

AGENDA ITEM

ITEM JAN 704

DATE: January 12, 2017
TO: Members, Board Executive Committee
FROM: Gilda Muñoz, Director, Human Resources
SUBJECT: Update to Executive Rules & Regulations

EXECUTIVE SUMMARY

This agenda item requests that the Board Executive Committee authorize a revision to the State Bar Executive Rules to include additional language as recommended by the State Auditor in its 2016 report.

BACKGROUND

The State Auditor's report included the following recommendation:
"Revise the State Bar's policy for housing allowances and relocation expenses to align with the requirements in the state law that are applicable to managerial employees."

The State Bar's current housing allowance and relocation expense policies are codified in Section 26 of the Rules and Regulations for Executive Staff (Rules):

SECTION 26. RELOCATION

Reimbursement for out-of-pocket expenses resulting from geographic relocation upon initial employment or a transfer at the direction of the State Bar may be permitted by the Executive Director. An interim housing allowance not to exceed reasonable rental rates for the first six months of service in the new assignment may also be permitted by the Executive Director.

DISCUSSION

Staff recommends that these Rules be amended in light of the State Auditor's recommendation as follows:

SECTION 26. Relocation and Housing Allowance Expenses

Reimbursement for out-of-pocket expenses resulting from geographic relocation upon initial employment or a transfer at the direction of the State Bar may be permitted by the Executive Director. The guidelines used for the interim housing allowance will be the same as those applied by the State of California under the California Code of Regulations¹. An interim housing allowance resulting from geographic relocation upon initial employment or a transfer at the direction of the State Bar may be permitted by the Executive Director. The guidelines used for the interim housing allowance will be the same as those applied by the State of California under the California Code of Regulations². The Board of Trustees or the Executive Director may approve exceptions to these guidelines based on unique circumstances or requirements imposed by the State Bar on Senior Executive Staff.

FISCAL/PERSONNEL IMPACT

This proposal will have a minimal fiscal impact given the small number of staff who would ever be eligible to receive this benefit.

RULE AMENDMENTS

Executive Rules and Regulations, § Section: 26 Relocation

BOARD BOOK IMPACT

N/A

BOARD GOALS & OBJECTIVES

Goal 3. Improve fiscal and operational management emphasizing integrity, transparency, and accountability.

STAFF RECOMMENDATION

Staff recommends that the Board Executive Committee direct staff to revise the State Bar's policy for housing allowances and relocation expenses to align with the requirements in the state law that are applicable to managerial employees in the form noted in this agenda item.

¹ Reimbursement allowed for persons required to change their place of residence to accept employment with the State. Appointed power has certified that such expenditure is necessary in order to recruit qualified persons needed by the State. The established headquarters is more than 75 miles from the employee's primary residence. Up to \$1,000 to move household goods. Travel from old residence to new residence at rate of 9 cents per mile. Employee who does not continue employment for less than 2 years must repay reimbursements based on percentages of time employed with State.

² Reimbursement for a maximum of 30 days of temporary lodging and meals at the new headquarters location, limited to the conditions, maximums and receipt requirements applicable to state employees travel reimbursements as set forth in 599.619(a) and (b). Up to 14 of the 30 days may be used for pre-move house hunting at the new headquarters location, reimbursable after the report date.

The Board Executive Committee approves the following resolution:

RESOLVED, that the Board Executive Committee directs staff to revise the State Bar's Policy for housing allowances and relocation expenses to align with the requirements in the state law that are applicable to managerial employees.

ATTACHMENT(S) LIST

- A. Current and Proposed Executive Rules, section 26.