

AMENDED IN SENATE JUNE 15, 2016

AMENDED IN ASSEMBLY MAY 9, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2294

Introduced by Assembly Member Gomez

February 18, 2016

An act to add Section 89511 to the Education Code, relating to the California State University.

LEGISLATIVE COUNSEL'S DIGEST

AB 2294, as amended, Gomez. The California State University: employees: leaves of absence without loss of compensation.

Existing law establishes the California State University, under the administration of the Board of Trustees of the California State University, as one of the 3 segments of public postsecondary education in California. Existing law requires the trustees to provide by rule for the government of their appointees and employees, and authorizes the trustees to grant a leave of absence without compensation to any nonacademic employee.

This bill would require the ~~trustees~~ *California State University* to grant to any employee, upon a request that provides at least 30 days notice before ~~commencement~~, *commencement and, when possible, 30 days notice before the academic term*, a leave of absence without loss of compensation, including retirement fund contributions, for the purpose of enabling the employee to serve as an elected officer of any California State University campus public employee organization or any statewide or national public employee organization with which the university campus organization is affiliated. The bill would require the

university or campus of the university to be reimbursed by the employee organization for all compensation paid during the leave of absence. The bill also would provide that the leave of absence without loss of compensation provided by these provisions would be in addition to the released time without loss of compensation granted to representatives of an exclusive representative for purposes of meeting and conferring or for the processing of grievances.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 89511 is added to the Education Code,
2 to read:

3 89511. (a) (1) ~~The trustees~~ *California State University* shall
4 grant to any employee, upon a request that provides at least 30
5 days notice before commencement, a leave of absence without
6 loss of compensation for the purpose of enabling the employee to
7 serve as an elected officer of any California State University
8 campus public employee organization or any statewide or national
9 public employee organization with which the university campus
10 organization is affiliated.

11 (2) *When possible, the employee shall provide the request*
12 *described in paragraph (1) at least 30 days before the start of the*
13 *academic term during which the leave will occur.*

14 (b) The leave shall include, but is not limited to, absence for
15 purposes of attendance by the employee at periodic, stated, special,
16 or regular meetings of the body of the organization on which the
17 employee serves as an officer. Compensation during the leave shall
18 include retirement fund contributions required of the university or
19 a campus of the university as employer. Required retirement
20 contributions shall include the amount necessary to pay any
21 unfunded liability cost for the retirement plan. The employee shall
22 earn full service credit during the leave of absence and shall pay
23 member contributions as prescribed by Chapter 8 (commencing
24 with Section 20671) of Part 3 of Division 5 of Title 2 of the
25 Government Code. The maximum amount of the service credit
26 earned shall not exceed 12 calendar years. Any employee who
27 serves as a full-time officer of a public employee organization

1 shall not be eligible for disability benefits under the Public
2 Employees' Retirement System while on the leave of absence.

3 (c) Following the university's or campus of the university's
4 payment of the employee for the leave of absence, the university
5 or campus of the university shall be reimbursed by the employee
6 organization of which the employee is an elected officer for all
7 compensation paid the employee on account of the leave.
8 Reimbursement by the employee organization shall be made within
9 10 days after its receipt of the certification of payment of
10 compensation to the employee.

11 (d) The leave of absence without loss of compensation provided
12 for by this section is in addition to the released time without loss
13 of compensation granted to representatives of an exclusive
14 representative by Section 3569 of the Government Code.

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