



COMPLIANCE REVIEW REPORT

CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION

Compliance Review Unit
State Personnel Board
October 09, 2015

TABLE OF CONTENTS

Introduction	1
Executive Summary	1
Background	2
Scope and Methodology.....	2
Findings and Recommendations	3
Examinations	3
Appointments	5
Equal Employment Opportunity	10
Personal Services Contracts.....	12
Departmental Response.....	14
SPB Reply	14

INTRODUCTION

Established by the California Constitution, the State Personnel Board (the SPB or Board) is charged with enforcing and administering the civil service statutes, prescribing probationary periods and classifications, adopting regulations, and reviewing disciplinary actions and merit-related appeals. The SPB oversees the merit-based recruitment and selection process for the hiring of over 200,000 state employees. These employees provide critical services to the people of California, including but not limited to, protecting life and property, managing emergency operations, providing education, promoting the public health, and preserving the environment. The SPB provides direction to departments through the Board's decisions, rules, policies, and consultation.

Pursuant to Government Code section 18661, the SPB's Compliance Review Unit (CRU) conducts compliance reviews of appointing authority's personnel practices in four areas: examinations, appointments, equal employment opportunity (EEO), and personal services contracts (PSC's) to ensure compliance with civil service laws and board regulations. The purpose of these reviews is to ensure state agencies are in compliance with merit related laws, rules, and policies and to identify and share best practices identified during the reviews. The SPB conducts these reviews on a three-year cycle.

The CRU may also conduct special investigations in response to a specific request or when the SPB obtains information suggesting a potential merit-related violation.

EXECUTIVE SUMMARY

The CRU conducted a routine compliance review of California Department of Pesticide Regulation (DPR) personnel practices in the areas of examinations, appointments, EEO, and PSC's from July 1, 2013, through March 31, 2014. The following table summarizes the compliance review findings.

Area	Finding	Severity
Examinations	Equal Employment Opportunity Questionnaires Were Not Separated From Applications	Very Serious
Appointments	Equal Employment Opportunity Questionnaires Were Not Separated From Applications	Very Serious
Appointments	Probationary Evaluations Were Not Provided for all Appointments Reviewed	Serious
Appointments	Appointment Documentation Was Not Kept for the Appropriate Amount of Time	Serious

Area	Finding	Severity
Equal Employment Opportunity	Equal Employment Opportunity Program Complied with Civil Service Laws and Board Rules	In Compliance
Personal Services Contracts	Personal Services Contracts Complied with Procedural Requirements	In Compliance

A color-coded system is used to identify the severity of the violations as follows:

- Red = Very Serious
- Orange = Serious
- Yellow = Non-serious or Technical
- Green = In Compliance

BACKGROUND

The DPR's mission is to protect human health and the environment by regulating pesticide sales and use, and by fostering reduced-risk pest management. The DPR employs approximately 400 employees within the headquarters complex, Northern Regional, Central Regional, and Southern Regional offices. These employees are Environmental Program Managers, Environmental Scientists, Research Scientists, Toxicologists, Administrative Staff, and Attorneys. The DPR provides oversight of the local pesticide enforcement programs of all 55 county agricultural commissioners and their combined staff of approximately 280 biologists.

SCOPE AND METHODOLOGY

The scope of the compliance review was limited to reviewing DPR examinations, appointments, EEO program, and PSC's from July 1, 2013, through March 31, 2014. The primary objective of the review was to determine if DPR personnel practices, policies, and procedures complied with state civil service laws and board regulations, and to recommend corrective action where deficiencies were identified.

A cross-section of the DPR's examinations and appointments were selected for review to ensure that samples of various examinations and appointment types, classifications, and levels were reviewed. The CRU examined the documentation that the DPR provided, which included examination plans, examination bulletins, job analyses, 511b's, scoring results, notice of personnel action (NOPA) forms, vacancy postings,

application screening criteria, hiring interview rating criteria, certification lists, transfer movement worksheets, employment history records, correspondence, and probation reports.

The review of the DPR EEO program included examining written EEO policies and procedures; the EEO officer's role, duties, and reporting relationship; the internal discrimination complaint process; the upward mobility program; the reasonable accommodation program; the discrimination complaint process; and the Disability Advisory Committee (DAC). The CRU also interviewed appropriate DPR staff.

The DPR's PSC's were also reviewed.¹ It was beyond the scope of the compliance review to make conclusions as to whether DPR justifications for the contracts were legally sufficient. The review was limited to whether DPR practices, policies, and procedures relative to PSC's complied with applicable statutory law and board regulations.

On October 1, 2015, an exit conference was held with the DPR to explain and discuss the CRU's initial findings and recommendations. The DPR was given until October 14, 2015, to submit a written response to the CRU's draft report. On October 7, 2015, the CRU received and carefully reviewed the response, which is attached to this final compliance report.

FINDINGS AND RECOMMENDATIONS

Examinations

Examinations to establish an eligible list must be competitive and of such character as fairly to test and determine the qualifications, fitness, and ability of competitors to perform the duties of the class of position for which he or she seeks appointment. (Gov. Code, § 18930.) Examinations may be assembled or unassembled, written or oral, or in the form of a demonstration of skills, or any combination of those tests. (*Ibid.*) The Board establishes minimum qualifications for determining the fitness and qualifications of employees for each class of position and for applicants for examinations. (Gov. Code, § 18931.) Within a reasonable time before the scheduled date for the examination, the

¹ If an employee organization requests the SPB to review any personal services contract during the SPB compliance review period or prior to the completion of the final compliance review report, the SPB will not audit the contract. Instead, the SPB will review the contract pursuant to its statutory and regulatory process. In this instance, none of the reviewed PSC's were challenged

designated appointing power shall announce or advertise the examination for the establishment of eligible lists. (Gov. Code, § 18933, subd. (a).) the advertisement shall contain such information as the date and place of the examination and the nature of the minimum qualifications. (*Ibid.*) Every applicant for examination shall file an application in the office of the department or a designated appointing power as directed in the examination announcement. (Gov. Code, § 18934.) Generally, the final earned rating of each person competing in any examination is to be determined by the weighted average of the earned ratings on all phases of the examination. (Gov. Code, § 18936.) Each competitor shall be notified in writing of the results of the examination when the employment list resulting from the examination is established. (Gov. Code, § 18938.5.)

During the period under review, the DPR conducted four examinations. The CRU reviewed three of these examinations, which are listed below:

Classification	Exam Type	Exam Components	Final File Date	No. of Applications
Business Service Assistant (Specialist)	Departmental Promotional	Training and Experience (T&E) ²	7/08/2013	17
Senior Environmental Scientist (Supervisory)	Open	T&E	Continuous	21
Staff Services Analyst (General)	Transfer	Written ³	11/26/2013	7

FINDING NO. 1 – Equal Employment Opportunity Questionnaires Were Not Separated From Applications

Summary: Out of 3 exams reviewed, 2 exams included applications where EEO questionnaires were not separated from the STD 678 employment application. Specifically, 5 of the 38 applications

² The training and experience (T&E) examination is administered either online or in writing, and asks the applicant to answer multiple-choice questions about his or her level of training and/or experience performing certain tasks typically performed by those in this classification. Responses yield point values, which are totaled by the online system or a department exam analyst, and then assigned a percentage score.

³ A written examination is a testing procedure in which candidates' job-related knowledge and skills are assessed through the use of a variety of item formats. Written examinations are either objectively scored or subjectively scored.

reviewed included EEO questionnaires that were not separated from the STD 678 employment application.

Criteria: Government Code section 19704 makes it unlawful for a hiring department to require or permit any notation or entry to be made on any application indicating or in any way suggesting or pertaining to any protected category listed in Government Code section 12940, subdivision (a) (e.g., a person's race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status). Applicants for employment in state civil service are asked to provide voluntarily ethnic data about themselves where such data is determined by the California Department of Human Resources (CalHR) to be necessary to an assessment of the ethnic and sex fairness of the selection process and to the planning and monitoring of affirmative action efforts. (Gov. Code, § 19705.) The EEO questionnaire of the state application form (STD 678) states, "This questionnaire will be separated from the application prior to the examination and will not be used in any employment decisions."

Severity: Very Serious. The applicants' protected classes were visible, subjecting the agency to potential liability.

Cause: The DPR states that their Examinations Unit did have procedures in place to ensure that the EEO questionnaire portion from the STD 678 was only seen by the examination analyst, however, the DPR does acknowledge that 5 of the 38 applications reviewed did have the EEO questionnaire attached.

Action: The DPR has submitted a corrective action plan for ensuring EEO questionnaires are separated from the STD 678 employment application and confidentially destroyed as part of its department response, therefore no further action is required at this time.

Appointments

In all cases not excepted or exempted by Article VII of the California Constitution, the appointing power must fill positions by appointment, including cases of transfers,

reinstatements, promotions, and demotions in strict accordance with the Civil Service Act and Board rules. (Gov. Code, § 19050.) Appointments made from eligible lists, by way of transfer, or by way of reinstatement, must be made on the basis of merit and fitness, which requires consideration of each individual's job-related qualifications for a position, including his or her knowledge, skills, abilities, experience, and physical and mental fitness. (Cal. Code Regs., tit. 2, § 250, subd. (a).)

During the compliance review period, the DPR made 86 appointments. The CRU reviewed 40 of those appointments, which are listed below:

Classification	Appointment Type	Tenure	Time Base	No. of Appointments
Associate Governmental Program Analyst	Certification List	Permanent	Full Time	1
Auditor I	Certification List	Permanent	Full Time	1
Data Processing Manager III	Certification List	Permanent	Full Time	1
Environmental Program Manager II	Certification List	Permanent	Full Time	1
Environmental Scientist	Certification List	Permanent	Full Time	8
Office Technician (Typing)	Certification List	Permanent	Full Time	1
Office Technician (Typing)	Certification List	Temporary	Full Time	1
Program Technician	Certification List	Permanent	Full Time	2
Research Scientist III (Physical/Engineering Sciences)	Certification List	Permanent	Full Time	2
Senior Environmental Scientist (Specialist)	Certification List	Permanent	Full Time	4
Staff Environmental Scientist	Certification List	Permanent	Full Time	1
Staff Services Analyst (General)	Certification List	Permanent	Full Time	1
Program Technician II	Mandatory Reinstatement	Permanent	Full Time	1
Environmental Program Manager II	Retired Annuitant	Temporary	Intermittent	2

Classification	Appointment Type	Tenure	Time Base	No. of Appointments
Scientific Aid	Temporary Authorization	Temporary	Intermittent	4
Environmental Scientist	Transfer	Permanent	Full Time	1
Research Scientist I (Epidemiology/Biostatistics)	Transfer	Permanent	Full Time	1
Senior Environmental Scientist (Specialist)	Transfer	Permanent	Full Time	2
Staff Environmental Scientist	Transfer	Permanent	Full Time	1
Staff Services Analyst (General)	Transfer	Permanent	Full Time	2
Staff Services Manager I	Transfer	Permanent	Full Time	1
Senior Environmental Scientist (Specialist)	Voluntary Demotion	Permanent	Full Time	1

FINDING NO. 2 – Equal Employment Opportunity Questionnaires Were Not Separated From Applications

Summary: Out of 40 appointment files reviewed, 11 files included applications where EEO questionnaires were not separated from the STD 678 employment application. Specifically, 20 of the 1,147 applications reviewed included EEO questionnaires that were not separated from the STD 678 employment application.

Criteria: Government Code section 19704 makes it unlawful for a hiring department to require or permit any notation or entry to be made on any application indicating or in any way suggesting or pertaining to any protected category listed in Government Code section 12940, subdivision (a) (e.g., a person's race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status). Applicants for employment in state civil service are asked to provide voluntarily ethnic data about themselves where such data is determined by CalHR to be necessary to an assessment of the ethnic and sex fairness of the selection process and to the planning and monitoring of affirmative action efforts. (Gov. Code, § 19705.) The EEO questionnaire of the state

application form (STD 678) states, “This questionnaire will be separated from the application prior to the examination and will not be used in any employment decisions.”

Severity: Very Serious. The applicants’ protected classes were visible, subjecting the agency to potential liability.

Cause: The DPR states that they had a high staff turnover during the period under review and high vacancy rate within the Personnel Services Branch (PSD).

Action: The DPR has submitted a corrective action plan for ensuring EEO questionnaires are separated from the STD 678 employment application as part of its department response, therefore no further action is required at this time.

FINDING NO. 3 – Probationary Evaluations Were Not Provided for all Appointments Reviewed

Summary: The DPR did not prepare, complete, and/or retain required probationary reports of performance for 7 of the 40 appointments reviewed by the CRU.

Classification	Appointment Type	No. of Appointments	No. of Uncompleted Prob. Reports
Associate Governmental Program Analyst	Certification List	1	2
Office Technician (Typing)	Certification List	1	1
Research Scientist III (Physical/Engineering Sciences)	Certification List	1	1
Senior Environmental Scientist (Specialist)	Certification List	3	4
Staff Services Analyst (General)	Certification List	1	1
Total		7	9

Criteria: A new probationary period is not required when an employee is appointed by reinstatement with a right of return. (Cal. Code Regs., tit. 2, § 322, subd. (d)(2).) However, the service of a probationary period is required when an employee enters state civil service by permanent appointment from an employment list. (Cal. Code Regs., tit. 2, § 322, subd. (a).) In addition, unless waived by the appointing power, a new probationary period is required when an employee is appointed to a position under the following circumstances: (1) without a break in service in the same class in which the employee has completed the probationary period, but under a different appointing power; and (2) without a break in service to a class with substantially the same or lower level of duties and responsibilities and salary range as a class in which the employee has completed the probationary period. (Cal. Code Regs., tit. 2, § 322, subd. (c)(1) & (2).)

During the probationary period, the appointing power is required to evaluate the work and efficiency of a probationer at sufficiently frequent intervals to keep the employee adequately informed of progress on the job. (Gov. Code, § 19172; Cal. Code Regs., tit. 2, § 599.795.) The appointing power must prepare a written appraisal of performance each one-third of the probationary period. (Cal. Code Regs., tit. 2, § 599.795.)

Severity: Serious. The probationary period is the final step in the selection process to ensure that the individual selected can successfully perform the full scope of their job duties. Failing to use the probationary period to assist an employee in improving his or her performance or terminating the appointment upon determination that the appointment is not a good job/person match is unfair to the employee and serves to erode the quality of state government.

Cause: The DPR states that the process in place during the review period did not contain adequate steps to ensure completion of all probationary reports.

Action: The DPR has submitted a corrective action plan for ensuring full compliance in meeting the probationary requirements of Government Code section 19172 as part of its department response; therefore no further action is required at this time.

FINDING NO. 4 – Appointment Documentation Was Not Kept for the Appropriate Amount of Time

Summary: Specifically, of the 40 appointments reviewed, the DPR did not retain 6 NOPA's, 11 applications, 2 certification lists, and rating criteria for an appointment made from a designated three-rank eligible list.

Criteria: In relevant part, civil service laws require that the employment procedures of each state agency shall conform to the federal and state laws governing employment practices. (Gov. Code, § 18720.) State agencies are required to maintain and preserve any and all applications, personnel, membership, or employment referral records and files for a minimum period of two years after the records and files are initially created or received. (Gov. Code, § 12946.) State agencies are also required to retain personnel files of applicants or terminated employees for a minimum period of two years after the date the employment action is taken. (Ibid.)

Severity: Serious. Without documentation, the CRU could not verify if the appointments were properly conducted.

Cause: The DPR states that the process in place during the review period did not contain adequate steps to ensure all appointment documentation was kept for the appropriate amount of time.

Action: The DPR has submitted a corrective action plan for ensuring full compliance in meeting the probationary requirements of Government Code section 18720 as part of its department response; therefore no further action is required at this time.

Equal Employment Opportunity

Each state agency is responsible for an effective EEO program. (Gov. Code, § 19790.) The appointing power for each state agency has the major responsibility for monitoring the effectiveness of its EEO program. (Gov. Code, § 19794.) To that end, the appointing power must issue a policy statement committed to equal employment opportunity; issue procedures for filing, processing, and resolving discrimination complaints; issue procedures for providing equal upward mobility and promotional

opportunities; and cooperate with the California Department of Human Resources (CalHR) by providing access to all required files, documents and data. (*Ibid.*) In addition, the appointing power must appoint, at the managerial level, an EEO officer, who shall report directly to, and be under the supervision of, the director of the department to develop, implement, coordinate, and monitor the department's EEO program. (Gov. Code, § 19795.)

Because the EEO Officer investigates and ensures proper handling of discrimination, sexual harassment and other employee complaints, the position requires separation from the regular chain of command, as well as regular and unencumbered access to the head of the organization. In a state agency with less than 500 employees, like the DPR, the EEO officer may be the personnel officer. (*Ibid.*)

Each state agency must establish a separate committee of employees who are individuals with a disability, or who have an interest in disability issues, to advise the head of the agency on issues of concern to employees with disabilities. (Gov. Code, § 19795, subd. (b)(1).) The department must invite all employees to serve on the committee and take appropriate steps to ensure that the final committee is comprised of members who have disabilities or who have an interest in disability issues. (Gov. Code, § 19795, subd. (b)(2).)

The CRU reviewed the DPR's EEO program that was in effect during the compliance review period. In addition, the CRU interviewed appropriate DPR staff.

FINDING NO. 5 – Equal Employment Opportunity Program Complied with Civil Service Laws and Board Rules

After reviewing the policies, procedures, and programs necessary for compliance with the EEO program's role and responsibilities according to statutory and regulatory guidelines, the CRU determined that the DPR EEO program provided employees with information and guidance on the EEO process including instructions on how to file discrimination claims. Furthermore, the EEO program outlines the roles and responsibilities of the EEO Officer, as well as supervisors and managers. The EEO Officer, who is at a managerial level, and is the personnel officer and reports directly to the director of the DPR. In addition, the DOF has an established DAC, that reports to the director on issues affecting persons with a disability. The DPR also provided evidence of its efforts to promote EEO in its hiring and employment practices, to increase its hiring of persons with a disability, and to offer upward mobility opportunities for its entry-level staff

Personal Services Contracts

A PSC includes any contract, requisition, or purchase order under which labor or personal services is a significant, separately identifiable element, and the business or person performing the services is an independent contractor that does not have status as an employee of the State. (Cal. Code Reg., tit. 2, § 547.59.) The California Constitution has an implied civil service mandate limiting the state's authority to contract with private entities to perform services the state has historically or customarily performed. Government Code section 19130, subdivision (a), however, codifies exceptions to the civil service mandate where PSC's achieve cost savings for the state. PSC's that are of a type enumerated in subdivision (b) of Government Code section 19130 are also permissible. Subdivision (b) contracts include private contracts for a new state function, services that are not available within state service, services that are incidental to a contract for the purchase or lease of real or personal property, and services that are of an urgent, temporary, or occasional nature.

For cost-savings PSCs, a state agency is required to notify the SPB of its intent to execute such a contract. (Gov. Code, § 19131.) For subdivision (b) contracts, the SPB reviews the adequacy of the proposed or executed contract at the request of an employee organization representing state employees. (Gov. Code, § 19132.)

During the compliance review period, the DPR had 17 PSC's that were in effect. Only 12 contracts were subject to Department of General Services (DGS) approval, and thus our procedural review, which are listed below:

Vendor	Services	Contract Dates	Contract Amount	Justification Identified
California State University, Fresno Foundation	Evaluate and forecast changes in mill assessment revenues	11/01/2013-11/30/2015	\$185,533.23	Yes
National Academy of Sciences	Evaluation of DPR's human health risk assessment process	10/01/2013-3/31/2015	\$450,000.00	Yes
The Regents of the University of California	Research of urban pesticide applications and provide training to pest management professionals	7/01/2013-6/30/2016	\$54,000.00	Yes

Vendor	Services	Contract Dates	Contract Amount	Justification Identified
The Regents of the University of California	Evaluate alternative treatments for the removal of chlorpyrifos from cole crop tailwater runoff	10/21/2013-12/31/2015	\$225,016.00	Yes
The Regents of the University of California	Research on pesticide runoff from urban concrete surfaces	11/01/2013-5/15/2016	\$149,999.00	Yes
The Regents of the University of California	Retrospective study of Pest Management Grant Outcomes: spatio-temporal analyses on pesticide use trends on crops	11/01/2013-11/30/2015	\$185,000.00	Yes
The Regents of the University of California	Research pesticide contamination of urban storm water runoff and mitigation	12/01/2013-9/30/2016	\$156,112.00	Yes
The Regents of the University of California	Organize and produce a Soil Health Symposium	1/15/2014-9/30/2014	\$55,667.00	Yes
The Regents of the University of California	Research toxicity in storm water samples	8/01/2013-6/30/2016	\$180,000.00	Yes
The Regents of the University of California	Identifying and managing critical uses of chlorpyrifos against key pests in four California crops	1/01/2014-4/30/2016	\$478,590.00	Yes
The Regents of the University of California	Research to develop and implement Integrated Pest Management practices to reduce urban pesticide runoff	10/01/2013-11/30/2015	\$147,072.00	Yes
United States Department of Agriculture, Agricultural Research Service	Research of pesticide emissions reduction	10/01/2013-6/30/2015	\$60,000.00	Yes

FINDING NO. 6 – Personal Services Contracts Complied with Procedural Requirements

When a state agency requests approval from the DGS for a subdivision (b) contract, the agency must include with its contract transmittal a written justification that includes *specific and detailed factual information* that demonstrates how the contract meets one or more conditions specified in Government Code section 19131, subdivision (b). (Cal. Code Reg., tit. 2, § 547.60.)

The total amount of all the PSC's reviewed was \$2,326,989.23. It was beyond the scope of the review to make conclusions as to whether DPR justifications for the contract were legally sufficient. For all PSC's subject to DGS approval, the DPR provided specific and detailed factual information in the written justifications as to how each of the 12 contracts met at least one condition set forth in Government Code section 19131, subdivision (b). Accordingly, the DPR PSC's complied with procedural requirements.

DEPARTMENTAL RESPONSE

The DPR's response is attached as Attachment 1.

SPB REPLY

Based upon the DPR's written response, the DPR will comply with the CRU recommendations and findings. The DPR submitted corrective action plans for the 4 departmental findings that were out of compliance.



Brian R. Leahy
Director

Edmund G. Brown Jr.
Governor

October 6, 2015

Ms. Suzanne Ambrose, Executive Officer
State Personnel Board
Compliance Review Unit
801 Capital Mall
Sacramento, CA 95815

Dear Ms. Ambrose:

This letter is in response to the recent compliance audit report of the California Department of Pesticide Regulation (DPR), completed by the State Personnel Board (SPB). The SPB report presented six findings. The first four findings require DPR to provide a corrective action response. The fifth and sixth findings do not require any response.

Listed below are the findings from the SPB report and the corresponding cause and corrective action:

Finding #1: Equal Employment Opportunity Questionnaires Were Not Separated From Applications - Examinations

Cause: DPR acknowledges that 5 of the 38 applications tested included the EEO questionnaire. These five applications were contained within secured examination files within a restricted file room. Examination applications are received, processed, scored, and filed by the certified examination analyst only. This examination analyst is required to key in the EEO Questionnaire information into the CalHR Examination Legacy System. As such, the examination analyst is exposed to this information as a matter of business process. At no time was this information exposed to hiring supervisors or used in employment decisions.

Corrective Action: The DPR has updated and implemented a revised examination file checklist that will be attached to the front of each examination file. The checklist includes the requirement to confidentially destroy each EEO Questionnaire once this information has been keyed into the CalHR examination Legacy System. The examination analyst is then required to initial each item on the checklist prior to closing out the file.

Finding #2: Equal Employment Opportunity Questionnaires Were Not Separated From Applications - Appointments



Cause: DPR acknowledges that 20 of the 1,147 applications tested included an EEO Questionnaire. During the period of July 1, 2013, to March 31, 2014, DPR experienced a high turnover of staff department-wide and the Personnel Services Branch (PSB) also struggled with a high vacancy rate.

Corrective Action: The receptionist and all PSB staff have received training on the removal of the EEO Questionnaire, and the desk manual was updated to ensure compliance. PSB has also implemented a second level of review that is now completed by the Classification and Pay (C&P) Analyst. The current C&P checklist has been updated with a check box to ensure that each application is checked for the EEO Questionnaire and removed from any application prior to providing applications to the hiring supervisor.

Finding #3: Probationary Evaluations Were Not Provided for all Appointments Reviewed

Cause: DPR recognizes the importance of the Probationary Period reporting for both the newly appointed employee and the organization. The previous process did not contain adequate steps to ensure completion of all probationary reports.

Corrective Action: PSB has implemented a revised tracking spreadsheet for all employees currently on probation. Within two weeks of the initial appointment, an email will be sent to the employee's supervisor with the probationary dates and the required form for completion. Reminder emails will be sent to the supervisor 30 days and one week prior to the probation report's due date. Additional emails will be sent weekly until the probation report is received in PSB. Furthermore, a monthly compliance report will be provided to the Executive Management Team.

The Chief Deputy Director sent out an email to all managers and supervisors regarding the requirement for completing all probationary reports and the important role it plays in the organization. In addition, PSB will be providing training to all managers and supervisors this fall regarding their responsibilities, which will include the completion of all required probationary reports.

Finding #4: Appointment Documentation Was Not Kept for Appropriate Amount of Time

Cause: DPR acknowledges the finding and is aware of the necessary retention time requirements. The previous process did not contain adequate steps to ensure all appointment documentation was kept for the appropriate amount of time.

Ms. Suzanne Ambrose
October 6, 2015
Page 3

Corrective Action:

- Notices of Personnel Action (NOPAs) - DPR has created and implemented a NOPA tracking system. When the original NOPA is sent out, it will include a memo that directs the employee to review, sign and return one copy of the NOPA to PSB within five business days. A weekly reminder email will be sent to the employee with a copy to the supervisor until the signed NOPA is received in PSB.
- Application/Rating Criteria Retention – An email has been sent out to all managers and supervisors reminding them of the requirement to retain all hiring applications and associated paperwork, including rating criteria, for a period of two years after the date the employment action is taken.
- Certification List - PSB has created and implemented a tracking spreadsheet for all certification lists ordered. The receptionist and C&P analysts have received training on the process, tracking, and filing of each certification list. This will ensure that each certification list is retained.

We appreciate the opportunity to respond to the compliance report. If you have any further questions, please contact me at 916-322-4327.

Sincerely,



Lisa Zwicky
Branch Chief, Personnel Services Branch
916-322-4327