

Authority to Settle Claims

(Delegation of Authority SCDA-IRM0001)

I. Delegation Summary

Delegated To: Vice Chancellor - Business and Administrative Services

Scope of Delegation: This delegation provides authority to approve settlement of claims against the University up to \$50,000 which have not been litigated, including claims against general and automobile self insurance, medical malpractice, and workers' compensation. It also provides authority to review, and submit for approval by the office of the President, litigated and non-litigated claims up to \$100,000.

Delegated By: Chancellor

Effective Date: July 2, 1998

II. Detailed Delegation

A. Detailed Delegation Statement

Effective immediately, the Vice Chancellor--Business and Administrative Services, is authorized to approve settlement of claims up to \$50,000 which have not been litigated. In determining the settlement amount, all consideration paid or received must be valued including amounts paid to employees during periods of leave, and employee benefits. Settlement of claims shall be subject to appropriate funding and must be consistent with guidelines, procedures, and reporting requirements to be established by the Office of the President and the General Counsel.

In addition, the Vice Chancellor--Business and Administrative Services will (1) review, and submit for approval by the Office of the President, non-litigated claims from \$50,000 to \$100,000 and all litigated claims up to \$100,000 and (2) recommend to the Chancellor on all claims over \$100,000.

The Chancellor retains the authority to recommend on all claims over \$100,000.

Note: The Manager, Insurance and Risk Management and the Director, Materiel Management, will recommend on all claims, prior to approval of the Vice Chancellor--Business and Administrative Services.

B. Restrictions/Exceptions

Campus recommendations for settlement of non-litigated claims between \$50,000 and \$100,000 shall be submitted by the Vice Chancellor--Business and Administrative Services to the Office of the President. The concurrence of the General Counsel is required in connection with settlements over \$50,000. Accordingly, arrangement for early participation of the Office of the General Counsel should be made. Campus recommendations for settlement of all litigated claims up to \$100,000 and for all claims over \$100,000 will be submitted to the Office of President by the Vice Chancellor—BAS and the Chancellor, respectively (see attachment 1).

C. Authority to redelegate

This authority may be redelegated for non-litigated claims up to \$50,000. Any redelegation of this authority must be in writing and must be as restrictive as this delegation. (See UCSC Delegations IRM0002 and IRM0003.)

D. Definitions

Claim: any demand for payment which is disputed in whole or in part and is made other than through litigation. Commercial negotiations to adjust amounts payable under a contract shall not be treated as “claims.”

Litigation: legal proceedings in the form of a lawsuit, arbitration proceeding, or internal or external administrative proceeding. (Note: Most workers compensation settlements have been litigated and thus must be approved by the Office of the President.)

Routine Claim: Any claim which 1) is not made by, and not involve a complaint against, a member of the faculty; 2) does not involve a University support group; 3) does not involve substantial issues of public or university policy; 4) does not have potential for negative campus publicity; 5) does not involve violence in the workplace or racial or sexual harassment; and 6) does not involve allegations of serious health or safety hazards on the campus.

III. “Supersedes” Notification

This delegation of authority supersedes the delegation from Chancellor Pister to the Vice Chancellor—Business and Administrative Services dated June 26, 1996.

IV. Getting Help

The campus Director, Materiel Management, can respond to questions about this delegation of authority.

If you need help with ...	Contact ...
...general and auto liability claims	Insurance and Risk Management, x9-2853.
...workers' compensation claims	Risk Management Specialist, x9-2850.
...personnel grievances, unfair labor practices, and other Human Resources related claims	Human Resources

V. Authority/References

Authority to make this delegation is documented as follows :

UCOP Delegation DA2054, President Peltason to Chancellors, Settlement of Claims, dated March 11, 1996.

References

Regents' Policy on Settlement of Claims and Litigation, adopted September 15, 1992.

UCOP Office of Risk Management, Settlement Authorization/Review Guidelines, dated August 19, 1996.

UCSC Policy MSC0004: Delegations of Authority

UCSC Delegation SCDA-IRM0001: Attachment 1

VI. Copies

The following individuals/offices were provided copies of this delegation:

President
 Senior Vice President--Business and Finance
 Special Assistant--Coordination and Review
 General Counsel and Vice President for Legal Affairs
 Director, Materiel Management
 Manager, Insurance and Risk Management

Attachment 1

Claims	Recommend	Concur	Review/Submit	Approve
Non-litigated claims up to \$10,000	n/a	n/a	n/a	Manager, Insurance and Risk Management
Non-litigated claims up to \$50,000 (routine)	Manager, Insurance and Risk Management	n/a	n/a	Director, Materiel Management
Non-litigated claims up to \$50,000 (non-routine)	Manager, Insurance and Risk Management	Director, Materiel Management	n/a	Vice Chancellor-- Business and Administrative Services
Non-litigated claims \$50,000 - \$100,000	Manager, Insurance and Risk Management	Director, Materiel Management	Vice Chancellor-- Business and Administrative Services	President
All litigated claims, up to 100,000 and/or <u>Compromise and Release (C&R) claims</u>	Manager, Insurance and Risk Management	Director, Materiel Management	Vice Chancellor-- Business and Administrative Services	President
All claims over \$100,000	Manager, Insurance and Risk Management	Director, Materiel Management Vice Chancellor-- Business and Administrative Services	Chancellor	President

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