

AGENDA ITEM 11

REVIEW AND DISCUSSION OF BOARD MEMBER PER DIEM POLICY AND APPROVAL PROCESS.

Chapter 8. Travel Policies, Procedures, and Per Diem

Travel Approval

*Board Policy – February 21, 2008
Revised December 1, 2011*

Board members shall have the Board President's approval for all travel except for regularly scheduled Board and Committee meetings to which the Board member is assigned.

Arrangements for Board member travel are made by Board members or the Board's staff.

Arrangements for Committee member travel are made by the Board's staff.

If a conference is held out of state, the President and/or Executive Officer may only attend if an Out of State Travel Request has been approved by the Department of Finance. If the conference is not an approved OST, there will be no per diem or reimbursement for travel-related expenses and the individual may not represent the Board.

Claims for Reimbursement of Travel-related expenses

Board Policy – February 21, 2008

Board members shall have the Board President's approval for all travel except for regularly scheduled Board and Committee meetings to which the Board member is assigned, subject to DCA policy.

The California Department of Human Resources, the Department of Consumer Affairs, and the State Administrative Manual set for the rules governing reimbursement of travel expenses for Board members. All expenses shall be claimed on the appropriate travel expense claims forms. Board staff shall maintain these forms and complete them as needed. Board Members should submit their travel expense forms immediately after returning from a trip and no later than two weeks following the trip.

For the expenses to be reimbursed, Board Members shall follow the procedures contained in DCA Departmental Memoranda, which are periodically disseminated by the Executive Officer and are provided to Board Members.

Per Diem

*B&P § 103
Board Policy – February 21, 2008)
Revised December 1, 2011*

Business and Professions Code Section 103 regulates compensation in the form of per diem salary and reimbursement of travel and other related expenses for Board members. In relevant part, this section provides for the payment of per diem salary for Board members "for

***Per Diem
(Cont.)***

each day actually spent in the discharge of official duties,” and provides that the Board member “shall be reimbursed for traveling and other expenses necessarily incurred in the performance of official duties.”

Business and Professions Code Section 103 also states:

“Notwithstanding any other provision of law, no public officer or employee shall receive per diem salary compensation for serving on those boards, commissions, committees, or the Consumer Advisory Council on any day when the officer or employee also received compensation for his or her regular public employment.”

Accordingly, the following general guidelines shall be adhered to in the payment of per diem salary, or reimbursement for travel:

1. Board members shall be paid per diem salary for attendance at official Board and Committee meetings of which they are members. Board members cannot claim per diem salary for time spent traveling to and from a Board or Committee meeting. Per diem salary shall not be paid for preparation time for Board or Committee meetings, which would include such things as reading the meeting materials.

Where it is necessary for a Board member to leave early from a meeting, the Board President shall determine if the member has provided a substantial service during the meeting and, if so, shall authorize payment of salary per diem and reimbursement for travel-related expenses.

2. Board members shall be paid per diem salary for attendance at education and outreach events, or other events including but not limited to hearings, conferences or meetings other than official Board or Committee meetings that are approved in advance by the Board President and consistent with a “substantial service”. The Executive Officer shall be notified of the event prior to the Board member’s attendance. Board members will be compensated for actual time spent attending events other than official Board of Committee meetings, and preparation time for said

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events, based on submission of an approved attendance form. Per diem salary shall be paid upon evidencing six (6) hours of actual time spent. Hours may be accumulated over several events to meet this requirement.

3. Board-specified work and performance of state roles or additional assigned duties, Board members will be compensated for actual time spent performing work authorized in advance by the Board President based on submission of an approved attendance form. Per diem salary shall be paid upon evidencing six (6) hours of actual time spent. Hours may be accumulated for Board-specified assignments to meet this requirement.

Extract from May 9-10, 2019, Board meeting minutes

23. Discussion and clarification on per diem policy in updated Board Administrative Manual.

Ms. Miller expressed her concern that the appointed Board President should not be put in the position of having oversight of the rest of the Board members and feels it should be a function of Board staff whom are not appointed but employed by the State of California and then subsequently reported to the Board President by staff.

Ms. Martin stated her reasoning for staff not being involved had to do with references throughout the Board Administrative Manual's Per Diem policy the language references 'Board President approval being needed for activities' and this form is consistent with that.

Legal Counsel Reza Pejuhesh reviewed four issues for Board consideration to the Per Diem section.

- The Board members agreed that they should not be paid for the actual time (hours) spent traveling.
- The Board members agreed to remove "as defined" from sixth line of item two in the section.
- The Board members agreed to add the word 'for' to the introduction of paragraph three.
- The Board members agreed that paragraph four is acceptable as written.

The Board members agreed to add a checkbox to account for the signature lines on the fillable pdf form to claim per diem and to forward their completed form directly to the Board President.

- Richard Bookwalter moved to remove 'as defined' from the per diem policy, add the word 'for' to the policy and add directions that the completed form be sent to the President of the Board.
- Jeff Ferro seconded the motion.

Public Comment

There was no public comment.

The motion passed.

Email sent to the BMs.

 Reply  Reply All  Forward  IM



Tue 7/9/2019 11:35 AM

Quesada, Jody@DCA

Fillable **Per Diem** PDF

To

cc  Hayth, Laura@DCA;  Heather Martin;  Morcos, Beata@DCA;  Pavlovich, Sharon@DCA;  Miller, Denise@DCA;  Ferro, Jeffrey@DCA



Board Member Attendance Rev July 2019.docx
102 KB

Good Afternoon!

Attached is the **Per Diem** form that was updated following the May 9-10, 2019 Board meeting. The motion at that meeting required the form be fillable and that the form be emailed to the Board President's DCA email account. The completed forms will be submitted with timesheets at the beginning of the month following receipt.

Have a great day and I look forward to seeing you this Friday.

Jody Quesada Novey

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