



UC Policy 5402 & Catering at UCR

What is UC Policy 5402?

The Regents approved Regents Policy 5402: Policy Generally Prohibiting Contracting for Services on November 14, 2019 (amended January 23, 2020).

This policy prioritizes the use of UC employees over contract workers to provide covered services whenever possible. Contracting for covered services should be used sparingly and treated as an option of last resort to address specified operational needs – not as a means to replace UC employees with lower-wage contract workers.

If UC determines that it needs to contract for covered services, then the suppliers providing such services must pay their employees rates equivalent to the total compensation received by Bargaining Unit employees performing the same work. By requiring wage and benefit parity in any contract for covered services, there will be no cost advantage to using contracted services in lieu of services provided by a UC Riverside employee.

Why Was This Policy Created?

The University of California is committed to maintaining a strong in-house workforce and supporting living wages and benefits for employees. To reinforce this commitment, in November 2019, the UC Board of Regents approved Regents Policy 5402.

- *UC Must Value and Protect Its Employees*
The University shall prioritize the use of its employees to perform functions and services whenever possible and the use of outside contractors will not cause or facilitate the displacement of university employees.
- *Equal Pay for Equal Work*
The labor conditions of contract workers shall be protected by ensuring they receive wages and benefits equivalent to what the University provides to its employees, and providing those who have performed services to the University on a long-term and continuous basis the opportunity to become University employees.
- *UC Must Be a Model Employer*
Requirements governing state agencies and departments under California Government Code Section 19130 shall serve as minimum standards and, whenever reasonable, shall be exceeded. Since its founding, the University's public mission has always been to unlock the doors of economic opportunity, uplift the human condition, and serve as an antidote to poverty. This begins from within.

How the Policy Impacts Food Service on Campus

UCR Dining Services employs SX employees for catering services on campus. UC Policy 5402 generally prohibits off site food for catered services.



Catering is defined as food and/or beverage service that includes on-campus service or on-campus food preparation, provided at an on-campus event or function. For full-service catered meals, students, faculty and staff will be required to utilize catering services provided by UCR Dining Services.

Some examples of what is or is not considered “catered services” are found below:

Considered Catered Services	Not Considered Catered Services
<p><i>Preparation/Cooking Onsite:</i> Food is prepared/cooked on campus</p> <p><i>Food Setup:</i> Food provider sets up a buffet with food, chaffing dishes, serving utensils, paper goods/China, etc.</p> <p><i>Food Service:</i> Staff are serving food from a buffet, tableside to guests/attendees, or tray passing</p>	<p><i>Take-Out:</i> Food is picked up from an offsite restaurant/food provider</p> <p><i>Delivery:</i> Food is delivered by an offsite restaurant/food provider and dropped off only (no setup whatsoever) on campus</p>
<p>Must use UCR Dining Services, or complete a Contracting Out Justification form for approval</p>	<p>Permitted to purchase from an offsite restaurant/food provider, while following all Procurement policies</p>

How to Submit a Request to Use an Outside Caterer

In keeping with the intent of this policy, UC is committed to bringing in-house covered services to the fullest extent possible. All contracts for covered services must be reviewed to determine if the service can be in-sourced.

If a department would like to contract out for catered services, and has justification to do so, they should submit a Contracting Out Justification form and route it accordingly for approvals. Approval involves: Employee Labor & Relations, Dining Services, Compensation & Classification, the department’s unit head/Vice Chancellor/Dean, Central Human Resources, and Procurement.

The request form process should start **no later than 3 weeks prior** to the event date.

Check our HR’s Contracting Out Website for details about the form and process. As of August 2021, this process is manual with a paper form (can be routed via email), but a digital, automated process will launch soon.

Frequently Asked Questions

Q: My department/org needs specific ethnic and/or religious catering needs. How can I contract out for this need?

A: If you plan to order food for take-out or delivery (as defined in the table above), you can do so by following Procurement’s regular purchasing policies. If you have an event that requires full-service catering, and UCR Dining Services is unable to service your needs, you can submit a Contracting Out Justification Form for approval.



Q: I would like to contract with a food truck to come to campus and sell their food/beverage to students directly (meaning my department is not paying the vendor). Does UC Policy 5402 apply?

A: Yes, UC Policy 5402 will apply. According to the table on page 2 of this document, Food Trucks would be considered catering services, as they prepare/cook onsite, have a setup, and provide food service. This means that if you would like to hire an outside food truck vendor, you would need to follow the request process, and if approved the food truck would have to comply with wage parity.

Q: My event is taking place off-campus and I will need catering. Does UC Policy 5402 apply to my off-campus event?

A: The UC Policy lists the following as one possible exception: “The contractor will provide equipment, materials, facilities, or support services that could not be provided feasibly in the location where the services are to be performed. All services at remote facilities, which are those not within a 10-mile radius of a University campus, medical center, or Laboratory, fall within this exception.”

In short, this policy applies to covered services performed at a **UC location**. UC Policy 5402 will not apply at locations that are NOT UC-owned/operated, with NO UC staff working onsite. UC Policy 5402 WILL apply at all UC-owned/operated locations, with UC staff working onsite.

Q: UCR Dining Services prices exceed my budget and I would like to order catering services from an off-campus caterer. Will my request be approved?

A: The purpose of UC Policy 5402 is to prioritize UC employees over contract workers. Hiring an off-campus caterer that pays their employees a lower wage is not justified according to this policy. When approving a Contracting Out Justification Request, UCR will require the off-campus caterer to pay their employees rates equivalent to the total compensation received by UCR’s SX Dining Services staff. By requiring wage and benefit parity in any contract for covered services, there will be no cost advantage to using contracted services in lieu of services provided by a UC Riverside employee.

Q: Will UC Policy 5402 impact event rentals from an off-campus vendor?

A: Good question! This is still being reviewed and there will be more information to come soon. In the meantime, check HR’s Contracting Out Website, or consult with Procurement regarding event rentals.

Additional Resources

- [UCOP Regents Policy 5402](#)
- UCR Human Resources website dedicated to [Outsourcing for Covered Services](#)
- Contracting Out Justification Form [Workflow](#)
- Contracting Out Justification [Form](#)
- UCR Procurement Catering [Information](#)
- UCR Citrus Grove Catering [Website](#)