



ROBERT J. BIRGENEAU  
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February 1, 2011

VICE CHANCELLOR – ADMINISTRATION & FINANCE

RE: Delegations of Authority held by the former Vice Chancellor – Administration position

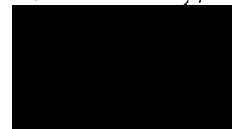
This is to confirm that all Presidential delegations of authority (listed below) formerly held by the Vice Chancellor – Administration position, are now re-delegated to the position of Vice Chancellor – Administration & Finance, effective immediately.

- DA 0124 Authority to sign Documents in Connection with use of Alcohol
- DA 0303 Authority to Adopt Traffic Regulations
- DA 0342 Payroll Deductions for Charitable Contributions
- DA 0349 Health Service Fees for Summer Session Students
- DA 0415 Found and Unclaimed Property
- DA 0447 Minimum Benefit Criteria for Health Insurance Coverage of Foreign Students
- DA 0483 Release of University Surplus Property
- DA 0554 University Approval of Liquor Licenses for Campus Facilities
- DA 0782 To File Actions in Small Claims Court
- DA 0828 Classification Authority for Staff Personnel Positions (Pending Union Negotiations)
- DA 0864 Policy to Permit Use of the University's Name
- DA 0865 Policy to Permit Use of the Unofficial Seal
- DA 0881 Salary Advances to newly Employed Aliens
- DA 0882 Approval of Individual Exceptions Regarding Premium Overtime
- DA 0886 Demotion or Downward Reclassification, Exceptions to Adjustment Upon
- DA 1058 Execution of Agreements
- DA 1064 Third Party Agreements, University Vanpool Programs
- DA 1084 Compensation for Administrative and Professional Staff (A&PS) Health Care Titles
- DA 1097 Claims against Debtors in Bankruptcy and against Estates
- DA 2027 Authorization to Implement Revised UC Relocation Regulations
- DA 2055 Declaration of Official Intent to Reimburse Capital Expenditures from Proceeds of Indebtedness
- DA 2068 Uniform Replacement Allowances (Staff policy 35)
- DA 2069 Reduced Fee Enrollments – Exceptions to Staff Policy 5I
- DA 2070 Exceptions to Staff Policy 30.L, Restrictions (Additional Compensation)

- DA 2071 Compensation for Overtime, Exceptions to Staff policy 32.C
- DA 2073 Compensation for Holiday Work, Exceptions to Staff Policy 40.D.2
- DA 2074 Ancillary Pay Practices
- DA 2075 Classification Authority for Professionals/ Support Staff and Manager/  
Senior Professional Positions
- DA 2076 Fair Labor Standards Act (FLSA) Exemption Status
- DA 2085 Establishment of Catastrophic Leave Sharing Program
- DA 2096 Execution of Certifications of Application for Hazard Mitigation Grant Program  
(HGMP)
- DA 2100 Execution of Purchase Contract, Subcontracts, and Standard Purchase Orders for  
Materials, Goods and Services to be Supplied to the University
- DA 2106 To Enter into Written Agreements with Local Law Enforcement Agencies  
Consistent with California Education Code Section 67381
- DA 2196 To Write Off Bad Debts
- ✓ DA 2222 To Approve Settlements of Claims and Separation Agreements With a Value of  
\$100,000 or Less and Voluntary Separation Program Agreements of Less than  
\$50,000
- DA 2229 Transfer of Funds for Minor Capital Improvement Projects
- DA 2230 Amendments to the Capital Improvement Program for Non-State Funded Minor  
Capital Improvement Projects with a Total Project Cost Not to Exceed \$750,000, for  
Non-State-Funded Major Capital Improvements with a Total Project Cost Not to  
Exceed \$5,000,000

Any re-delegation of the above authorities shall be in writing, with a copy to the Campus Delegations of Authority Coordinator. Please contact Campus DA Coordinator Cindy Major, Chancellor's Communications and Resource Center, @ 2-3115 or [cmajor@berkeley.edu](mailto:cmajor@berkeley.edu) with any concerns you may have regarding these delegations of authority.

Yours sincerely,



Robert J. Birgeneau

cc: Associate Chancellor B. FitzPatrick  
 Associate Chancellor L. Williams  
 Chief Campus Counsel C. Patti  
 Director - Audit & Advisory Services W. Riley  
 Campus Delegations Coordinator C. Major

# UNIVERSITY OF CALIFORNIA, BERKELEY

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May 29, 2009

DA 2222

VICE CHANCELLOR – ADMINISTRATION

RE: *Delegation of Authority 2222 – To Approve Settlement of Claims and Separation Agreements With a Value of \$100,000 or Less*

On November 20, 2008, The Regents approved a new *Policy on Settlement of Litigation, Claims and Separation Agreements* (available online at: <http://www.universityofcalifornia.edu/regents/policies/6126.html>). The new Policy amends the Policy on Settlement of Litigation and Non-Employee Claims (approved in September 1995 and amended in July 2000 and May 2006), and replaces the Interim Policy on Separation Agreements and Settlement of Employee Claims.

The *Policy on Settlement of Litigation, Claims and Separation Agreements* authorizes the President to approve claims and separation agreements with a value of \$500,000 or less. As used in the Policy, a “claim” is a disputed demand for payment from an entity or individual (including employees) made other than through litigation (litigation is defined as legal proceedings in the form of a lawsuit, arbitration proceeding, or internal or external administrative proceeding; settlements involving litigation must go through the General Counsel). A “separation agreement” is an agreement with an employee by which the employee separates from University employment, but which does not involve a claim or litigation. Commercial negotiations to adjust amounts payable under a contract shall not be treated as claims.

In accordance with President Yudof’s May 29, 2009 letter to the Chancellors, I am re-delegating to the Vice Chancellor - Administration, the authority to approve settlements of non-litigated claims and separation agreements for employment matters of non-academic personnel, when the consideration paid or received is \$100,000 or less. Litigated settlements must be reviewed and approved by the Office of General Counsel or The Regents. Separation or settlement agreements in non-litigated employment matters involving consideration of more than \$100,000 will require approval by the President and the proposed agreement must be submitted to me for forwarding to the President.

*The delegation of authority to approve settlements of non-litigated claims and separation agreements for employment matters of academic personnel has been delegated to the Executive Vice Chancellor and Provost.*

Notwithstanding the foregoing, all settlements of litigation and claims and separation agreements for Officers of the University or Officers of The Regents will require approval by The Regents, as will any settlements or separation agreements that involve significant questions of University policy.

A report of settlements and separation agreements involving consideration of \$50,000 or more must be transmitted to the General Counsel through your campus counsel for required reporting to The Regents.

This letter replaces Delegation of Authority 2214 issued on December 12, 2008.

If you have any questions or concerns regarding this delegation of authority, please contact Cindy Major, Campus Delegations Coordinator, at the Chancellor's Communications & Resource Center, 2-3115 or [cmajor@berkeley.edu](mailto:cmajor@berkeley.edu).

Yours sincerely,

A solid black rectangular box used to redact the signature of Robert J. Birgeneau.

Robert J. Birgeneau

cc: Universitywide Policy Coordinator N. Capell  
Executive Vice Chancellor & Provost G. Breslauer  
Associate Vice Chancellor - Health & Human Services S. Lustig  
Associate Chancellor L. Williams  
Chief Campus Counsel & Associate General Counsel M. Smith  
Associate Chancellor B. FitzPatrick  
Director - Audit & Advisory Services Wanda Lynn Riley  
Campus Delegations Coordinator C. Major



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May 29, 2009

**CHANCELLORS  
DIRECTOR, LAWRENCE BERKELEY NATIONAL LABORATORY**

**Delegation of Authority--To Approve Settlements of Claims and Separation Agreements With a Value of \$100,000 or Less and Voluntary Separation Program Agreements of Less Than \$50,000**

On November 20, 2008, The Regents issued a new *Policy on Settlement of Litigation, Claims and Separation Agreements* (available online at: <http://www.universityofcalifornia.edu/regents/policies/6126.html>). The new Policy amended the *Policy on Settlement of Litigation and Non-Employee Claims* (approved in September 1995 and amended in July 2000 and May 2006), and replaced the *Interim Policy on Separation Agreements and Settlement of Employee Claims*.

The *Policy on Settlement of Litigation, Claims and Separation Agreements* authorizes the President to approve claims and separation agreements with a value of \$500,000 or less. As used in the Policy, a "claim" is a disputed demand for payment from an entity or individual (including employees) made other than through litigation (litigation is defined as legal proceedings in the form of a lawsuit, arbitration proceeding, or internal or external administrative proceeding; settlements involving litigation must go through the General Counsel). A "separation agreement" is an agreement with an employee by which the employee separates from University employment, but which does not involve a claim or litigation. Commercial negotiations to adjust amounts payable under a contract shall not be treated as claims.

With the exception of separation agreements reached through Local Voluntary Separation Programs, you are authorized to approve settlements of non-litigated claims and separation agreements for matters under your respective jurisdictions, when the consideration paid or received is \$100,000 or less. Litigated settlements must be reviewed and approved by the Office of General Counsel. Per the Implementation Guidelines for Local Voluntary Separation Programs (VSP), individual VSP severance payments cannot exceed \$75,000 and any individual payment of \$50,000 to \$75,000 must be approved by the President (see DA ~~2188~~, April 3, 2009 and the VSP Guidelines at <http://www.ucop.edu/ucophome/coordrev/da/da2218guidelines.pdf>). *→ correct # is "2218"*

All settlements of litigation and claims and separation agreements for Officers of the University or Officers of The Regents will require approval by The Regents, as will any litigated settlements or separation agreements that involve significant questions of University policy.

A report of settlements and separation agreements involving consideration of \$50,000 or more must be transmitted to the General Counsel through your campus counsel for required reporting to The Regents.

This letter replaces Delegation of Authority ~~2144~~\* 2214 issued on December 12, 2008.

[original signed by M. Yudof]

Mark G. Yudof  
President

cc: Executive Vice President, Business Operations  
Members, President's Cabinet  
Principal Officers of the Regents  
Universitywide Policy Office

\*typographical error: correct # is "2214"