

UC Davis Policy and Procedure Manual

Chapter 380, Personnel--General

Section 60, Loyalty Oath

Date: 3/7/12

Supersedes: 4/4/03

Responsible Department: Accounting and Financial Services

Source Document: California State Constitution, Article XX, Section 3

I. Purpose

This section describes the policy and procedure regarding execution of the loyalty oath and claims for damages if services are performed before signing the oath.

II. Policy

- A. All employees, other than aliens with a legal right to work in the United States, must sign the [State Oath of Allegiance](#) (loyalty oath) on or before the first day of employment.
- B. Employees may not be compensated or granted any benefits prior to signing the loyalty oath.

III. Procedures

- A. Administering the oath
 - 1. The oath must be administered on or before the employee's first day of employment, by either a principal staff assistant, a notary public, or an employee with one of the following titles:
 - a. Officer of The Regents
 - b. Officer of the University
 - c. Member of the Academic Senate
 - d. Analyst
 - e. ___ Assistant
 - f. Management Services Officer
 - g. Senior Clerk
 - h. Staff Research Associate
 - i. Student Affairs Officer
 - 2. The oath is effective for the duration of continuous employment, or for one calendar year after it was administered if the employee leaves employment with the University.
 - 3. If the employee refuses to sign the loyalty oath, the hiring authority should contact the appropriate personnel office.
- B. Damage claims
 - 1. Employees who perform services prior to signing the loyalty oath and meet the conditions described in [Accounting Manual Section P-196-21](#) may claim damages from the department.
 - 2. Upon learning of the requirement, the department administers the loyalty oath and the employee signs it, as evidenced by the signature of a proper witness.

3. The department completes the [Damage Payment Report](#) and prepares a check request for Accounts Payable, charging the account that would have been charged for the employee's salary for the gross amount to which the employee would have been entitled in salary.
4. Claims covering a period of 120 days or more must be approved by the Chancellor.
5. The Payroll Division, Accounting and Financial Services, must secure the employee's signature, as evidenced by the signature of a proper witness, on the [Damage Payment Release](#) before releasing the damage payment to the employee.

IV. Further Information

Contact [Human Resources](#) regarding staff employees, [Academic Personnel](#) regarding academic employees, or [Accounting and Financial Services—Payroll Division](#) regarding damage claims.

V. References and Related Policies

- A. California State Constitution, Article XX, Section 3 (http://www.leginfo.ca.gov/.const/.article_20).
- B. California Government Code, Sections 3100-3109 (<http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=0539441233+0+0+0&WAIAction=retrieve>).
- C. UC Accounting Manual, Section P-196-21, Payroll: Damage Payments for Services Performed Before the Loyalty Oath is Signed (<http://www.ucop.edu/ucophome/policies/acctman/p-196-21.html>).
- D. UCD Policy and Procedure Manual Section 380-08, Volunteer Service (<http://manuals.ucdavis.edu/PPM/380/380-08.pdf>).