

The Regents of the University of California

COMMITTEE ON COMPENSATION

February 5, 2009

The Committee on Compensation met on the above date at UCSF–Mission Bay Community Center, San Francisco.

Members present: Regents Hopkinson, Johnson, Kozberg, Lozano, Pattiz, and Varner; Ex officio members Blum and Yudof; Advisory members Croughan and Stovitz

In attendance: Regents De La Peña, Gould, Lansing, Makarechian, Marcus, O’Connell, Reiss, Ruiz, Schilling, Scorza, Shewmake, and Wachter, Regent-designate Bernal, Secretary and Chief of Staff Griffiths, Associate Secretary Shaw, General Counsel Robinson, Chief Investment Officer Berggren, Executive Vice Presidents Darling and Lapp, Vice Presidents Broome, Dooley, Foley, and Lenz, Chancellors Block, Blumenthal, Fox, Kang, Vanderhoef, and White, and Recording Secretary Johns

The meeting convened at 11:15 a.m. with Committee Chair Varner presiding.

1. **PUBLIC COMMENT**

There were no speakers wishing to address the Committee.

2. **APPROVAL OF MINUTES OF PREVIOUS MEETING**

Upon motion duly made and seconded, the minutes of the meeting of November 20, 2008 were approved.

3. **APPROVAL OF INDIVIDUAL COMPENSATION ACTIONS AS DISCUSSED IN CLOSED SESSION**

The President recommended:

A. ***Interim Re-Slotting and Appointment Salary for Jennifer R. Wolch as Dean – College of Environmental Design, Berkeley Campus***

Approval of the following items in connection with the interim re-slotting of the Dean – College of Environmental Design position and the appointment salary for Jennifer R. Wolch as Dean – College of Environmental Design, Berkeley campus:

- (1) Interim re-slotting of Dean – College of Environmental Design position from SLCG Grade 107 (Minimum \$172,300, Midpoint \$218,700, Maximum \$265,000) to SLCG Grade 108 (Minimum \$192,300, Midpoint

\$244,900, Maximum \$297,400). This interim re-slotting is consistent with the recommendation of Mercer Human Resource Consulting.

- (2) Per policy, an appointment salary of \$273,000 (SLCG Grade 108: Minimum \$192,300, Midpoint \$244,900, Maximum \$297,400). This appointment salary is consistent with new Senior Management Group (SMG) policy that indicates that appointment salaries will be within the salary range. Per policy, ineligible for any further merit or equity increase until October 2010.
- (3) This appointment is at 100 percent time and effective July 1, 2009.

Additional items of compensation include:

- Per policy, standard pension and health and welfare benefits and standard senior management benefits (including senior management life insurance, executive business travel insurance, and executive salary continuation for disability).
- Per policy, accrual of sabbatical credits as a member of faculty.
- Per policy, ineligible to participate in the Senior Management Supplemental Benefit Program due to tenured academic appointment.
- Per policy, reimbursement of moving expenses up to 100 percent of allowable expenses.
- Per policy, participation in the University of California Mortgage Origination Program up to the maximum loan amount (currently \$1.33 million). Participation will comply with all University/campus program parameters. Participation eligibility is available to be exercised within a period not to exceed 24 months from date of employment.

The compensation described above shall constitute the University's total commitment until modified by the Regents and shall supersede all previous oral or written commitments. All compensation (as defined in the Regents' 1993 Principles for Review of Executive Compensation) in this recommendation will be released to the public immediately following approval by the Regents.

B. *Appointment Time Reduction Under Staff and Academic Reduction in Time (START) Program for Bruce W. Spaulding as Senior Vice Chancellor – University Advancement and Planning, San Francisco Campus*

Approval of the following compensation for Bruce W. Spaulding as Senior Vice Chancellor – University Advancement and Planning, San Francisco campus:

- (1) Per Staff and Academic Reduction in Time (START) Program policy, a voluntary appointment time reduction to 55 percent time with commensurate reduction of annual salary to \$207,130, based on current annual base salary of \$376,600 (SLCG Grade 111: Minimum \$267,700,

Midpoint \$344,000, Maximum \$420,100).

- (2) Per START Program policy, continued eligibility to participate in the Senior Management Supplemental Benefit Program at the rate of 5 percent of the reduced base salary of \$207,130.
- (3) Per START Program policy, continued eligibility to receive standard pension and health and welfare benefits, and standard senior management benefits (including senior management life insurance, business travel accident insurance, and salary continuation for disability).
- (4) Effective February 1, 2009 and ending no later than June 30, 2009.

Additional items of compensation include:

- Per policy, continued eligibility to receive an Executive Automobile Allowance in the amount of \$4,904 per annum, which reflects 55 percent of the maximum allowable rate.
- Per START program policies, continued vacation and sick leave accrual at the employee's pre-START rate.
- Per policy, continued participation in the University of California Home Loan Program. Participation to comply with all University/campus normal program parameters.

The compensation described above shall constitute the University's total commitment until modified by the Regents and shall supersede all previous oral or written commitments. All compensation (as defined in the Regents' 1993 Principles for Review of Executive Compensation) in this recommendation will be released to the public immediately following approval by the Regents.

C. *Interim Re-Slotting and Pre-emptive Retention Increase for Paul Staton as Chief Financial Officer – UCLA Hospital System, Los Angeles Campus*

Approval of the following items in connection with the compensation of Paul Staton as Chief Financial Officer – UCLA Hospital System, Los Angeles campus:

- (1) An interim re-slotting of the position, as supported by Mercer Human Resource Consulting, from SLCG Grade 110 to SLCG Grade 112 (Minimum \$298,900, Midpoint \$385,300, Maximum \$471,500).
- (2) Per policy, a retention increase of \$69,200 (22.3 percent) to increase his annual base salary from \$310,800 to \$380,000.
- (3) Per policy, continued participation in the Clinical Enterprise Management Recognition Plan (CEMRP) with a maximum potential bonus of 25 percent (\$95,000).

- (4) Per policy, continued participation in the Senior Management Supplemental Benefit Program.
- (5) Effective February 1, 2009.

Additional items of compensation include:

- Per policy, standard pension and health and welfare benefits, and standard senior management benefits (including senior management life insurance, business travel accident insurance, and salary continuation for disability).

The compensation described above shall constitute the University's total commitment until modified by the Regents and shall supersede all previous oral or written commitments. All compensation (as defined in the Regents' 1993 Principles for Review of Executive Compensation) in this recommendation will be released to the public immediately following approval by the Regents.

D. ***Appointment and Compensation for Marsha Kelman as Associate Vice President – Policy and Analysis, Office of the President***

Approval of the following items in connection with the appointment of and compensation for Marsha Kelman as Associate Vice President – Policy and Analysis, Office of the President:

- (1) Slotting of the new Senior Management Group position of Associate Vice President – Policy and Analysis at SLCG Grade 108 (Minimum \$192,300, Midpoint \$244,900, Maximum \$297,400), as recommended by Mercer Human Resource Consulting.
- (2) Appointment of Marsha Kelman as Associate Vice President – Policy and Analysis, Office of the President, at 100 percent time, effective March 9, 2009.
- (3) Base salary of \$248,000 (SLCG Grade 108: Minimum \$192,300, Midpoint \$244,900, Maximum \$297,400).
- (4) As an exception to current policy, reimbursement of actual and reasonable costs associated with temporary living expenses not to exceed \$15,000 over a period of three months. The proposed policy provides for up to 90 days, whereas the current policy only provides for up to 30 days of temporary housing expenses.
- (5) As an exception to current policy, two house hunting trips, subject to the limitations under policy for the candidate and her spouse/partner. The proposed policy will provide for two trips.

- (6) Per policy, 100 percent reimbursement of actual and reasonable relocation expenses.
- (7) Per policy, a relocation allowance of 25.0 percent (\$62,000) of base salary.
- (8) Per policy, eligibility to participate in the University's Mortgage Origination Program.

Additional items of compensation include:

- Per policy, standard pension and health and welfare benefits and standard senior management benefits (including senior management life insurance, executive business travel insurance, and executive salary continuation for disability).
- Per policy, a 5 percent monthly contribution to the Senior Management Supplemental Benefit Program.

The compensation described above shall constitute the University's total commitment until modified by the Regents and shall supersede all previous oral or written commitments. All compensation (as defined in the Regents' 1993 Principles for Review of Executive Compensation) in this recommendation will be released to the public immediately following approval by the Regents.

E. ***Stipend for S. Shankar Sastry as Dean – College of Engineering and Faculty Director – Blum Center for Developing Economies, Berkeley Campus***

Approval of the following items in connection with the addition of a stipend for S. Shankar Sastry as Faculty Director – Blum Center for Developing Economies, Berkeley campus:

- (1) Per policy, a stipend of 9.1 percent (\$25,000), for service as Faculty Director of the Blum Center for Developing Economies, in addition to his salary of \$275,000 as Dean – College of Engineering, resulting in a total base salary of \$300,000, SLCG Grade 110 (Minimum \$239,700, Midpoint \$307,200, Maximum \$374,500).
- (2) This stipend is effective January 1, 2009, until such time as he steps down from the Faculty Director position.

Additional items of compensation include:

- Per policy, standard pension and health and welfare benefits and standard senior management benefits (including senior management life insurance, executive business travel insurance, and executive salary continuation for

disability).

- Per policy, accrual of sabbatical credits as a member of faculty.
- Per policy, ineligible to participate in the Senior Management Supplemental Benefit Program due to tenured academic appointment.

The compensation described above shall constitute the University's total commitment until modified by the Regents and shall supersede all previous oral or written commitments. All compensation (as defined in the Regents' 1993 Principles for Review of Executive Compensation) in this recommendation will be released to the public immediately following approval by the Regents.

[Background material was mailed to Regents in advance of the meeting, and copies are on file in the Office of the Secretary and Chief of Staff.]

Upon motion duly made and seconded, the Committee approved the President's recommendations and voted to present them to the Board.

4. **CONFIRMATION OF APPOINTMENT AND APPROVAL OF TOTAL COMPENSATION FOR LAWRENCE H. PITTS, M.D., AS INTERIM PROVOST AND EXECUTIVE VICE PRESIDENT – ACADEMIC AFFAIRS, OFFICE OF THE PRESIDENT AS DISCUSSED IN REGENTS ONLY SESSION**

The President recommended approval of the following items in connection with the appointment of and compensation for Lawrence H. Pitts, M.D., as Interim Provost and Executive Vice President – Academic Affairs, Office of the President. This appointment coincides with the departure of the current Interim Provost and will provide ongoing leadership during the search for a permanent Provost.

- A. As an exception to policy, appointment as Interim Provost and Executive Vice President – Academic Affairs at 100 percent time. This constitutes an exception to policy, exceeding the normal appointment maximum of 43 percent time for rehired retirees. Appointments in excess of 43 percent time require the endorsement of the President and approval of the Regents.
- B. Base salary of \$350,000 (SLCG Grade 113: Minimum \$333,900, Midpoint \$431,500, Maximum \$529,100).
- C. This appointment and compensation will be effective on or about February 9, 2009, and will continue until a permanent Provost is hired and for a reasonable transition period thereafter or until August 31, 2009, whichever occurs first.
- D. According to the policy for rehired retirees, retirement pension benefits will be suspended when Dr. Pitts assumes this role. Under University policy, this will result in accrual of additional pension service credit during his appointment as Interim Provost.

Additional items of compensation include:

- Per policy, standard sick leave and vacation accrual.
- Per policy, Administrative Fund for official entertainment and other purposes permitted by University policy.
- Per policy, Dr. Pitts be eligible for standard employee medical, dental, and vision coverage.

The compensation described above shall constitute the University's total commitment until modified by the Regents and shall supersede all previous oral or written commitments. All compensation (as defined in the Regents' 1993 Principles for Review of Executive Compensation) in this recommendation will be released to the public immediately following approval by the Regents.

[Background material was mailed to Regents in advance of the meeting, and copies are on file in the Office of the Secretary and Chief of Staff.]

Upon motion duly made and seconded, the Committee approved the President's recommendation and voted to present it to the Board.

5. **AUTHORIZATION TO AMEND THE UNIVERSITY OF CALIFORNIA RETIREMENT PLAN TO ACCOMMODATE A MODIFICATION TO THE STAFF AND ACADEMIC REDUCTION IN TIME (START) PROGRAM**

The President recommended that authority be delegated to the Plan Administrator to amend the University of California Retirement Plan (UCRP) to accommodate a modification to the Staff and Academic Reduction in Time (START) Program that lowers the minimum allowable reduction in time from ten percent to five percent, effective March 1, 2009.

[Background material was mailed to Regents in advance of the meeting, and copies are on file in the Office of the Secretary and Chief of Staff.]

Upon motion duly made and seconded, the Committee approved the President's recommendation and voted to present it to the Board.

6. **APPROVAL OF PROPOSED COMPENSATION AND RELATED POLICIES FOR SENIOR MANAGEMENT GROUP MEMBERS**

The President recommended approval of the following six policies applicable to Senior Management Group (SMG) members:

- Senior Management Group Hiring Bonus (Attachment 1)
- University-Provided Housing (Attachment 2)
- Senior Management Group Automobile Allowance (Attachment 3)

- Senior Management Group Moving Reimbursement (Attachment 4)
- Senior Management Group Relocation Allowance (Attachment 5)
- Reemployment of UC Retired Employees Into Senior Management Group and Staff Positions (Attachment 6)

The Regents will have the authority to approve any policy revisions upon recommendation by the President. As described in the Approval Authority section of each of these policies, the Responsible Officer, e.g., Executive Vice President – Business Operations, may apply appropriate interpretations to clarify policy, provided that the interpretations do not result in substantive changes to the underlying policy. The Department of Human Resources and Benefits, Office of the President, will work with the Responsible Officer of each policy to implement each policy.

[Background material was mailed to Regents in advance of the meeting, and copies are on file in the Office of the Secretary and Chief of Staff.]

Committee Chair Varner explained that the six policies presented for approval were part of the overall framework of policies related to senior management compensation undergoing review and revision in response to the findings of the April 2006 report of the Task Force on UC Compensation, Accountability and Transparency. The Policy on Reemployment of UC Retired Employees was approved by the Regents in September 2008 with the understanding that the Academic Senate would be providing comments and feedback. The amended policies now being presented were based on input from the Regents and from the Academic Senate.

Regent Hopkinson referred to the policy on moving reimbursement. She noted that the reimbursement for airfare did not stipulate that this was for coach airfare. She also noted that the policy included reimbursement for meals for up to 30 days, without any stated limit. She asked why the University would not set the same reimbursement limit on meals in this case as it sets for out-of-town travel.

Regent Hopkinson then referred to the policy on reemployment of retired employees, noting that retired employees who agree to suspend their retirement income may be reemployed into career appointments. She asked about the meaning of the term “career appointment” in the policy. She noted that retired employees are sometimes rehired into interim positions, and asked if such positions are considered career appointments.

Executive Director Larsen responded that limitations would be added to the moving reimbursement policy to reference coach airfare. Language would also be added to limit reimbursement for meals. Referring to the policy on reemployment of retired employees, Mr. Larsen explained that “career appointment” is a classification which includes eligibility to receive benefits. If a retired employee is rehired at 100 percent time, he or she is eligible to receive the full range of benefits available to regular employees. Interim appointments are considered career appointments.

Regent Lozano referred to the section in the policy on University-provided housing concerning renovation and remodeling of executive officers' residences which requires Regental approval for capital improvement projects greater than \$5 million. She asked if this approval threshold complied with other UC policies concerning capital improvements.

Mr. Larsen responded that there has been no change in the dollar amount of the approval level in this policy compared to the previous policy. There was one change that aligned limitations on the President's residence to that for the chancellors. There was no essential change.

Upon motion duly made and seconded, the Committee approved the President's recommendation with the changes proposed by Regent Hopkinson, and voted to present it to the Board.

7. BI-MONTHLY TRANSACTION MONITORING REPORT – FEBRUARY 2009

[Background material was mailed to Regents in advance of the meeting, and copies are on file in the Office of the Secretary and Chief of Staff.]

Committee Chair Varner recalled that, at their September 2008 meeting, the Regents approved two compensation governance items. One item delegated certain approval authority for non-Senior Management Group staff to the chancellors, Laboratory director, and President. This included a requirement for a bi-monthly transaction monitoring report as a key component of the governance model.

The Bi-Monthly Transaction Monitoring Report was submitted to the Committee. There was no discussion.

8. REPORT OF ACTIONS TAKEN UNDER THE DELEGATION OF AUTHORITY FOR RECRUITING AND NEGOTIATION PARAMETERS FOR CERTAIN ATHLETIC POSITIONS AND COACHES

[Background material was mailed to Regents in advance of the meeting, and copies are on file in the Office of the Secretary and Chief of Staff.]

Committee Chair Varner recalled that, at their September 2008 meeting, the Regents approved amendments to the Delegation of Authority for Recruiting and Negotiation Parameters for Certain Athletic Positions and Coaches. The original delegation was approved by the Regents in July 2007 and allows campuses to take immediate action to secure the services of individuals for certain athletic and coach positions when the pre-established parameters contained in the delegation are met. The delegation calls for actions taken by the chancellors under this delegation to be reported publicly at the Regents meeting.

The Report of Actions Taken under the Delegation of Authority for Recruiting and Negotiation Parameters for Certain Athletic Positions and Coaches was submitted to the Committee. There was no discussion.

Regent Ruiz asked that the Committee examine the severance policy for the Senior Management Group to ensure its consistency and effectiveness.

Committee Chair Varner acknowledged this concern that policies on severance be consistent. He stated that the Committee would follow up on this topic.

The meeting adjourned at 11:25 a.m.

Attest:

Secretary and Chief of Staff

Senior Management Group Hiring Bonus



Responsible Officer: [Vice President – Human Resources](#).

Responsible Office: Human Resources

Effective Date: To be determined [by the Responsible Officer](#).

Next Review Date: [\[The Responsible Officer will review the policy annually for update purposes, and will conduct a full review at least every three years.\]](#)~~To be determined.~~

Who Is Covered: External candidates for Senior Management Group positions. The Hiring Bonus policy and procedures do not apply to external candidates for SMG positions at the Lawrence Berkeley National Laboratory (LBNL). See [LBNL Hiring Bonus Program](#) [link].

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I. POLICY SUMMARY

This policy provides the direction and authority for granting hiring bonuses to external candidates as part of the University's hiring offer. Hiring bonuses support the University's objective to attract talented external candidates for Senior Management Group positions. ~~The hiring bonus --by including a non-base building cash payment -- as part of the hiring offer. The hiring bonus~~ is intended to make the hiring offer market-competitive and to assist in ~~securing the candidate's acceptance of the offer~~~~the new appointee's transition.~~

II. POLICY DEFINITIONS

Difficult-to-Fill Positions: Positions that may remain open despite extensive recruiting efforts due to high competitive demand, as evidenced by factors such as labor market shortages and aggressive growth in compensation levels.

Exception to Policy: An action that exceeds what is allowable under current policy or that is not expressly provided for under policy. Any such action must be treated as an exception and must be reviewed and approved by ~~The the~~ Regents.

Executive Officer: The University President ~~for the Office of the President, or the Chancellor, or Laboratory Director.~~

Hiring Bonus: A monetary payment intended to provide an external candidate an additional inducement to the offer of employment.

Mission Critical Positions: Positions that directly and significantly influence and impact the University's ability to fulfill its mission.

Top Business Officer: Executive Vice President – Business Operations for the Office of the President, Vice Chancellor for Administration, or the position responsible for the location's financial reporting and payroll as designated by the Executive Officer.

III. POLICY TEXT

A. Eligibility

To be eligible for a hiring bonus, a candidate for a Senior Management Group position must meet all the following eligibility conditions. Eligibility is restricted to:

1. Qualified external candidates who are offered employment for the benefit of the University.
2. Candidates who are not currently employed by the University, and who have not been employed by the University during the 12 month period preceding the proposed rehire date.
3. Candidates for positions regarded by Department Heads as being ~~mission critical, as defined above, and that have proven to be extremely~~ difficult to fill

despite extensive recruiting efforts (e.g., labor market shortages, aggressive growth in compensation levels for particular positions).

4. Candidates ~~for whom where there is~~ a documented reason ~~exists indicating to believe~~ the University's offer will not be accepted without a hiring bonus. For example, it may be necessary to offer a hiring bonus in situations where the candidate is forfeiting base salary, annual bonus or any other type of compensation, from their current employer, in accepting the University's employment offer.

~~Contract employees, with the exception of staff physicians and dentists, are not eligible for hiring bonuses.~~

A hiring bonus is intended to make a hiring offer market-competitive and to assist in the new appointee's ~~acceptance of the offer transition~~. A relocation allowance, when offered, is intended to offset a portion of the candidate's costs associated with accepting the University's employment offer and relocating, in accordance with the *SMG Relocation Allowance Policy* [link].

Before offering a hiring bonus, the hiring manager ~~shall~~ should document the business justification for the bonus and confirm that the justification and the bonus amount are consistent with local practice.

B. Bonus Amounts

~~If the candidate meets the eligibility criteria, the hiring~~ Hiring bonus amounts ~~should be determined will vary~~ based on ~~specific circumstances including~~ the following ~~assessment~~:

1. ~~determination by the hiring authority that the appointee to the open position is critical to the University's mission;~~
 - a. difficulty in filling the position after prolonged and extensive recruitment efforts to attract market-competitive candidates;
 - b. competing offers under consideration by the prospective candidate;
 - c. market prevalence for these types of bonuses within specific occupations; and
 - d. compensation (e.g., deferred compensation, annual incentive) the candidate may be forfeiting in leaving his or her current position.
2. The total hiring bonus amount cannot exceed a maximum of ~~up to~~ 20% of the proposed starting base salary. If both a hiring bonus and relocation allowance are offered to a potential candidate, the combined ~~total amounts~~ cannot exceed 30% of the proposed starting base salary. Direct moving and relocation expenses are to be reimbursed in accordance with the *SMG Moving Reimbursement Policy* [link].

C. Payment Provisions

Granting of a hiring bonus is at the sole discretion of the University. Before offering a hiring bonus, the employing department must confirm the availability of funds and

the specific determinative criteria cited in Section III.A of this policy. Any hiring bonus amount granted along with payment and repayment provisions shall be detailed in the candidate's offer letter. By signing such agreement, the candidate agrees to all payment and repayment provisions of this policy.

The hiring bonus payments are payable in either a lump sum payment (e.g., within 30 days of hire date) or as installment payments spread over a period of two, three or four years. ~~Installment payments are generally advisable.~~ If a recipient separates from UC, all future installment payments will be forfeited. If a lump sum payment is provided, then repayment provisions are required, as described in Section III.D of this policy.

D. Repayment Provisions

1. The candidate's offer letter ~~shall~~^{should} contain the specific details of the repayment provisions, including the number of years of service that must be completed and the ~~amount~~ (percentage or actual amount) of repayment required if separation occurs prior to the completion of each year of service.
2. If the employee receives a lump sum hiring bonus and separates from UC prior to completing the agreed upon period of service (at least two years is required), the employee will be required to pay back a pro-rata portion of the hiring bonus payment.
3. Any unpaid hiring bonus amounts are forfeited at the time of separation ~~from~~^{of} employment.

E. Funding Sources

Hiring bonus payments, if approved, are funded by the hiring department.

F. Treatment for Benefit Purposes

Hiring Bonus amounts under this policy are not considered to be compensation for University benefit purposes, such as the University of California Retirement Plan, Retirement Savings Program, or employee life insurance programs. [A Description of Service \(DOS\) code of "HBO" has been established for paying hiring bonuses approved in accordance with this policy.](#)

G. Tax Treatment and Reporting

Under Internal Revenue Service Regulations, payment of a hiring bonus must be included in the employee's income as wages subject to withholding in the year paid for federal and state income taxes and applicable FICA taxes. The payment is reportable on the employee's Form W-2 in the year paid.

Any payments to SMG members under this policy will be reported to the President and The Regents in the *Annual Report on Executive Compensation*.

IV. APPROVAL AUTHORITY

A. Implementation of the Policy

The Vice President–Human Resources is the Responsible Officer for this policy and has the authority to implement the policy. [The Responsible Officer may apply appropriate interpretations to clarify policy provided that the interpretations do not result in substantive changes to the underlying policy. The Office of the President Human Resources, will work with the Responsible Officer of each policy to implement each policy.](#)

B. Revisions to the Policy

The Regents is the Policy Approver for this policy and has the authority to approve any policy revisions upon recommendation by the President.

The Vice President–Human Resources has the authority to initiate revisions to the policy, consistent with approval authorities and applicable [Bylaws](#) [link] and [Standing Orders](#) [link] of The Regents.

The Executive Vice President–Business Operations has the authority to ensure that policies are regularly reviewed and updated, and are consistent with the [Senior Management Group Compensation Policy Principles](#) [link] and other governance policies.

C. Approval of Actions

All actions within this policy, that exceed this policy, or that are not expressly provided for under any policy must be approved by The Regents.

V. COMPLIANCE

A. Compliance with the Policy

~~The Associate Vice President–Human Resources and Benefits is accountable for monitoring compliance with this policy.~~

The following roles are designated at each location to implement compliance monitoring responsibility for this policy:

The Top Business Officer and/or the Executive Officer at each location will designate the local [management](#) office to be responsible for the ongoing reporting of policy compliance, including collecting all relevant compensation package activity, and creating specified regular compliance reports (such as a monthly compensation compliance report) for review by the location’s Top Business Officer.

The Top Business Officer establishes procedures to collect and report information, reviews the specified regular compliance reports (such as a monthly compensation compliance report) for accuracy and completeness, reviews policy exceptions and/or anomalies to ensure appropriate approval has been obtained, and submits a copy of the compliance report to the Executive Officer for signature.

The Executive Officer is accountable for monitoring and enforcing compliance mechanisms, ensuring monitoring procedures are in place, approving the specified

regular compliance reports (such as a monthly compensation compliance report), and sending notice of final approval for the reports to the Senior Management Compensation Office, Top Business Officer, and local resources.

The Vice President–Human Resources is accountable for reviewing the administration of this policy. The Senior Vice President–Chief Compliance and Audit Officer will periodically ~~audit and~~ monitor compliance to these policies, and results will be reported to senior management and The Regents.

B. Noncompliance with the Policy

Noncompliance with the policy is handled in accordance with The Regents' *[Guidelines for Corrective Actions Related to Compensation Practices](#)* [link] and *[Guidelines for Resolution of Compensation and Personnel Issues Resulting from the Findings of Audits and Management Reviews](#)* [link].

Noncompliance is reported in the monthly compliance report from each location as approved by the Executive Officer and reviewed by the Senior Vice President–Chief Compliance and Audit Officer and The Regents at [least three times per fiscal year, each Regents' meeting.](#)

REVISION HISTORY

IMPLEMENTATION PROCEDURES

RELATED POLICIES

- [LBNL Hiring Bonus Program](#)
- [SMG Moving Reimbursement](#)
- [SMG Relocation Allowance](#)
- [Senior Management Group Compensation Policy Principles](#)
- [Guidelines for Corrective Actions Related to Compensation Practices](#)
- [Guidelines for Resolution of Compensation and Personnel Issues Resulting from the Findings of Audits and Management Reviews](#)

FREQUENTLY ASKED QUESTIONS

University-Provided Housing



Responsible Officer: Executive Vice President—Business Operations

Responsible Office: Business Operations

Effective Date: To be determined [by the Responsible Officer.](#)

Next Review Date: [\[The Responsible Officer will review the policy annually for update purposes, and will conduct a full review at least every three years.\]](#)~~To be determined~~

Who Is Covered: The President and Chancellors

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I. POLICY SUMMARY

The objective of this policy is to describe the requirements for the President and the Chancellor of each campus to live in University-provided housing as a condition of employment. It outlines the criteria, procedures and approval authority for requesting alternative housing arrangements when University-provided housing is unsuitable or uninhabitable, and describes the requirements for moving arrangements, both in and out of the residence.

II. POLICY DEFINITIONS

Capital Improvement Project: [Land or real property, construction, or capital equipment for construction included as a project in the University of California Capital Improvement Program. A project includes the erection, construction, alteration, repair, or improvement of any University of California structure, building, road, or other improvements.](#)

Exception to Policy: An action that exceeds what is allowable under current policy or that is not expressly provided for under policy. Any such action must be treated as an exception and must be reviewed and approved by The Regents.

Executive Officer: The President ~~for the Office of the President~~, or the Chancellor.

Members of the Household: The Internal Revenue Service (IRS) Regulations Section 1.217-2(b)(10) defines "members of the household" as other individuals who are members of the taxpayer's household, and who had the taxpayer's former residence and the [taxpayer's](#) new residence as their principal place of abode. A member of the taxpayer's household includes any individual residing at the taxpayer's residence who is neither a tenant nor an employee of the taxpayer.

Primary Residence: The dwelling where the Executive Officer actually lives and is considered as his/her legal residence for income tax purposes.

Temporary Housing Allowance: Funds approved by The Regents for an Executive Officer to use in covering temporary housing-related expenses (e.g., furnished temporary lodging, residential parking fees) when University-provided housing is unsuitable or uninhabitable. The terms and conditions for using the allowance will be determined and approved by The Regents.

Top Business Officer: [Executive Vice President – Business Operations for the Office of the President, Vice Chancellor for Administration, or the position responsible for the location's financial reporting and payroll as designated by the Executive Officer.](#)

III. POLICY TEXT

In recognition of the unique roles of the President and Chancellors (Executive Officers) in representing the University, The Regents of the University of California require Executive Officers, as a condition of their employment, to live in residences suitable for

carrying out their roles and required official duties. As part of their official duties, Executive Officers are responsible for extending official hospitality to important visitors and guests in conjunction with official functions (i.e., campus activities, alumni and development events, etc.).

The University, therefore, provides Executive Officers and members of their households with suitable housing [as their primary residence](#) to perform the administrative, ceremonial and social duties required of their respective positions. [This policy does not apply to Executive Officers serving in an approved acting or interim capacity.](#)

A. Taxability of Housing Benefit and Reporting Requirements

In accordance with IRS regulations issued under Internal Revenue Code section 119, the value of University-provided housing is not taxable to the Executive Officer because Executive Officers are required to occupy University-provided housing for the convenience of the University. Although housing is not taxable, some housing-related expenses, including those associated with support staff and equipment may be taxable.

Detailed IRS rules determine whether the University must report certain expenses as taxable income. For additional information regarding tax treatment and reporting requirements, as well as information on housing-related expenses that are taxable, refer to [Business and Finance Bulletin G-45, Implementing Requirements on Expenses Incurred in Support of Official Responsibilities of the President and Chancellors](#) [link]. Executive Officers should consult a personal tax advisor with questions about these requirements.

B. Renovation and Remodeling of Executive Officers' Residences

All capital improvements to the President's residence in excess of \$25,000 require the prior approval of The Regents. Capital improvements under \$25,000 require the prior approval of the Senior Vice President-Chief Compliance and Audit Officer.

Capital [improvement](#) projects [of a Chancellor's residence costing over \\$5,000,000 involving Chancellorial residences under \\$25,000](#) require the prior approval of ~~The Regents~~ [the Executive Vice President – Business Operations](#). [Capital improvement projects between All capital improvements involving Chancellorial residences that cost \\$25,000 to \\$5,000,000 inclusively](#) require the prior approval of the [University President](#). [Capital improvement projects greater than \\$5,000,000 require the prior approval of The Regents](#). In approving projects, [the approving authority must consider the University President will consider](#) the need and extent of the improvements and their benefit to the University. A list of such capital projects will be reported [annually](#) to The Regents ~~annually~~. ~~Capital improvements under \$25,000 require the prior approval of the Executive Vice President – Business Operations.~~

C. Alternative Housing Arrangements

If the President determines that the University-provided housing is ~~not unsuitable or uninhabitable~~ for supporting the Executive Officer's required range of duties [or is not habitable as a personal residence as a result of disrepair or other like reason](#), the President may ~~make a recommendation~~ to The Regents that the Executive Officer be [granted provided](#) other housing until [the University-provided housing is repaired](#)

~~or otherwise improved to suitable standards. the situation is remedied.~~ The President may make a request to The Regents for an alternative housing arrangement on his/her own behalf if he/she deems the University-provided housing is unsuitable ~~or uninhabitable~~ for the performance of presidential duties or is not habitable.

In evaluating such ~~a~~ requests, The Regents will consider, among other factors, decide whether to approve the terms and conditions of the proposed alternate housing, the appropriateness for another housing arrangement, including the approval of a temporary housing allowance and the fund-source of funds used to pay for the requested alternate housing, as appropriate.

D. Reimbursement of Expenses Associated with Moving In and Moving Out of University Housing

Upon commencement or termination of an Executive Officer's appointment or, if necessary, due to the nature of renovations to the Executive Officer's University-provided housing, the University will reimburse actual and reasonable expenses, as allowable under the SMG Moving Reimbursement Policy [link], related to removing the household goods and personal effects of the Executive Officer and members of his/her household to or from University-provided housing.

The reimbursement of actual and reasonable expenses associated with an Executive Officer's arrival into or removal from University-provided housing requires the approval of The Regents. In recommending reimbursement, the President will provide The Regents an estimate of moving expenses.

Procedures for reimbursement of expenses under this subsection are in accordance with the Implementation Procedures set forth in the SMG Moving Reimbursement Policy [link].

IV. APPROVAL AUTHORITY

A. Implementation of the Policy

Executive Vice President—Business Operations is the Responsible Officer for this policy and has the authority to implement the policy. The Responsible Officer may apply appropriate interpretations to clarify policy provided that the interpretations do not result in substantive changes to the underlying policy. The Office of the President Human Resources, will work with the Responsible Officer of each policy to implement each policy.

B. Revisions to the Policy

The Regents is the Policy Approver for this policy and has the authority to approve any policy revisions upon recommendation by the President.

Executive Vice President—Business Operations has the authority to initiate revisions to the policy, consistent with approval authorities and applicable [Bylaws](#) [link] and [Standing Orders](#) [link] of The Regents.

The Executive Vice President—Business Operations has the authority to ensure that policies are regularly reviewed and updated, and are consistent with the [Senior Management Group Compensation Policy Principles](#) [link] and other governance policies.

C. Approval of Actions

Approval of proposed actions covered by this policy is provided by the President and The Regents in accordance with Sections III – B, C, and D above.

V. COMPLIANCE

A. Compliance with the Policy

~~Executive Vice President—Business Operations is accountable for monitoring compliance with this policy.~~

The following roles are designated at each location to implement compliance monitoring responsibility for this policy:

The Top Business Officer and/or the Executive Officer at each location will designate the local [management](#) office to be responsible for the ongoing reporting of policy compliance, including collecting all relevant compensation package activity, and creating specified regular compliance reports (such as a monthly compensation compliance report) for review by the location's Top Business Officer.

The Executive Vice President—Business Operations establishes procedures to collect and report information, reviews the specified regular compliance reports (such as a monthly compensation compliance report) for accuracy and completeness, reviews policy exceptions and/or anomalies to ensure appropriate approval has been obtained, and submits a copy of the compliance report to the Executive Officer for signature.

The Executive Officer is accountable for monitoring and enforcing compliance mechanisms, ensuring monitoring procedures are in place, approving the specified regular compliance reports (such as a monthly compensation compliance report), and sending notice of final approval for the reports to the Senior Management Compensation Office, Top Business Officer, and local resources.

The Executive Vice President—Business Operations is accountable for reviewing the administration of this policy. The Senior Vice President- Chief Compliance and Audit Officer will periodically ~~audit and~~ monitor compliance to these policies, and results will be reported to senior management and The Regents.

B. Noncompliance with the Policy

Noncompliance with the policy is handled in accordance with The Regents' *Guidelines for Corrective Actions Related to Compensation Practices* [link] and *Guidelines for Resolution of Compensation and Personnel Issues Resulting from the Findings of Audits and Management Reviews* [link].

Noncompliance is reported in the monthly compliance report from each location as approved by the Executive Officer and reviewed by the Senior Vice President- Chief Compliance and Audit Officer and The Regents at least three times per fiscal year.
~~at each Regents' meeting.~~

REVISION HISTORY

As a result of the issuance of this policy, the following documents are rescinded as of the effective date of this policy and are no longer applicable:

- Regents Policy on University-Provided Housing, approved in December 10, 1992 and amended September 22, 2005
- Renovation and Remodeling of Chancellors' Residences and Offices, letter to the chancellors from President Dynes, dated March 22, 2006
- Implementing Requirements on Expenses Incurred in Support of Official Responsibilities of the President and Chancellors, letter and attachment to the chancellors from former Senior Vice President Mullinix, dated December 15, 2005

IMPLEMENTATION PROCEDURES

RELATED POLICIES

- *SMG Moving Reimbursement Policy*
- *Business and Finance Bulletin G-45 Implementing Requirements on Expenses Incurred in Support of Official Responsibilities of the President and Chancellors*
- *Senior Management Group Compensation Policy Principles*
- *The Regents' Guidelines for Corrective Actions Related to Compensation Policies*
- *Guidelines for Resolution of Compensation and Personnel Issues Resulting from the Findings of Audits and Management Reviews*
- *Guidelines for Resolution of Compensation and Personnel Issues Resulting from the Findings of Audits and Management Reviews*

FREQUENTLY ASKED QUESTIONS

Q: *Is the Executive Officer's spouse/domestic partner considered a member of the household for tax purposes? (Described in the **Definitions** section.)*

A: Members of the household for University-provided housing are defined by the Internal Revenue Service (IRS) Regulations Section 1.217-2(b)(10) as other individuals who are members of the taxpayer's household, and who had the taxpayer's former residence and have the new residence as their principal place of abode. A member of the taxpayer's household includes any individual residing at the taxpayer's residence who is neither a tenant nor an employee of the taxpayer.

Q: *Is the value of University-provided housing taxable to the Executive Officer?
(Described in paragraph A. of the **Policy Text** section.)*

A: Because Executive Officers are required to occupy University-provided housing for the convenience of the University, the value of such housing is not taxable to the Executive Officer.



Senior Management Group Automobile Allowance

Responsible Officer: Vice President–Finance

Responsible Office: Financial Management

Effective Date: To be determined [by the Responsible Officer.](#)

Next Review Date: [\[The Responsible Officer will review the policy annually for update purposes, and will conduct a full review at least every three years.\]](#) ~~To be determined~~

Who Is Covered: The following designated Senior Management Group (SMG) members:

- President
- Executive Vice Presidents
- [Senior Vice Presidents](#)
- Principal Officers of The Regents
- Chancellors
- Laboratory Director
- Council of Vice Chancellors–Academic Affairs
- Vice Chancellors for Development (or equivalent Vice Chancellor position)
- Medical Center Directors
- Individuals in an Acting Role ~~for~~ ~~one of~~ the [President, Chancellors, or Laboratory Director](#) ~~covered positions~~

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I. POLICY SUMMARY

This policy provides direction and authority for granting automobile benefits to designated Senior Management Group (SMG) members.

II. POLICY DEFINITIONS

Acting Role: An individual assuming 100% of the role and responsibilities of one of the covered positions under this policy.

Exception to Policy: An action that exceeds what is allowable under current policy or that is not expressly provided for under any policy. Any such action must be treated as an exception and must be reviewed and approved by The Regents

Executive Officer: The [University](#) President ~~for the Office of the President~~, Chancellor, or Laboratory Director.

Top Business Officer: Executive Vice President Business Operations for the Office of the President, Vice Chancellor for Administration, or the position responsible for the location's financial reporting and payroll as designated by the Executive Officer.

III. POLICY TEXT

A. *Approval of Automobile Allowance by The Regents*

Any SMG position that is recommended ~~to receive~~~~for designation for~~ an automobile allowance must be submitted by the President to The Regents for approval.

B. *Automobile Allowance*

Designated SMG members¹ receive a monthly cash allowance from the University, the amount of which will be announced annually by the Vice President–Finance in accordance with changes in the Consumer Price Index. For the current maximum cash allowance, see [Maximum Amounts for University-Leased Vehicles and Monthly Cash Allowances](#). [link] The cash allowance is paid to the SMG member as additional taxable wages in accordance with the procedures contained in [Accounting Manual E-821: Senior Manager Automobile Policy and Procedures Section III](#). [link]

C. *Reimbursement for Use of Privately-Owned Vehicle*

Designated SMG members who receive an automobile allowance will not receive additional reimbursement for the first 12,000 business miles traveled in a calendar year. Only business miles in excess of 12,000 miles a year will be reimbursed. The SMG member must provide mileage log documentation that the maximum yearly mileage has been exceeded.

¹ Includes all incumbent employees who currently receive an automobile allowance but ~~whose title is~~~~who~~ [are](#) not [designated-eligible](#) for an allowance under this policy.

Bridge and road tolls, parking fees, and other expenses set forth in [Business and Finance Bulletin G-28, Policy and Regulations Governing Travel](#) [link] may be reimbursed.

Procedures for reimbursement of University business travel and mileage reimbursement rates, as well as procedures required for insurance coverage and the reimbursement of collision damage costs related to the use of a privately-owned vehicle for official University business, are set forth in [Business and Finance Bulletin G-28, Policy and Regulations Governing Travel, Section VII.C.](#) [link] and [Appendix A.](#) [link]

D. Funding

Each location is responsible for funding its SMG automobile program. Laboratory SMG automobile allowances are provided by the Laboratory Administration Office. General Funds [\(19900\)](#) may not be used to support the SMG automobile program.

E. Treatment for Benefit Purposes

Amounts that are treated as wages under this policy are not considered to be compensation for University benefit purposes, such as the University of California Retirement Plan, Retirement Savings Program, or employee life insurance programs. [A Description of Service \(DOS\) code of “EAA” has been established for paying automobile allowances approved in accordance with this policy.](#)

F. Tax Treatment and Reporting

Under Internal Revenue Service (IRS) Regulations, payment of an automobile allowance must be included in the employee’s income as wages subject to withholding for federal and state income taxes and applicable FICA taxes. The payment is reportable on the employee’s Form W-2 in the year paid.

Any payments to SMG members under this policy will be reported to the President and The Regents in the *Annual Report on Executive Compensation*.

IV. APPROVAL AUTHORITY

A. Implementation of the Policy

The Vice President–Finance is the Responsible Officer for this policy and has the authority to implement the policy. [The Responsible Officer may apply appropriate interpretations to clarify policy provided that the interpretations do not result in substantive changes to the underlying policy. The Office of the President Human Resources, will work with the Responsible Officer of each policy to implement each policy.](#)

B. Revisions to the Policy

The Regents is the Policy Approver for this policy and has the authority to approve any policy revisions upon recommendation by the President.

The Vice President–Finance has the authority to initiate revisions to the policy, consistent with approval authorities and applicable [Bylaws](#) [link] and [Standing Orders](#) [link] of The Regents.

The Executive Vice President–Business Operations has the authority to ensure that policies are regularly reviewed and updated, and are consistent with the [Senior Management Group Compensation Policy Principles](#) [link] and other governance policies.

C. Approval of Actions

All actions within this policy, that exceed this policy, or that are not expressly provided for under any policy must be approved by The Regents.

V. COMPLIANCE

A. Compliance with the Policy

~~The Vice President–Finance is accountable for monitoring compliance with this policy.~~

The following roles are designated at each location to implement compliance monitoring responsibility for this policy:

The Top Business Officer and/or the Executive Officer at each location will designate the local [management](#) office to be responsible for the ongoing reporting of policy compliance, including collecting all relevant compensation package activity, and creating specified regular compliance reports (such as a monthly compensation compliance report) for review by the location’s Top Business Officer.

The Top Business Officer establishes procedures to collect and report information, reviews the specified regular compliance reports (such as a monthly compensation compliance report) for accuracy and completeness, reviews policy exceptions and/or anomalies to ensure appropriate approval has been obtained, and submits a copy of the compliance report to the Executive Officer for signature.

The Executive Officer is accountable for monitoring and enforcing compliance mechanisms, ensuring monitoring procedures are in place, approving the specified regular compliance reports (such as a monthly compensation compliance report), and sending notice of final approval for the reports to the Senior Management Compensation Office, Top Business Officer, and local resources.

The Vice President–Finance is accountable for reviewing the administration of this policy. The Senior Vice President–Chief Compliance and Audit Officer will periodically ~~audit and~~ monitor compliance to this policy, and results will be reported to senior management and The Regents.

B. Noncompliance with the Policy

Noncompliance with the policy is handled in accordance with The Regents’ [Guidelines for Corrective Actions Related to Compensation Practices](#) [link] and [Guidelines for Resolution of Compensation and Personnel Issues Resulting from the Findings of Audits and Management Reviews](#). [link]

Noncompliance is reported in the monthly compliance report from each location as approved by the Executive Officer and reviewed by the Senior Vice President–Chief Compliance and Audit Officer and The Regents at [least three times per fiscal year](#). ~~each Regents' meeting.~~

REVISION HISTORY

As a result of the issuance of this policy, the following document is rescinded as of the effective date of this policy and is no longer applicable:

- Revised University Policy Concerning Senior Management Automobiles, issued by President Dynes on January 29, 2007

IMPLEMENTATION PROCEDURES

RELATED POLICIES

- [Maximum Amounts for University-Leased Vehicles and Monthly Cash Allowances](#)
- [Accounting Manual E-821: Senior Manager Automobile Policy and Procedures Section III](#)
- [Business and Finance Bulletin G-28: Policy and Regulations Governing Travel, and Appendix A](#)
- [Senior Management Group Compensation Policy Principles](#)
- [Guidelines for Corrective Actions Related to Compensation Practices](#)
- [Guidelines for Resolution of Compensation and Personnel Issues Resulting from the Findings of Audits and Management Reviews](#)

FREQUENTLY ASKED QUESTIONS

[Q: Is the Associate of the Chancellor/President covered by the policy?](#)

[A: The Associates are not covered under the policy, nor are they eligible to receive an automobile benefit under any other policy, but they are eligible to be reimbursed for their mileage when traveling on behalf of the University.](#)

Q: Under what circumstances can an SMG member covered under this policy be reimbursed for the use of a privately-owned vehicle for University business purposes?

A: Once an SMG member has exceeded 12,000 University business miles in a year, he/she may be reimbursed for the use of his/her own vehicle [in accordance with rates published in Business and Finance Bulletin G-28](#). No reimbursement will be granted if University business mileage is less than 12,000 miles per year. See Section III.C. of the policy.

Senior Management Group Moving Reimbursement



Responsible Officer: Vice President– Finance

Responsible Office: Financial Management

Effective Date: To be determined by the Responsible Officer.

Next Review Date: [The Responsible Officer will review the policy annually for update purposes, and will conduct a full review at least every three years.] ~~To be determined~~

Who Is Covered: Members of the Senior Management Group, including those with underlying academic appointments [Note: an effort is underway by Academic Advancement to review compensation and related policies and to develop appropriate monitoring and reporting processes for Deans. Until those policies and processes are developed and approved by The Regents, Deans remain in the Senior Management Group and are covered by the applicable SMG policies and procedures.]

The SMG Moving Reimbursement policy and procedures do not apply to Senior Management Group employees at the Lawrence Berkeley National Laboratory (LBNL). See *LBNL Regulations and Procedures Manual §4.01- Relocation Policy* [link].

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This policy describes requirements and process for the reimbursement of moving and relocation expenses for Senior Management Group employees. It clarifies who is eligible to receive reimbursement of moving and relocation expenses, defines what types of expenses are reimbursable, and outlines the process for obtaining reimbursement. The policy supports the University's objective to attract and retain talented individuals by offering competitive and fair benefits to help offset the costs associated with moving a Senior Management Group appointee to a new location.

II. POLICY DEFINITIONS

Common Carrier: An organization that offers its services to the public to transport goods from one place to another.

Domestic Partner: A domestic partner ~~means the is an~~ individual designated as an employee's domestic partner under one of the following methods:

- 1) Registration of the partnership with the State of California;
- 2) Establishment of a same-sex legal union, other than marriage, formed in another jurisdiction that is substantially equivalent to a State of California-registered domestic partnership; or
- 3) Filing of a Declaration of Domestic Partnership form with the University.

If an individual has not been designated as an employee's domestic partner by any of the foregoing methods, the following criteria are applicable in defining domestic partner:

- each individual is the other's sole domestic partner in a long-term, committed relationship with the intention to remain so indefinitely;
- neither individual is legally married, a partner in another domestic partnership, or related by blood to a degree of closeness that would prohibit legal marriage in the State of California;
- each individual is 18 years of age or older and capable of consenting to the relationship;
- the individuals share a common residence; and
- the individuals are financially interdependent.

Exception to Policy: An action that exceeds what is allowable under current policy or that is not expressly provided for under policy. Any such action must be treated as an exception and must be reviewed and approved by The Regents.

Executive Officer: The University President ~~for the Office of the President, or the Chancellor, or Laboratory Director~~.

~~Members of the household: Any person residing at the appointee's former primary residence, other than a tenant or appointee of the tenant, who moves to the new primary residence, including an appointee's domestic partner.~~

