



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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To: Commissioners Cardenas, Hatch, and Hayward

From: Erin V. Peth, Executive Director
Loressa Hon, Chief of Administration
John Feser, Senior Counsel, Legal Division

Subject: Commissioner Compensation and Reimbursement Policy

Date: June 11, 2018

On February 15, 2018, the Commission adopted a Compensation and Reimbursement Policy for members of the Commission (attached). Subsequently, Commissioners have sought clarification on the policy, including what activities are compensable under the policy. Below is a summary of how staff has interpreted the policy.

(a)(1) Commission Meeting Days (Regular and Special Meetings)

- Compensation of \$100 for each day for Commission meetings, which includes any travel time on that same day.

(a)(2) Performing Official Duties on Days Other Than Commission Meeting Days

- Compensation of \$12.50 per hour for performing “official duties” on days other than Commission meeting days, which includes but is not limited to:
 1. Preparing for meetings or hearings of the Commission
 2. Performing activities deemed by the Chairman and Executive Director to be essential to the functioning of the Commission, such as attending meetings (other than Commission meetings) for the purpose of discharging the duties imposed upon the Commission.
 3. “Necessary travel” in connection with compensable official duties performed outside of Commission meeting day, including travel to and from of attending the Commission meeting.
 4. Activity is authorized in advance by the Commission (such as a speech, public appearance or similar activity).

After being asked by Commissioners, the Legal Division has advised that the following activities are properly compensable as “preparing for meetings or hearings of the Commission”:

- Querying the Chair or staff about items on the agenda
- Making travel arrangements to and from the Commission meetings
- Conferring with the Chair or any other Commissioner about an agenda item
- Reviewing portions of video transcripts of Commission meetings held prior to a Commissioner’s tenure to prepare for an agenda item scheduled to come before the Commission

- Correspondence with staff about one or more scheduled agenda items
- Studying the Commissioners' Manual

“Official duties” also encompasses the performance of “activities deemed by the Chairman and Executive Director to be essential to the functioning of the Commission.” Commissioners have inquired whether the specific activities below are essential to the functioning of the Commission.

In the absence of a Chair, the Executive Director has concluded that the following duties are essential to the functioning of the Commission, and therefore, compensable. If a Commissioner disagrees with that conclusion, the Executive Director awaits further direction.

- Completing a Form 700 (Statement of Economic Interests)
- Identifying and submitting documents for Public Record Act requests
- Completing the mandatory ethics course

In the absence of a Chair, the Executive Director seeks a decision from the Commission as to whether the following duties are essential to the functioning of the Commission, and therefore, compensable.

- Reviewing the FPPC's daily news clips
- Answering press inquiries
- Preparing and submitting monthly time sheets & expense claims

b. Commission Approval

- Any claim for compensation for preparing for meetings or hearings of the Commission which exceeds forty hours of preparation (not including Commission meeting day) in a calendar month must be approved by the Commission during a regularly-scheduled Commission meeting.

Once the Commission has made a final determination on how to interpret the policy, the Administration Division will create new timesheets for the Commissioners to submit their reimbursement claims.



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**Compensation and Reimbursement for Members of the Fair Political Practices Commission
Approved by Commission on February 15, 2018**

This policy defines the circumstances under which members of the Fair Political Practices Commission, other than the Chairman, shall be entitled to compensation and reimbursement in connection with the performance of their official duties.

(a) Compensation.

- (1) A member of the Commission shall receive \$100.00 for each day during which the member attends all or part of a regular or special meeting of the Commission, a meeting of a committee of the Commission or a hearing conducted by the Commission.
- (2) A member of the Commission shall receive \$12.50 per hour, not to exceed \$100.00 per day, for performing official duties on days other than Commission meetings or hearing days. "Official duties" include: preparing for meetings or hearings of the Commission; performing activities deemed by the Chairman and Executive Director to be essential to the functioning of the Commission, such as attending meetings, other than Commission meetings, for the purpose of discharging the duties imposed upon the Commission; and engaging in necessary travel in connection with compensable official duties. "Necessary travel" means time spent away from home between 9:00 a.m. and 5:00 p.m. Monday through Friday as a result of the performance of official duties. Official duties do not include speeches, public appearances or similar activities unless the speech, public appearance or similar activity is authorized in advance by the Commission.

- (b) Claims. Prior to receiving compensation or reimbursement, a member of the Commission shall submit certified vouchers stating the date, number of hours, amount of expenses and the nature of the official duties for which payment is requested. Any claim for compensation for preparing for meetings or hearings of the Commission which exceeds an amount based on forty hours of preparation during a calendar month shall be subject to approval by the Commission during a regularly scheduled Commission meeting.