

## AGENDA

### COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

**Meeting:** 8:30 a.m., Wednesday, January 23, 2019  
Glenn S. Dumke Auditorium

Hugo N. Morales, Chair  
Silas H. Abrego, Vice Chair  
Rebecca D. Eisen  
Douglas Faigin  
Debra S. Farar  
Jean P. Firstenberg  
Lillian Kimbell

- Consent** 1. Approval of Minutes of the Meeting of November 13, 2018, *Action*
- Discussion** 2. Recommended Revisions of Title 5, California Code of Regulations, Article 4.2, Catastrophic Leave Donation Program, *Information*

**MINUTES OF THE 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 13, 2018**

**Members Present**

Hugo N. Morales, Chair  
Silas H. Abrego, Vice Chair  
Rebecca D. Eisen  
Douglas Faigin  
Debra S. Farar  
Jean P. Firstenberg  
Lillian Kimbell  
Adam Day, Chairman of the Board  
Timothy P. White, Chancellor

Trustee Morales called the meeting to order.

**Public Comment**

The committee heard from four individuals during the public comment period addressing concerns about tuition costs and recent pay increases for executives and presidents; executive performance evaluations referred to in the California State Auditor's report; system-wide management and hiring practices at CSU Los Angeles; and, concerns about campuses that are filling bargaining unit positions with temporary employees and how the practice is becoming more prevalent.

**Approval of Minutes**

The minutes of the July 24, 2018 meeting were approved as submitted.

**Annual Report on Outside Employment for Senior Management Employees**

Trustee Morales presented agenda item two as a consent action item. The committee recommended approval of the proposed resolution. (RUF 11-18-08)

**Annual Report on Vice President Compensation, Executive Relocation, and Executive Transition**

Agenda item three was provided as an information item on the consent agenda.

**Executive Compensation: Vice Chancellor of Human Resources – California State University**

Chancellor Timothy P. White presented information on the appointment of Ms. Evelyn Nazario as vice chancellor of human resources for the California State University. As cited in agenda item four, an annual salary of \$297,546 was proposed. The committee recommended approval of the proposed resolution. (RUF 11-18-09)

**Chancellor's Housing Allowance**

Chairman Adam Day recommended a monthly housing allowance for the CSU Chancellor due to the potential sale of the State University House. The housing allowance will be provided through an existing foundation endowment and will be augmented with funds from the sale of the university house. Chair Day proposed the chancellor receive a \$7,917 monthly housing allowance to supplement the cost of a residence. The committee recommended approval of the proposed resolution. (RUF 11-18-10)

Trustee Morales adjourned the committee meeting.

**COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL**

**Recommended Revisions of Title 5, California Code of Regulations, Article 4.2,  
Catastrophic Leave Donation Program**

**Presentation By**

Evelyn Nazario  
Vice Chancellor  
Human Resources

**Summary**

It is proposed that Article 4.2 of Title 5 which addresses the catastrophic leave donation program be revised to: (a) update Section 42930 to include catastrophic leave for natural disasters/state of emergency; (b) update Section 42931 to include the definition of catastrophic leave for natural disasters/state of emergency; (c) update the participation and eligibility requirements as defined in Section 42932; and (d) update the donation criteria as defined in Section 42933.

These revisions to Title 5 are proposed to expand the current Catastrophic Leave Donation Program to include Catastrophic Leave for a Natural Disaster /State of Emergency declared by the Governor. This benefit would be available to an employee who faces financial hardship because the employee has exhausted all accrued personal holiday credits and compensating time off, and has a balance of forty (40) hours or less in each accrued vacation credits and accrued sick leave credits, and is unable to work due to the effect of a natural disaster on the employee's principal residence.

Additionally, it is proposed that Article 4.2 be revised to include that the president of each campus, subject to the approval of the Chancellor, has the authority to make exceptions to the prescribed policy.

It is anticipated that an action item will be presented at the March 2019 Board of Trustees' meeting to adopt the following amendment:

**Title 5, California Code of Regulations**  
**Division 5 – Board of Trustees of the California State Universities**  
**Chapter 1 – California State University**  
**Subchapter 7 – Employees**  
**Article 4.2 – Catastrophic Leave Donation Program**

**§ 42930. Purpose.**

An employee who accrues vacation or sick leave credits may voluntarily donate either of those credits to another employee on the same campus, or for employees in the Office of the Chancellor, to another employee in the Office of the Chancellor. To qualify for catastrophic leave for catastrophic illness or injury, the recipient employee shall have exhausted all accrued leave credits due to catastrophic illness or injury as defined in this Article. ~~that has totally incapacitated the employee from work.~~ “Accrued leave credits” include credits for sick leave, vacation, personal holiday and compensating time off. To qualify for catastrophic leave for a natural disaster/state of emergency, the recipient employee whose principle residence has been impacted by a declared natural disaster/state of emergency as defined in Section 42391 shall have exhausted all accrued personal holiday credits and compensating time off, and have a balance of forty (40) hours or less in each accrued vacation credits and accrued sick leave credits.

The president of each campus, subject to the approval of the Chancellor, has the authority to make exceptions to the prescribed policy.

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

**§ 42931. Definition of Catastrophic Illness or Injury and Catastrophic Leave for a Natural Disaster/State of Emergency.**

A catastrophic illness or injury is one which has totally incapacitated the employee from work. Catastrophic illness or injury may also include an incapacitated member of the employee’s family, if this results in the employee’s being required to take time off for an extended period of time in order to care for the family member and the employee has exhausted all of accrued vacation credits and all accrued sick leave credits which may be used for family care. Only donated vacation credits may be used for such family care catastrophic leave.

Catastrophic leave for a natural disaster/state of emergency is leave for an employee whose principle residence is located in a county where a state of emergency has been declared by the Governor, is unable to work due to the effect of the natural disaster/state of emergency, and who faces financial hardship because the employee shall have exhausted all accrued personal holiday credits and compensating time off, and have a balance of forty (40) hours or less in each accrued vacation credits and sick leave credits.

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

**§ 42932. Participation and Eligibility.**

An employee, the employees' representative or the employee's family member shall request participation and provide appropriate verification ~~of illness or injury~~ as determined by the employee's appointing authority. The appointing authority shall determine eligibility to receive donations of vacation and sick leave credits based upon the definitions provided in this Article. An incapacitated employee may elect to defer a request to participate during a period of Industrial Disability Leave eligibility.

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

**§ 42933. Donation.**

(a) Only vacation and sick leave credits may be donated in increments of one hour or more. ~~For catastrophic illness or injury, Employees may donate a maximum of forty (40) hours of leave credits per fiscal calendar year in increments of one hour or more.~~ For catastrophic leave for a natural disaster/state of emergency, there is no maximum limit that an employee can donate as long as the employee maintains a balance of forty (40) hours of vacation leave credits and forty (40) hours of sick leave credits per calendar year. Donations are irrevocable. Donated leave credits may be used to supplement Industrial Disability leave, Non-industrial Disability Insurance or Temporary Disability payments upon the application of these benefit(s) by an eligible employee. The total amount of leave credits donated and used may not exceed an amount sufficient to ensure the continuance of the employee's regular monthly rate of compensation.

(b) The total donated leave credits shall normally not exceed an amount necessary to continue the employee for three calendar months calculated from the first day of catastrophic leave. The appointing authority may approve an additional three-month period in exceptional cases. The leave shall not be deemed donated until actually transferred by the appointing authority's recordkeeper to the record of the employee receiving leave credits. Such transfer shall be accomplished at the end of a pay period, and credits shall be transferred in the order of the dates actually pledged.

(c) For employees whose appointments have not been renewed, donated time may not be used beyond the employee's appointment expiration date in effect at the beginning of the disability.

(d) Unused donated leave credits may not be used to receive service credit following a service or disability retirement.

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