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UC admits misleading public about buyout-taker

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(02-08) 18:25 PST -- UC Berkeley officials have acknowledged misleading the public in the controversial case of a high-paid executive aide who left her job at the university's headquarters and the next day began a new job on the Cal campus - qualifying for a \$100,202 severance check along the way.

In November, when the severance payment became public, The Chronicle asked for an explanation of how Linda Morris Williams could get a buyout for leaving her \$200,400-a-year headquarters job in Oakland and starting her new job paying the same salary in the office of UC Berkeley Chancellor Robert Birgeneau.

Williams and UC Berkeley spokesman Dan Mogulof released a statement suggesting that the Berkeley job opportunity had developed coincidentally after she had applied for the buyout.

"At the time of my Voluntary Separation Program application, the associate chancellor position on the Berkeley campus was not open and therefore played no role whatsoever in my decision making," Williams said at the time.

In their latest statement, Williams and Mogulof apologized "for our initial statement that unintentionally created an impression" that Williams was unaware of the possibility of future employment at the Berkeley campus.

"We sacrificed clarity and detail for the sake of brevity," Mogulof said in an interview. "We had no reason to be intentionally misleading."

A review of documents and e-mails obtained under the state Public Records Act showed Williams was well aware of the UC Berkeley job when she filed for the buyout on Jan. 22, 2008 - including talks with Birgeneau.

E-mails show she had been virtually assured by Birgeneau's close aides that the job was hers and was even placed on a UC Berkeley organizational chart five days before she applied for the buyout.

Williams was one of 155 former employees in the UC president's office to receive severance payments under a voluntary termination program designed to shrink the headquarters' payroll.

Under the program created by then-UC President Robert Dynes, 16 headquarters employees got severance checks and landed other UC jobs. Williams collected the most.

She had previously come to the public's attention during the university's salary scandal in 2006 after Dynes waived some rules and gave her some benefits, including a \$44,000 relocation allowance and a low-interest \$832,500 home loan, for which she was not otherwise entitled.

In her new position at Berkeley, Williams oversees whistle-blower complaints and public records requests, along with crisis management duties as associate chancellor - government, community and campus liaison.

Williams and Birgeneau declined to be interviewed and directed all inquires to the campus' main spokesperson, public affairs Executive Director Mogulof.

Although apologizing for Williams' earlier, misleading statement, Mogulof insisted that it was not false.

Mogulof said that Williams' prospective job at UC Berkeley was not a "done deal" when she applied for the buyout because Birgeneau's request to hire her without advertising the opening had not yet been approved; she had not yet received a formal offer letter; and her salary had not yet been set.

"Linda Williams acted in complete compliance with the letter and spirit of the UC Voluntary Separation Program set up by the Office of the President to reduce staff in those offices," Birgeneau told The Chronicle in December. "She applied for the severance program before the associate chancellor position on the Berkeley campus became available and before I offered her the position."

Williams' severance was paid in November, but the series of events leading up to it began at least a year earlier, on Nov. 7, 2007.

That was the day, UC officials said, Birgeneau met with Williams to discuss her taking the associate chancellorship, a position still in the conceptual stage. Just the day before, the chancellor's staff had drafted an outline of the position's responsibilities.

E-mails show that job talks between Williams and high-ranking UC Berkeley officials continued during the 11 weeks leading up to the Jan. 22, 2008, date when she applied for the buyout from her job as a senior adviser to Dynes. On that same day, the chancellor sent a letter to his human resources office saying Williams was "an ideal candidate" for the associate chancellor slot.

In that letter, the chancellor proposed to appoint Williams at her then-current annual salary of \$200,400, requesting permission to expedite her hiring.

Just four days before filing her buyout application, Williams sent an e-mail to a soon-to-be UC

Berkeley colleague urging that her hiring be publicly announced.

"Thanks for moving things forward," she wrote. "The 'news' is all over the place ... someone, or multiple people, congratulates me daily. However, getting the announcement out will be helpful."

On Feb. 1, 2008, the chancellor's request for a hiring waiver was granted, based on Williams' special skills and the hardship of conducting a full search during UC's budget crisis and the need for a smooth transition.

Williams left her old job on April 30 and began her new one on May 1. On Nov. 20, 2008, the UC Board of Regents discussed Williams' \$100,202 payout in closed session, then approved it as the last item on the board's agenda.

Five days after The Chronicle reported on the payout to Williams, the new president of the University of California system, Mark Yudof, announced that employees in his office no longer will be allowed to collect full severance checks and then be rehired at other UC locations.

Linda williams' new job

2007

Nov. 7: UC Berkeley Chancellor Robert Birgeneau discusses an associate chancellorship job with Linda Williams.

Nov. 19: UC Office of the President in Oakland, where Williams worked, announces employee buyout program.

2008

Jan. 17: A draft UC Berkeley organizational chart shows Williams as an associate chancellor.

Jan. 18: A UC Berkeley official e-mails the chart to Williams, who thanked the official for "moving things forward."

Jan. 22: Williams applies for a \$100,202 severance payment from the UC Office of the President.

Jan. 22: Birgeneau requests a waiver to hire Williams without advertising the job.

Jan. 30: Williams' buyout application is approved by the UC Office of the President.

Feb. 1: Birgeneau gets the wavier to hire Williams.

Feb. 8: Birgeneau sends a letter offering the job to Williams.

Feb. 10: Williams accepts the offer.

Feb. 12: Birgeneau announces the hiring of Williams.

April 30: Williams' last day with the UC Office of the President.

May 1: Williams' first day at UC Berkeley.

Nov. 20: UC Board of Regents approves Williams' \$100,202 severance payment.

Sources: UC documents, e-mails and interviews with officials

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