

**California Department of Human Resources
Memorandum**

TO: Personnel Management Liaisons (PML)

SUBJECT: Bar Association Dues Reimbursement	REFERENCE NUMBER: 2015-032
DATE ISSUED: November 20, 2015	SUPERSEDES: 2014-048

This memorandum should be forwarded to:

**Personnel Officers
Accounting Officers
Employee Relations Officers
Travel and Relocation Liaisons**

FROM: California Department of Human Resources
Labor Relations Division

CONTACT: Pam Manwiller, Deputy Director of Labor Relations
(916) 323-7995
Fax: (916) 322-0765
Email: pam.manwiller@calhr.ca.gov

This memorandum describes the amount the state will pay or reimburse employees towards the 2016 State Bar membership dues, and related provisions. This PML supersedes 2014-048. The State Bar's deadline for payment of 2016 membership dues is February 1, 2016.

1. How much of the 2016 dues will the state pay?

Departments are required to pay \$380 of the 2016 State Bar membership fee of \$430 for employees in Bargaining Unit 2 and affiliated excluded employees if State Bar membership is required as a condition of employment.

The state does not pay:

- The \$10 portion that funds the State Bar's Legislative Activity (\$5) and Bar Relations and Elimination of Bias (\$5) with voluntary bar associations, lines 21 and 22 of the State Bar coupon;
- The \$40 contribution for the Legal Services Assistance option, line 23 of the State Bar coupon;
- Optional donations to the Conference of Delegates of California Bar Associations, Foundation of the State Bar, or the California Supreme Court Historical Society; nor

- Penalties resulting from late payment of dues, unless the state is responsible for the late payment.

For employees who work less than full time, or less than one year, the department may prorate the reimbursement.

2. Will the state pay local or specialty bar dues?

The state will pay up to \$100 annually for job-related local or specialty bar dues, if State Bar membership is required as a condition of employment. The employee may be reimbursed for more than one local or specialty bar as long as the total reimbursement does not exceed \$100.

Excluded employees may be reimbursed for job-related local or specialty bar dues at the discretion of the department. In such cases, the department also determines the reimbursable amount. The department may prorate the amount for employees working less than full time.

3. What if State Bar membership is not required as a condition of employment?

For rank-and-file employees in Bargaining Unit 2 who are *not* required to be members of the State Bar as a condition of employment, the department may provide one of the following:

- a. Reimbursement of the \$380 portion of State Bar dues described in Question 1 (the reimbursable amount for an “inactive” membership would be \$155); or
- b. Two (2) Professional Development Days (PDD), per Unit 2, Memorandum of Understanding, Article XIII, Section 13.7., B.

Option “a” is available only for employees who are eligible to be State Bar members. Unit 2 employees who are not attorneys are entitled to only option “b”.

The department may prorate PDD for employees who work less than full time and/or less than a full year.

PDD must be requested and approved in the same manner as vacation or annual leave.

4. What are the methods of reimbursing or paying bar dues?

Direct payment: The department may pay membership fees directly to the State Bar, following the procedures outlined below. However, use the reimbursement method (described in the Reimbursement section below), not direct payment, for employees choosing to pay any optional fees (itemized on lines 19-23 of the membership dues statement).

- a. No later than January 11, 2016 (which is approximately three weeks before the February 1, 2016 payment deadline), employees must provide the original remittance (coupon) portion of their membership dues statement to the person designated by the department to handle payment of bar dues. Lines 19 and 20 must show "0" to indicate that no optional payments are included, and line 21 ("Legislative Activity") and line 22 ("Bar Relations and Elimination of Bias") must show that \$5 has been deducted for each of these items. Line 23 ("Legal Services Assistance") must show that \$40 has been deducted.
- b. Departments are to prepare a list of employees for whom the department is paying State Bar dues, batch the coupons, and prepare one check for dues and section fees, payable to "California State Bar." Send the check, list, and batched coupons together in one envelope addressed to:

State Bar of California
Attention: Membership Services
180 Howard Street
San Francisco, CA 94105-1639

- c. If the department receives an employee's membership dues statement after January 11, 2016, the department still has the option to pay the dues directly, or it may reimburse the employee, as described below.

Reimbursement: The Department may reimburse individual employees. Employees who request reimbursement must include proof of payment, a copy of their annual membership dues statement, and a copy of their membership card.

5. Are excluded employees entitled to other reimbursement?

Excluded employees are entitled to reimbursement for up to \$100 annually for membership dues of a professional organization or for a job-related professional license fee that is directly related to the employee's professional discipline.

6. Where can I find more information on this topic?

The information in this memorandum is based in part on Article 13.7 of the Bargaining Unit 2 contract and Title 2, sections 599.921 of the California Code of Regulations.

If you have further questions, please contact Pam Manwiller at the phone number or email listed at the top of this memorandum.

/s/Pam Manwiller

Pam Manwiller
Deputy Director of Labor Relations

STATE OF CALIFORNIA