

AGENDA

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Meeting: 8:30 a.m., Wednesday, March 15, 2006
Glenn S. Dumke Auditorium

Debra S. Farar, Chair
Herbert L. Carter, Vice Chair
Roberta Achtenberg
Jeffrey L. Bleich
Moctesuma Esparza
William Hauck
Raymond W. Holdsworth
A. Robert Linscheid

Consent Items

Approval of Minutes of Meeting of January 31, 2006

Discussion Items

1. Revision of Title 5, California Code of Regulations, Section 42920, Holidays,
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**

January 31, 2006

Members Present

Debra S. Farar, Chair
Herbert L. Carter, Vice Chair
Roberta Achtenberg
Jeffrey L. Bleich
Murray L. Galinson, Chair of the Board
William Hauck
Ray Holdsworth
A. Robert Linscheid
Charles B. Reed, Chancellor

Call to Order

Chair Debra Farar called the meeting to order.

Approval of Minutes

The minutes of November 8, 2005 were approved as submitted.

Chancellor Charles Reed acknowledged to the committee the work of the advisory committee, chaired by President James Rosser of CSU Los Angeles, on the selection of the Executive Vice Chancellor and Chief Academic Officer (EVC & CAO). As a result of their report, Chancellor Reed recommended the appointment of Dr. Gary Reichard and the salary stated in the resolution.

Board Chair Galinson commended Chancellor Reed on his excellent choice to fill the position previously held by Dr. David Spence.

The committee recommended approval of the proposed resolution (RUF 01-06-01)

Chancellor Reed introduced Dr. Reichard to the committee.

COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL

Revision of Title 5, California Code of Regulations, Section 42920, Holidays

Presentation By

Jackie R. McClain
Vice Chancellor
Human Resources

Background

Veterans Day is a designated paid holiday for California State University (CSU) employees. Prior to this past legislative session, Veterans Day could be rescheduled to another day consistent with the needs of the campus or systemwide office. However, this past legislative session, Assembly Bill (AB) 720 added section 89005.7 to the Education Code which requires the CSU to observe the Veterans Day holiday on November 11 and to close the university on that day. This law, effective January 2006, removed the CSU's authority to reschedule this holiday to another day during the year consistent with the needs of the campus or the Chancellor's Office. (When November 11 falls on a Saturday, the CSU observes the preceding Friday as the holiday and when it falls on a Sunday, the CSU observes the following Monday as the holiday.) To incorporate the requirements of this new law, Section 42920, Article 4.1, Subchapter 7, Chapter 1, Division 5 of Title 5 of the California Code of Regulations needs to be amended.

Since changing the CSU schedule of holidays requires an amendment to Title 5 of the California Code of Regulations, this item has been noticed for a public hearing as required by law.

For information, in accordance with HEERA, the CSU advised the exclusive representatives of its collective bargaining unions of the university's requirement to designate Veterans Day as a holiday that cannot be rescheduled. Likewise, the CSU advised nonrepresented employees of the change by a policy memorandum.

Recommended Action

The following resolution is recommended for adoption:

RESOLVED, By the Board of Trustees of The California State University acting under the authority of Sections 87300 and 87306 of the Government Code and Section 89030.1 of the Education Code, that the Board hereby amends the California State University schedule of holidays in Section 42920 of 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) November 11 (Veterans Day)
- (~~6~~) (~~7~~) Thanksgiving Day
- (~~7~~) (~~8~~) December 25
- (~~8~~) (~~9~~) 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 (Veterans Day)~~
- (~~7~~) (~~6~~) 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 California State University has determined that the amendment of the regulation 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 costs 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 regulation pursuant to Education Code Section 89030.1 if the 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.