

AGENDA ITEM

March 10 - Board of Trustees – December 12, 2013 Minutes

THE STATE BAR OF CALIFORNIA

MINUTES

BOARD OF TRUSTEES MEETING

**SAN FRANCISCO, CALIFORNIA
LOS ANGELES, CALIFORNIA
CONFERENCE CALL**

THURSDAY, DECEMBER 12, 2013

The Board of Trustees of The State Bar of California convened in open session at 2:00 pm at the State Bar of California, 180 Howard Street, 8th Floor, Room 8B, San Francisco, CA; 1149 South Hill Street, 7th Floor, Room 723, Los Angeles, CA; and by conference call on Thursday, December 12, 2013, Luis J. Rodriguez presiding.

The following members of the Board of Trustees were present: Michael Colantuono, Glenda Corcoran, Dan Dean, Nancy Fineman, Craig Holden, Miriam A. Krinsky, Dennis Mangers, Pearl Mann, Joanna Mendoza, David Pasternak, Heather Rosing, Mark Shem, David Torres and Hernán D. Vera.

The following members of staff were present: Starr Babcock, Joseph Dunn, Mary Lavery Flynn, Dina Goldman, Teri Greenman, Robert A. Hawley, Sonja Oehler, and Ginnie Yee.

The roll-call vote was taken, and upon motion made, seconded and unanimously adopted, it was

RESOLVED, that the roll-call vote will be substituted for the vote unless otherwise noted.

All members listed on the slip voted yes.

Mr. Rodriguez called for public comment, inquiring as to whether there were persons in attendance who wished to comment on a particular item on the agenda. No one present requested comment.

701 Upon motion made, seconded and unanimously adopted, it was

WHEREAS, representatives of the State Bar of California ("State Bar") and Service Employees International Union (SEIU) Local 1000, operating under a Service Agreement with SEIU Local 535 ("Union"), met and conferred pursuant to California Government Code sections 3505 and 3505.1 and the State Bar's Rules & Regulations for the Administration of Employer-Employee Relations, with a view to reaching agreement on the Memoranda of Understanding (MOUs) for the General and Attorney Bargaining Units to be effective in 2014 and after; and

WHEREAS, the Union and State Bar bargaining teams have met in good faith and reached tentative agreement on MOU terms to be effective in 2014 and after; and

WHEREAS, the Union is presenting the tentative agreement to its membership with a recommendation that it be ratified; and

WHEREAS, the State Bar's Rules and Regulations for the Administration of Employer-Employee Relations provides at Sections 6.8 and 6.9 that the proposed MOU terms be submitted to the Board of Trustees for ratification

RESOLVED, that the Board hereby ratifies in principle the proposed Memoranda of Understanding amendments for the General and Attorney Bargaining Units in the form discussed this date to be effective upon full ratification of the amendments by both the Board and the Union; and it is

FURTHER RESOLVED, that the Board's action here is contingent upon the Union fully ratifying the tentative agreement in the same form as presented here. The Board action here does not become effective until the Union confirms that its membership has fully ratified the tentative agreement as set forth here. If, for any reason, Union ratification does not occur, the action of the Board here is voided. The Board further reserves the right to withdraw this action at any time prior to Union ratification; and it is

FURTHER RESOLVED, that the Office of Human Resources and the Office of the Executive Director take the appropriate steps to effectuate these amendments.

All members present and recorded on the roll-call slip voted yes.

702 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, that the Board of Trustees directs staff to amend the Rules & Regulations Pertaining to the Employment of Confidential Employees and the Rules & Regulations Pertaining to the Employment of Executive Staff, effective with the first payroll period in 2014, to shift CalPERS Employer Paid Member Contributions (EPMC) to employees as a deduction from salary; and it is further

RESOLVED, that the Executive Director has existing discretion and authority to increase salary ranges for these employees to offset the 7% salary shift.

All members present and recorded on the roll-call slip voted yes.

703 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, that the Board of Trustees adopts the resolution to change Employer Paid Member Contributions to the California Public Employees Retirement System in the form attached and discussed with the Board this date; and it is

FURTHER RESOLVED, that the Board directs staff to finalize the Board resolution and forward it to CalPERS; and it is

FURTHER RESOLVED, that the resolution is adopted in principle, subject to nonmaterial changes that may need to be made in submitting this resolution to CalPERS; and it is

FURTHER RESOLVED, that any changes to the resolution shall be approved by the State Bar Executive Director, Office of General Counsel and Office of Human Resources.

All members present and recorded on the roll-call slip voted yes.

The Board adjourned its meeting at 2:32 pm

The Board may meet again at the call of the President at any time prior to the next regularly scheduled meeting of the Board, or, if no such meeting be called, at the State Bar offices, 845 S. Figueroa Street, Board Room, 2nd Floor, Los Angeles, CA, 90017, on Friday, March 7, 2014, at a time to be determined.