

State of California

**M E M O R A N D U M**

**TO:** PERSONNEL MANAGEMENT LIAISONS **DATE:** July 26, 2002  
**REFERENCE CODE:** 2002-043

**THIS MEMORANDUM SHOULD BE DISTRIBUTED TO:**

Employee Relations Officers  
Personnel Officers  
Training Officers

**FROM:** Department of Personnel Administration  
Labor Relations Division

**SUBJECT:** Bona Fide Associations - Access to State Facilities

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A number of State departments have recently been approached by bona fide associations requesting access to State office facilities. This memorandum clarifies the purpose and rights of bona fide associations under the law.

Please share this memorandum with your agency's field offices and facilities.

Bona Fide Association Defined

Government Code Section 1150(d) defines **bona fide association** as "an organization of employees and former employees of an agency of the State and the California State University, and which does not have as one its purposes representing these employees in their employer-employee relations."

Department of Personnel Administration (DPA) Rule 599.866 further defines **bona fide association** as "an organization of employees and former employees of the State including affirmative action advocacy groups and professional organizations which do not have as one their purposes the representing of employees in their relations with the State."



### Registration with DPA

Bona fide associations are required to register with DPA on or about July 1 of each calendar year. Registration as a bona fide association means that the organization has filed the appropriate paperwork and that DPA has determined that the organization's Constitution and bylaws satisfy the legal requirements for registration as a bona fide association.

The most important benefit an organization derives from registration with DPA as a bona fide association is eligibility for automatic dues deduction through the State Controllers Office payroll system.

### Access to State Facilities

Registration as a bona fide association does not authorize the organization access to State-owned or State-leased property. Facility management is responsible for ensuring facility security and the continuity of State operations. Accordingly, facility management retains full authority over the control of organizational access and organizational activities at the office or facility location.

As a rule of thumb, DPA recommends that bona fide associations be allowed the same access to the facility as the general public and charitable organizations. Generally, access would be appropriate for non-commercial purposes (e.g., membership recruitment) in public areas, such as cafeterias, breakrooms, etc. Access to office work areas would be inappropriate as disruptive to office operations.

### Commercial Activities

Commercial activity is defined in Motor Vehicle Code Section 1851 as "any activity or action, undertaken in whole or in part by one or more business entities and/or individuals, whose purpose in whole or in part, directly or indirectly, is to derive or realize a present or future financial gain for the individual(s) or business entity or entities."

Registration as a bona fide association does not authorize the organization to conduct sales or other commercial activities on State owned or State leased property. A permit issued by the California Highway Patrol is required to conduct commercial activity on State property (Motor Vehicle Code Section 1855).



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Questions regarding this PML may be directed to me at (916) 324-0476  
or CALNET 454-0476.

A handwritten signature in cursive script, appearing to read 'GMA', with a long horizontal flourish extending to the right.

Gloria Moore Andrews  
Chief of Labor Relations