997.

Payment methodologies for the CSEA MSA settlement are currently being discussed with the union and must be approved by the Public Employee Relations Board (PERB) prior to implementation. Until that time, we can only say that the wages will be paid via the payroll system and interest will be paid via the accounting system. Please hold your questions regarding possible payment procedures, as the details are not yet finalized.

Questions regarding specific employee eligibility issues may be referred to Pam Chapin at (562) 985-2652.

Thank you.

CR/nle
Attachments
CAMPUS CERTIFICATION OF CSEA MSA ELIGIBILITY

The undersigned has reviewed the list of employees potentially eligible for payment of the CSEA settlement, and I certify that:

☐  CIRS Compendium Report #X98 is accurate and complete without further additions or deletions.

☐  The following employees are not eligible for the payments and should be deleted from the employees listed in Report #X98:

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☐  The following employees are eligible for the payments and should be added to the list of eligible employees:

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Signature of Campus Representative: __________________________

Date: __________________________

Please print name and telephone number of representative for eligibility inquiries:

______________________________
Criteria for Determining Eligibility for CSEA 92/93 Retroactive MSA

Selection:
1. Any CSEA position (collective bargaining ID of R02, R05, R07 and R09) with an anniversary date of 06/92 through 5/93 in which the employee was still active when they reached their anniversary month.

Reasons for Ineligibility:
1. Employee separates prior to or during their anniversary month.
2. Employee becomes confidential prior to or during their anniversary month.
3. Employee’s MSA is denied and the new anniversary date established is outside the 6/92 through 5/93 range.
4. Employee has a class code change (reclassification/promotion) before reaching the original anniversary date or during their anniversary month and the new anniversary date established is not within the 6/92 through 5/93 range.
5. Employee goes on an unpaid leave prior to or during the anniversary month and either does not return in the window or returns but the new anniversary date established is not within the 6/92 through 5/93 range.
6. Employee leaves the bargaining unit either prior to or during the anniversary month.

Hourly Intermittent Employees:
1. Any employee meeting the selection criteria whose timebase was INT or IND sometime between 6/92 to current, will appear on the hourly report.
2. Please verify eligibility per the above, taking into consideration that hourly intermittent employees would have been eligible for a MSA in the pay period following completion of 1,920 hours of paid employment.
Memorandum

To: Presidents

From: Samuel A. Strafaci
Interim Senior Director
Human Resources

Date: July 1, 1997

Phone: (562) 985-2670

Subject: Implementation of CSEA Court Decision Regarding MSAs

On Thursday, June 26, 1997, representatives of the Office of the Chancellor and the California State Employees Association (CSEA) met with an Administrative Law Judge from the Public Employers Relations Board (PERB) to discuss the outstanding issues regarding the implementation of the court decision regarding the payment of fiscal year 1992/93 MSAs for employees in CSEA units. With the exception of a continuing dispute regarding the eligibility of certain temporary and intermittent employees, we were able to reach agreement on the general criteria that will be used to identify employees who are eligible for payment under the court's decision. We also agreed to the following timeline for finalizing the list of eligible employees:

July 7th
The Chancellor’s Office will distribute reports to each campus, the CSEA and the PERB identifying employees who are presumed to be eligible, as well as those whose eligibility status are indeterminable based on their Employment History.

July 28th
Deadline for campuses and CSEA to advise the Chancellor’s Office of any employees who should be added to or deleted from the proposed eligibility list and the reason(s) why. In addition, each campus must advise the Chancellor's Office of the criteria being used to assign anniversary dates to temporary and hourly intermittent employees that appear on the list.

August 13th
Deadline for campuses to make corrections to an employee’s Employment History based on their audit of the reports. Final eligibility list shall then be produced and sent to each campus, the CSEA and the PERB.
August 18th  Meeting with CSEA and PERB to finalize payment methodology and timeline and any other outstanding issues.

It is critical that each campus meet the deadlines outlined above. The State Controller’s Office and CSU Accounting cannot begin issuing any lump sum or interest payments until all campuses have finalized their list of eligible employees.

We continue to be in discussion with the union regarding the criteria or conditions controlling when eligibility for back pay terminates and the status and eligibility for back pay for temporary and hourly intermittent employees. We anticipate these issues being resolved in the near future.

If you have any questions regarding the settlement or this memo, please contact Cathy Robinson at (562) 985-2657 or me at (562) 985-2670.

SAS/nle

Distribution:
Mr. Richard West
Ms. Christine Helwick
Mr. William Knight
Ms. Cathy Robinson
Employee Relations staff
Vice Presidents, Administration