

# 2008 ANNUAL REPORT TO THE LEGISLATURE

---

## DISCRIMINATION COMPLAINT ACTIVITY IN STATE CIVIL SERVICE

---

Prepared by

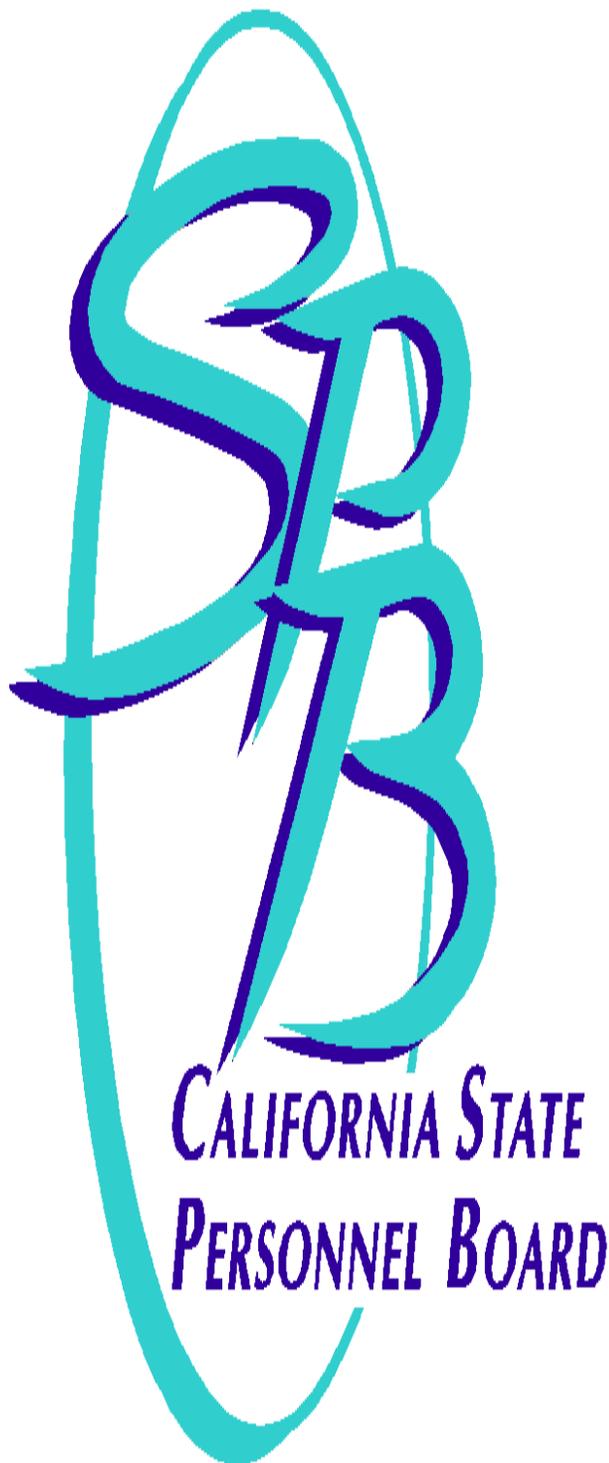
### STATE PERSONNEL BOARD

801 Capitol Mall  
Sacramento, CA 95814

**Anne Sheehan**, President  
**Richard Costigan**, Vice President  
**Patricia Clarey**, Member  
**Sean Harrigan**, Member  
**Maeley Tom**, Member

**Suzanne Ambrose**, Executive Officer

**February 2010**



## TABLE OF CONTENTS

SECTION	PAGE
I. Purpose of Report.....	3
II. The Discrimination Complaint Process .....	3
III. The State Personnel Board Appeals Process .....	4
IV. Summary of Findings for Formal Discrimination Complaints .....	4
A. Formal Discrimination Complaints Received .....	4
B. Formal Discrimination Complaint Types .....	5
C. Formal Discrimination Complaint Dispositions .....	5
D. Length of Time to Resolve Formal Discrimination Complaints .....	5
V. Summary of Findings for Discrimination Appeals .....	6
A. Discrimination Appeals Received .....	6
B. Discrimination Appeal Types .....	6
C. Discrimination Appeal Final Decisions .....	6
D. Length of Time to Resolve Discrimination Appeals .....	6
VI. Data Collection.....	7
VII. Attachments	
• <u>Table 1</u> : Formal Discrimination Complaints and Appeals by Department.....	8
• <u>Table 2</u> : Types of Formal Discrimination Complaints and Appeals.....	12
• <u>Table 3</u> : Disposition of Closed Formal Discrimination Complaints as Reported by Departments.....	13
• <u>Table 4</u> : Final Decisions of Closed Discrimination Appeals Filed with the SPB..	13
• <u>Table 5</u> : Length of Time to Resolve Formal Discrimination Complaints as Reported by Departments .....	14
• <u>Table 6</u> : Length of Time to Resolve Discrimination Appeals Filed with the SPB	17

## I. Purpose of Report

Government Code §19702.5(c) requires the State Personnel Board (SPB) to report annually to the Legislature on formal discrimination complaints and appeals against each appointing authority in the State civil service. The Discrimination Complaint System (DCS) is the source for data included in this report. The DCS enables the SPB to collect information on formal departmental discrimination complaint activities. The SPB's Appeals Division provides discrimination appeals information. Information submitted in this report reflects data reported between January 1, 2008 and December 31, 2008.

## II. The Discrimination Complaint Process

Prior to filing a discrimination appeal with the SPB, State civil service employees and applicants for State civil service employment must first file a discrimination complaint with their employing department, in an effort to resolve the complaint at the lowest level.<sup>1</sup> However, the SPB does not require an employee or applicant for employment to first file a complaint with the employing department in those situations where the complaint alleges discrimination by the Department Director, Department Executive Officer, or where the employee or applicant can demonstrate that it would have been futile to first file the complaint with the department. In addition, any employee or applicant for employment who alleges that he or she has been retaliated against for having complained about discrimination or harassment may file a retaliation complaint directly with the SPB.<sup>2</sup>

A department's Equal Employment Opportunity (EEO) Officer has the overall responsibility for managing the department's internal discrimination complaint process, though the process must conform to certain minimum requirements established by the SPB. This process may involve both informal and formal components. It is important to note that prior to filing a formal discrimination complaint with the department, individuals are encouraged to seek informal resolution of their complaint through their EEO Counselors. EEO Counselors should attempt to quickly gather information about the complaint and resolve the problem in an expeditious manner.<sup>3</sup> This informal resolution process should not exceed the timeframe indicated by the department's discrimination complaint review process.

If a complaint cannot be resolved through the informal process, or if the complainant chooses to bypass the informal process, the complainant has the right to file a formal discrimination complaint with the employing department. Upon filing a formal complaint, the EEO Officer may assign the complaint to an EEO Investigator for formal investigation. The EEO Officer should provide the complainant with a report or summary of the investigation findings.

---

<sup>1</sup> Title 2, CA Code of Regulations §54.2

<sup>2</sup> Government Code §19702(h)

<sup>3</sup> Title 2, CA Code of Regulations §54.2

## II. The Discrimination Complaint Process (continued)

Departments must advise the complainant of their rights in the complaint process, including their right to file an appeal with the SPB. If a complainant is dissatisfied with the department's response, or if the department fails to provide a timely response to the complaint, the complainant may file a formal written discrimination appeal with the SPB within 30 days after the event upon which the complaint is based.<sup>4</sup>

## III. The State Personnel Board Appeals Process

Discrimination appeals filed with the SPB are reviewed to determine if all prerequisites for filing an appeal with the SPB have been satisfied, including whether the appellant first filed a complaint with the department. If the appeal is accepted, it is scheduled for a pre-hearing settlement conference (PHSC) before an Administrative Law Judge (ALJ). During the PHSC, the ALJ will explore potential settlement with the parties. If the matter cannot be resolved through settlement, the ALJ will schedule an evidentiary hearing based upon the availability of the parties and the SPB Hearing Calendar. The SPB utilizes the same legal standards employed by state and federal courts when reviewing discrimination appeals. After the completion of the hearing, the ALJ issues a proposed decision for review by the five-member State Personnel Board (Board).

The Board may adopt the proposed decision, modify it in part, revoke the proposed decision, or schedule the matter for an oral argument. If the Board adopts the proposed decision, the ALJ's findings of fact and conclusions of law become the Board's decision. If the Board modifies the proposed decision, only specified provisions of the ALJ's findings of fact and conclusions of law become the Board's decision. If the Board rejects or revokes the proposed decision, the parties may be permitted to be heard by the Board itself. The Board will thereafter issue its decision in the case based on the entire administrative record.

Either the appellant or respondent may file a Petition for Rehearing within 30 days of receipt of the Board's decision.<sup>5</sup> Either party may also file a petition for a Writ of Mandate with the Superior Court.<sup>6</sup>

## IV. Summary of Findings for Formal Discrimination Complaints

### A. Formal Discrimination Complaints Received

Of all discrimination complaints reported in 2008, 872 (78.49%) formal discrimination complaints were filed with departments (Table 1). In 2008, the total number of formal discrimination complaints decreased by 183 (17.35%) compared to the 1,055 reported in the *2007 Annual Report to the Legislature on Discrimination Complaint Activity* (Table 1 of the 2007 Report).

---

<sup>4</sup> Title 2, CA Code of Regulations, §51.2

<sup>5</sup> Government Code §19586; Title 2, CA Code of Regulations §51.7

<sup>6</sup> Code of Civil Procedure, §1094.5

## IV. Summary of Findings for Formal Discrimination Complaints (continued)

### B. Formal Discrimination Complaint Types

In the DCS, there are 14 categories for type of discrimination. In 2008, departments had the option to select more than one type of discrimination for each individual case, resulting in 1,204 types of formal discrimination complaints (Table 2).

In 2008, the top five formal discrimination complaint types reported were:

Top 5 Formal Discrimination Complaint Types	Formal Discrimination Complaints	
	No.	%*
Retaliation	263	21.84%
Sexual Harassment	247	20.51%
Race	207	17.19%
Sex	125	10.38%
Disability	102	8.47%

\*Percentage of *Formal Discrimination Complaint Types*.

(From Table 2)

### C. Formal Discrimination Complaint Dispositions

In 2008, 679 (77.87%) formal discrimination complaints were closed statewide (Table 1). Of the 679 formal discrimination complaints closed: 246 (36.23%) identified that no discrimination was found; 245 (36.08%) identified that no prima facie case was established; 70 (10.31%) were not based on a protected group; 47 (6.92%) were withdrawn; 25 (3.68%) identified that discrimination was found; 18 (2.65%) identified that no remedy was possible; 16 (2.36%) were unspecified; and 12 (1.77%) were resolved through mutual agreement (Table 3).

### D. Length of Time to Resolve Formal Discrimination Complaints<sup>7</sup>

In 2008, the average length of time for departments to resolve a formal discrimination complaint was 86 days (Table 5), a 43.79% decrease compared to the average 153 days reported in the *2007 Annual Report to the Legislature on Discrimination Complaint Activity* (Table 5 of the 2007 Report). In 2008, 34 (8.29%) formal discrimination complaints (Table 5) exceeded the 180-day timeframe for processing, an 80.79% decrease from the 177 reported in the *2007 Annual Report to the Legislature on Discrimination Complaint Activity* (Table 5 of the 2007 Report).

<sup>7</sup> Cases without a close date are not reflected in this data.

## V. Summary of Findings for Discrimination Appeals

### A. Discrimination Appeals Received

Of all discrimination complaints reported in 2008, 239 (21.51%) discrimination appeals were filed with the SPB (Table 1). In 2008, the total number of discrimination appeals increased by 45 (18.83%) compared to the 194 reported in the *2007 Annual Report to the Legislature on Discrimination Complaint Activity* (Table 1 of the 2007 Report).

### B. Discrimination Appeal Types

In the SPB Appeals data capture system, there are 16 categories for type of discrimination. In 2008, staff had the option to select one type of discrimination for each discrimination appeal, resulting in 239 types of discrimination (Table 2).

In 2008, the top five discrimination appeal types were:

Top 5 Discrimination Appeal Types*	Discrimination Appeals	
	No.	%**
Reasonable Accommodation	76	31.80%
Multiple Areas	56	23.43%
Retaliation	36	15.06%
Race	13	5.44%
Disability	11	4.60%

\*Does not account for appeal types, *Unknown* or *Other*.

\*\*Percentage of *Discrimination Appeal Types*.

(From Table 2)

### C. Discrimination Appeal Final Decisions

In 2008, 170 (71.13%) discrimination appeals were closed statewide (Table 1). Of the 170 discrimination appeals closed: 83 (48.82%) were dismissed, rejected, or denied; 52 (30.59%) were withdrawn; 34 (20.00%) were settled; and 1 (0.59%) was granted (Table 4).

### D. Length of Time to Resolve Discrimination Appeals

In 2008, the average length of time for the SPB to resolve a discrimination appeal was 213 days (Table 6), a 114 (34.86%) decrease compared to the average 327 days reported in the *2007 Annual Report to the Legislature on Discrimination Complaint Activity* (Table 6 of the 2007 report). In 2008, 82 (48.24%) discrimination appeals exceeded the 180-day time frame for processing, a 50.60% decrease from the 166 reported in the *2007 Annual Report to the Legislature on Discrimination Complaint Activity* (Table 6 of the 2007 Report).

## VI. Data Collection

Data reflected in this report was obtained from the DCS and the SPB Appeals Division and is attached in the following tables:

- Table 1: Formal Discrimination Complaints and Appeals by Department
- Table 2: Types of Formal Discrimination Complaints and Appeals
- Table 3: Disposition of Closed Formal Discrimination Complaints as Reported by Departments
- Table 4: Final Decisions of Closed Discrimination Appeals Filed with the SPB
- Table 5: Length of Time to Resolve Formal Discrimination Complaints as Reported by Departments
- Table 6: Length of Time to Resolve Discrimination Appeals Filed with the SPB

**Table 1: Formal Discrimination Complaints and Appeals by Department<sup>8</sup>**

Department	Formal Discrimination Complaints		Discrimination Appeals	
	Opened	Closed	Opened	Closed
Administrative Law, Office of	0	0	0	0
African American Museum, California	DNR	DNR	0	0
Aging, Department of	0	0	0	0
Agricultural Labor Relations Board	0	0	0	0
Air Resources Board	DNR	DNR	0	0
Alcohol and Drug Programs, Department of	1	0	1	1
Alcohol Beverage Control, Department of	0	0	0	0
Arts Council, California	DNR	DNR	0	0
Boating and Waterways, Department of	1	0	0	0
Child Support Services, Department of	DNR	DNR	0	0
Children and Families First Commission	DNR	DNR	0	0
Coastal Commission, California	0	0	0	0
Coastal Conservancy, California	0	0	0	0
Community Colleges, California	0	0	0	0
Community Services and Development, Department of	0	0	0	0
Conservation, Department of	0	0	0	0
Conservation Corps, California	3	2	0	0
Consumer Affairs, Department of	30	27	2	1
Corporations, Department of	2	1	2	1
Corrections and Rehabilitation, Department of	404	325	100	62
Developmental Disabilities, State Council on	DNR	DNR	0	0
Developmental Services, Department of	10	3	4	3
<i>Agnews Developmental Center</i>	0	0	0	0
<i>Canyon Springs</i>	0	0	0	0
<i>Fairview Developmental Center</i>	6	6	0	0
<i>Lanterman Developmental Center</i>	4	3	0	0
<i>Porterville Developmental Center</i>	12	7	0	0
<i>Sierra Vista Small Facility</i>	0	0	0	0
<i>Sonoma Developmental Center</i>	4	4	0	0
Education, Department of	1	0	1	1
Emergency Medical Services Authority	DNR	DNR	0	0
Emergency Services, Office of	DNR	DNR	0	0
Employment Development Department	25	25	12	9
Energy Resources Conservation and Development Commission, California	0	0	0	0
Environmental Health Hazard Assessment, Office of	DNR	DNR	0	0
Equalization, Board of	11	8	4	3

<sup>8</sup> DNR – Department did not report data.

**Table 1: Formal Discrimination Complaints and Appeals by Department (continued)<sup>9</sup>**

Department	Formal Discrimination Complaints		Discrimination Appeals	
	Opened	Closed	Opened	Closed
Exposition and State Fair, California	0	0	0	0
Fair Employment and Housing Commission	0	0	0	0
Fair Employment and Housing, Department of	1	1	0	0
Fair Political Practices Commission	0	0	0	0
Fish and Game, Department of	2	1	1	1
Finance, Department of	0	0	0	0
Financial Institutions, Department of	0	0	1	1
Food and Agriculture, Department of	DNR	DNR	0	0
Forestry and Fire Protection, Department of	26	24	8	7
Franchise Tax Board	DNR	DNR	1	1
General Services, Department of	12	9	6	5
Health Care Services, Department of	0	0	1	1
Health Planning and Development, Office of Statewide	DNR	DNR	0	0
Highway Patrol, California	3	1	2	2
Horse Racing Board, California	DNR	DNR	1	0
Housing and Community Development, Department of	DNR	DNR	0	0
Housing Finance Agency, California	0	0	0	0
Humboldt County	N/A	N/A	1	1
Industrial Relations, Department of	13	12	4	2
Insurance, Department of	6	6	1	1
Inspector General, Office of the	0	0	0	0
Integrated Waste Management Board, California	DNR	DNR	0	0
Justice, Department of	8	5	7	6
Legislative Counsel Bureau	DNR	DNR	0	0
Managed Health Care, Department of	0	0	0	0
Managed Risk Medical Insurance Board	DNR	DNR	0	0
Mental Health, Department of	0	0	5	4
<i>Atascadero State Hospital</i>	3	1	0	0
<i>Coalinga State Hospital</i>	1	0	0	0
<i>Metropolitan State Hospital</i>	9	5	0	0
<i>Napa State Hospital</i>	DNR	DNR	0	0
<i>Patton State Hospital</i>	4	3	0	0
<i>Salinas Valley Psychiatric Program</i>	DNR	DNR	0	0
<i>Vacaville Psychiatric Program</i>	0	0	0	0
Military Department	0	0	2	2
Motor Vehicles, Department of	49	40	8	6

<sup>9</sup> DNR – Department did not report data.

**Table 1: Formal Discrimination Complaints and Appeals by Department  
(continued)**<sup>10</sup>

Department	Formal Discrimination Complaints		Discrimination Appeals	
	Opened	Closed	Opened	Closed
Parks and Recreation, Department of	9	8	5	4
Parole Hearings, Board of	DNR	DNR	0	0
Peace Officer Standards and Training, Commission on	DNR	DNR	0	0
Personnel Administration, Department of	0	0	0	0
Pesticide Regulation, Department of	1	1	2	2
Postsecondary Education Commission, California	DNR	DNR	0	0
Prison Industry Authority	DNR	DNR	0	0
Public Employment Relations Board	DNR	DNR	1	0
Public Employees Retirement System	0	0	0	0
Public Health, California Department of	18	10	2	2
Public Utilities Commission, California	2	2	0	0
Real Estate, Department of	1	0	1	1
Real Estate Appraisers, Office of	0	0	0	0
Rehabilitation, Department of	2	2	3	2
San Mateo County	N/A	N/A	1	1
Science Center, California	DNR	DNR	0	0
Secretary of State	0	0	0	0
Social Services, Department of	32	19	2	1
State Audits, Bureau of	0	0	0	0
State Compensation Insurance Fund	45	29	2	2
State Controller's Office	1	1	1	0
State Lands Commission	0	0	0	0
State Library, California	0	0	1	1
State Lottery, California	DNR	DNR	0	0
State Personnel Board	0	0	0	0
State Public Defender, Office of the	0	0	0	0
State Publishing, Office of	0	0	0	0
State Teachers' Retirement System, California	DNR	DNR	2	2
State Treasurer's Office	0	0	0	0
State University, Fullerton, California	N/A	N/A	1	1
State Water Resources Control Board	0	0	0	0
Statewide Health Planning and Development, Office of	0	0	0	0
Stephen P. Teale Consolidated Data Center	4	2	0	0
Student Aid Commission, California	0	0	0	0
Siskiyou County	N/A	N/A	1	0

<sup>10</sup> DNR – Department did not report data.

**Table 1: Formal Discrimination Complaints and Appeals by Department  
(continued)**<sup>11</sup>

Department	Formal Discrimination Complaints		Discrimination Appeals	
	Opened	Closed	Opened	Closed
Systems Integration, Office of	0	0	0	0
Teacher Credentialing, California Commission on	DNR	DNR	1	1
Technology Services, Department of	DNR	DNR	3	3
Toxic Substances Control, Department of	0	0	1	0
Transportation, Department of	100	83	21	14
Unemployment Insurance Appeals Board	1	0	3	2
University of California, Berkeley	N/A	N/A	1	1
Veterans Affairs, Department of	3	2	0	0
Victims Compensation and Government Claims Board	DNR	DNR	1	1
Water Resources, Department of	1	1	4	4
Water Resources Control Board	0	0	1	1
Unknown <sup>12</sup>	N/A	N/A	3	3
<b>Totals</b>	<b>872</b>	<b>679</b>	<b>239</b>	<b>170</b>

<sup>11</sup> DNR – Department did not report data.<sup>12</sup> Appellant did not identify which department they were from.

**Table 2: Types of Formal Discrimination Complaints and Appeals<sup>13</sup>**

Types	Formal Discrimination Complaints	Discrimination Appeals	Totals	
			No.	%
Age <sup>14</sup>	77	6	83	5.75%
Ancestry	22	0	22	1.52%
Color	42	0	42	2.91%
Marital Status	16	2	18	1.25%
Disability <sup>15</sup>	102	11	113	7.83%
Multiple Areas	N/A	56	56	3.88%
National Origin	48	0	48	3.33%
Political Affiliation	2	0	2	0.14%
Race	207	13	220	15.25%
Reasonable Accommodation	N/A	76	76	5.27%
Religion	29	3	32	2.22%
Retaliation	263	36	299	20.72%
Sex	125	8	133	9.22%
Sexual Harassment	247	9	256	17.74%
Sexual Orientation	24	0	24	1.66%
Veteran Status	0	0	0	0.00%
Other <sup>16</sup>	N/A	6	6	0.42%
Unknown <sup>17</sup>	N/A	13	13	0.90%
<b>Totals</b>	<b>1,204</b>	<b>239</b>	<b>1,443</b>	

<sup>13</sup> Percentages may not total 100% due to rounding.

<sup>14</sup> Represents employees/applicants that are 40+ years old.

<sup>15</sup> Includes reasonable accommodation.

<sup>16</sup> Does not fall under a protected category.

<sup>17</sup> Appellant did not specify or provide enough information for staff to identify type of discrimination.

**Table 3: Disposition of Closed Formal Discrimination Complaints as Reported by Departments<sup>18</sup>**

Disposition	Formal Complaints	
	No.	%
Allegations Not Based on Protected Group Status	70	10.31%
Complaint Withdrawn	47	6.92%
Discrimination Found	25	3.68%
Discrimination Not Found	246	36.23%
No Prima Facie Case Established	245	36.08%
No Remedy Possible	18	2.65%
Resolved by Mutual Agreement	12	1.77%
Unspecified	16	2.36%
<b>TOTAL</b>	<b>679</b>	

**Table 4: Final Decisions of Closed Discrimination Appeals Filed with the SPB<sup>19</sup>**

Final Decision	Discrimination Appeals	
	No.	%
Dismissed, Rejected, or Denied	83	48.82%
Granted	1	0.59%
Settled	34	20.00%
Withdrawn	52	30.59%
<b>TOTAL</b>	<b>170</b>	

<sup>18</sup> Percentages may not total 100% due to rounding.

<sup>19</sup> Percentages may not total 100% due to rounding.

**Table 5: Length of Time to Resolve Formal Discrimination Complaints as Reported by Departments<sup>20</sup>**

Departments	Formal Complaints			
	0-89 Days	90-179 Days	180+ Days	Average Length of Time for Resolution
Administrative Law, Office of	N/A	N/A	N/A	N/A
African American Museum, California	N/A	N/A	N/A	N/A
Aging, Department of	N/A	N/A	N/A	N/A
Agricultural Labor Relations Board	N/A	N/A	N/A	N/A
Air Resources Board	N/A	N/A	N/A	N/A
Alcohol and Drug Programs, Department of	N/A	N/A	N/A	N/A
Alcohol Beverage Control, Department of	N/A	N/A	N/A	N/A
Arts Council, California	N/A	N/A	N/A	N/A
Boating and Waterways, Department of	N/A	N/A	N/A	N/A
Child Support Services, Department of	N/A	N/A	N/A	N/A
Children and Families First Commission	N/A	N/A	N/A	N/A
Coastal Commission, California	N/A	N/A	N/A	N/A
Coastal Conservancy, California	N/A	N/A	N/A	N/A
Community Colleges, California	N/A	N/A	N/A	N/A
Community Services and Development, Department of	N/A	N/A	N/A	N/A
Conservation, Department of	N/A	N/A	N/A	N/A
Conservation Corps, California	2	0	0	38
Consumer Affairs, Department of	8	3	5	110
Corporations, Department of	N/A	N/A	N/A	N/A
Corrections and Rehabilitation, Department of	142	8	6	47
Developmental Disabilities, State Council on	N/A	N/A	N/A	N/A
Developmental Services, Department of	1	3	0	83
<i>Agnews Developmental Center</i>	N/A	N/A	N/A	N/A
<i>Canyon Springs</i>	N/A	N/A	N/A	N/A
<i>Fairview Developmental Center</i>	0	1	1	143
<i>Lanterman Developmental Center</i>	N/A	N/A	N/A	N/A
<i>Porterville Developmental Center</i>	5	4	2	108
<i>Sierra Vista Small Facility</i>	N/A	N/A	N/A	N/A
<i>Sonoma Developmental Center</i>	0	1	0	99
Education, Department of	N/A	N/A	N/A	N/A
Emergency Medical Services Authority	N/A	N/A	N/A	N/A
Emergency Services, Office of	N/A	N/A	N/A	N/A
Employment Development Department	9	11	1	114
Energy Resources Conservation and Development Commission, California	N/A	N/A	N/A	N/A

<sup>20</sup> Cases without a close date are not reflected in this table.

**Table 5: Length of Time to Resolve Formal Discrimination Complaints as Reported by Departments (continued)<sup>21</sup>**

Departments	Formal Complaints			
	0-89 Days	90-179 Days	180+ Days	Average Length of Time for Resolution
Environmental Health Hazard Assessment, Office of	N/A	N/A	N/A	N/A
Equalization, Board of	6	1	0	39
Exposition and State Fair, California	N/A	N/A	N/A	N/A
Fair Employment and Housing Commission	N/A	N/A	N/A	N/A
Fair Employment and Housing, Department of	0	0	1	195
Fair Political Practices Commission	N/A	N/A	N/A	N/A
Finance, Department of	N/A	N/A	N/A	N/A
Financial Institutions, Department of	N/A	N/A	N/A	N/A
Fish and Game, Department of	1	1	0	110
Food and Agriculture, Department of	N/A	N/A	N/A	N/A
Forestry and Fire Protection, Department of	6	3	1	95
Franchise Tax Board	N/A	N/A	N/A	N/A
General Services, Department of	8	1	0	28
Health Care Services, Department of	N/A	N/A	N/A	N/A
Health Planning and Development, Office of Statewide	N/A	N/A	N/A	N/A
Highway Patrol, California	N/A	N/A	N/A	N/A
Horse Racing Board, California	N/A	N/A	N/A	N/A
Housing and Community Development, Department of	N/A	N/A	N/A	N/A
Housing Finance Agency, California	N/A	N/A	N/A	N/A
Industrial Relations, Department of	0	3	1	139
Insurance, Department of	5	1	0	51
Inspector General, Office of the	N/A	N/A	N/A	N/A
Integrated Waste Management Board, California	N/A	N/A	N/A	N/A
Justice, Department of	4	1	0	47
Managed Health Care, Department of	N/A	N/A	N/A	N/A
Managed Risk Medical Insurance Board	N/A	N/A	N/A	N/A
Mental Health, Department of	N/A	N/A	N/A	N/A
<i>Atascadero State Hospital</i>	2	0	0	27
<i>Coalinga State Hospital</i>	N/A	N/A	N/A	N/A
<i>Metropolitan State Hospital</i>	3	0	0	10
<i>Napa State Hospital</i>	N/A	N/A	N/A	N/A
<i>Patton State Hospital</i>	N/A	N/A	N/A	N/A
<i>Salinas Valley Psychiatric Program</i>	N/A	N/A	N/A	N/A
<i>Vacaville Psychiatric Program</i>	N/A	N/A	N/A	N/A

<sup>21</sup> Cases without a close date are not reflected in this table.

**Table 5: Length of Time to Resolve Formal Discrimination Complaints as Reported by Departments (continued)<sup>22</sup>**

Departments	Formal Complaints			
	0-89 Days	90-179 Days	180+ Days	Average Length of Time for Resolution
Military Department	N/A	N/A	N/A	N/A
Motor Vehicles, Department of	28	8	0	54
Parks and Recreation, Department of	3	0	2	108
Parole Hearings, Board of	N/A	N/A	N/A	N/A
Peace Officer Standards and Training, Commission on	N/A	N/A	N/A	N/A
Personnel Administration, Department of	N/A	N/A	N/A	N/A
Pesticide Regulation, Department of	0	0	1	281
Postsecondary Education Commission, California	N/A	N/A	N/A	N/A
Prison Industry Authority	N/A	N/A	N/A	N/A
Public Employment Relations Board	N/A	N/A	N/A	N/A
Public Employees Retirement System	N/A	N/A	N/A	N/A
Public Health, Department of	6	1	1	49
Public Utilities Commission, California	2	0	0	33
Real Estate, Department of	N/A	N/A	N/A	N/A
Real Estate Appraisers, Office of	N/A	N/A	N/A	N/A
Rehabilitation, Department of	1	0	0	62
Science Center, California	N/A	N/A	N/A	N/A
Secretary of State	N/A	N/A	N/A	N/A
Social Services, Department of	7	5	3	110
State Audits, Bureau of	N/A	N/A	N/A	N/A
State Compensation Insurance Fund	20	7	1	73
State Controller's Office	0	1	0	91
State Lands Commission	N/A	N/A	N/A	N/A
State Library, California	N/A	N/A	N/A	N/A
State Lottery, California	N/A	N/A	N/A	N/A
State Personnel Board	N/A	N/A	N/A	N/A
State Public Defender, Office of the	N/A	N/A	N/A	N/A
State Publishing, Office of	N/A	N/A	N/A	N/A
State Teachers' Retirement System, California	N/A	N/A	N/A	N/A
State Treasurer's Office	N/A	N/A	N/A	N/A
Stephen P. Teale Data Center	2	0	0	27
Student Aid Commission, California	N/A	N/A	N/A	N/A
Systems Integration, Office of	N/A	N/A	N/A	N/A
Teacher Credentialing, California Commission on	N/A	N/A	N/A	N/A

<sup>22</sup> Cases without a close date are not reflected in this table.

**Table 5: Length of Time to Resolve Formal Discrimination Complaints as Reported by Departments (continued)<sup>23</sup>**

Departments	Formal Complaints			
	0-89 Days	90-179 Days	180+ Days	Average Length of Time for Resolution
Technology Services, Department of	N/A	N/A	N/A	N/A
Toxic Substances Control, Department of	N/A	N/A	N/A	N/A
Transportation, Department of	7	39	8	143
Unemployment Insurance Appeals Board	N/A	N/A	N/A	N/A
Veterans Affairs, Department of	2	0	0	9
Victims Compensation and Government Claims Board	N/A	N/A	N/A	N/A
Water Resources, Department of	N/A	N/A	N/A	N/A
Water Resources Control Board	N/A	N/A	N/A	N/A
<b>Totals</b>	<b>274</b>	<b>102</b>	<b>34</b>	<b>86</b>

**Table 6: Length of Time to Resolve Discrimination Appeals Filed with the SPB<sup>24</sup>**

Discrimination Appeals			
0-89 Days	90-179 Days	180+ Days	Average Length of Time for Resolution
57	31	82	213

<sup>23</sup> Cases without a close date are not reflected in this table.

<sup>24</sup> Cases pending are not reflected in this table.