

CALIFORNIA PRIVACY PROTECTION AGENCY

915 Capitol Mall, Suite 350A
Sacramento, CA 95814
www.cppa.ca.gov

**MEMORANDUM**

To: California Privacy Protection Agency Board Members Lydia de la Torre, Vinhcent Le, and J. Christopher Thompson
From: Start-Up and Administration Subcommittee (Angela Sierra and Jennifer M. Urban)
Date: September 7, 2021
Re: Recommended "Per Diem" Policy

Proposition 24, the California Privacy Rights Act of 2020 ("CPRA"), established the California Privacy Protection Agency ("Agency"). The Agency is governed by this five-member board ("Board" or "Board Members").

Civil Code section 1798.199.25 of the CPRA provides for "per diem" compensation for Board Members. Specifically, section 1798.199.25 states: "For each day on which they engage in official duties, members of the Agency board shall be compensated at the rate of one hundred dollars (\$100), adjusted biennially to reflect changes in the cost of living, and shall be reimbursed for expenses incurred in performance of their official duties."

In order to implement section 1798.199.25, the Start-Up and Administration Subcommittee recommends the Board adopt a policy governing its per diem compensation. After considering per diem compensation policies adopted by other California boards, the Start-Up and Administration Subcommittee recommends that the Board adopt the following policy governing per diem compensation.

Proposed Per Diem Compensation Policy:

Board Members shall be paid a per diem allowance of one hundred dollars (\$100) for every six (6) hours engaged in Official Duties. Because Board Members are volunteering their time and may be spreading work over multiple days, each six-hour block, for purposes of the per diem calculation, may occur over multiple days.

"Official Duties" include: preparing for and attending Board meetings; preparing for and attending official Board committee, subcommittee, panel, or task force meetings; engaging in Board committee, subcommittee, or task force work; preparing for and attending Agency hearings or other Agency public forums; engaging in Agency enforcement-related work; and necessary official travel in connection with compensable official duties.

To claim the per diem allowance, Board Members are to complete one "Per Diem Form" per month, providing general information about their per diem (time worked). The Per Diem Form must be submitted by the 15th of each month following the month in which the work was conducted. For

purposes of claiming a per diem allowance prior to the adoption of this policy, Board Members must complete one Per Diem Form for each month worked prior to the adoption of this policy, and submit these forms by October 15, 2021. If for any given month, there was no Board activity to report and/or a Board Member elects not to claim a per diem for that month, the Board Member shall submit the Per Diem Form indicating they are not claiming any per diem.

Submission Process:

A sample of the Per Diem Form to be used and submitted by Board Members for reporting hours is attached hereto. Completed Per Diem Forms should be submitted as directed on the Per Diem Form.

Attachment (1): Sample 2021–2022 Per Diem Form

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**2021–2022 Per Diem Form**

Pay Period: [Month, Day – Month, Day, Year]

Instructions:

To claim their per diem allowance, Board Members are to complete one “Per Diem Form” per month, providing information about their per diem (time worked). The per diem form **must be submitted by the 15th of the month** following the month in which the expense was incurred.

Member Name: _____

In the boxes below, please enter the number of **HOURS** in the upper box for each day on which you performed work for the Board. “Work” includes any activity in the categories that follow. Reflecting the fact that Board Members are volunteering their time and may be spreading work over multiple days, Board Members will be paid a full “one day” per diem allowance for every 6 hours worked (even if the hours occur over multiple days). In the lower box for that date, please enter the appropriate corresponding activity code for the work performed that day (you may enter more than one, if necessary). If you had no Board activity for the month, please check the below and return.

No Board Activity Claimed for this Month

Activity Codes

B: Board Meeting

P: Preparing for Board Meetings (Reading Board Packets, Etc.)

C: Committee / Subcommittee/ Panel Meeting

S: Subcommittee / Task Force Work (Reading Materials, Preparing Materials, Meetings, Research)

A: Attending Agency Hearings/Public Forums

H: Preparing for Agency Hearings/Public Forums (Reading Materials, Etc.)

E: Enforcement-Related Work (Reading Materials, Preparing Materials, Etc.)

T: Official Travel

Day	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
Hours																
Activity Code																
Day	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Hours																
Activity Code																

I certify that on the above dates I was engaged in performing the above duties and that no part of the above claim has been paid, and that all services herein rendered were in accordance with the laws of the State and regulations of the agency, if any, for which compensation is claimed.

Signature of Claimant: _____ Date: _____

Please submit your completed form to Debra Castanon, Interim Chief Deputy Director of Administration, at debra.castanon@cppa.ca.gov.