

**BOARD RESOLUTION ADOPTING THE COMPLIANCE REVIEW REPORT AND  
FINDINGS BY THE SPB COMPLIANCE REVIEW DIVISION OF  
THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES**

**WHEREAS**, the State Personnel Board (SPB or Board) at its duly noticed meeting of October 10, 2013, carefully reviewed and considered the attached Compliance Review Report of the California Governor's Office of Emergency Services submitted by SPB's Compliance Review Division.

**WHEREAS**, the Report was prepared following a baseline review of the California Governor's Office of Emergency Services' personnel practices. It details the background, scope, and methodology of the review, and the findings and recommendations.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board hereby adopts the Report, including all findings and recommendations contained therein. A true copy of the Report shall be attached to this Board Resolution and the adoption of the Board Resolution shall be reflected in the record of the meeting and the Board's minutes.

  
SUZANNE M. AMBROSE  
Executive Officer



801 Capitol Mall Sacramento, CA 95814 | [www.spb.ca.gov](http://www.spb.ca.gov)

Governor Edmund G. Brown Jr.

October 16, 2013

Mark S. Ghilarducci  
Director  
California Governor's Office of Emergency Services  
3650 Schriever Avenue  
Mather, CA 95655

RE: Compliance Review Report

Dear Mr. Ghilarducci,

The State Personnel Board (Board or SPB) conducted a baseline compliance review of the California Governor's Office of Emergency Services (Cal OES)'s examinations, appointments, and EEO program during the period of May 1, 2011 through October 31, 2012. The primary objective of the review was to determine if Cal OES's personnel practices, policies, and procedures complied with state civil service laws and board regulations, and to recommend corrective action where deficiencies were identified.

Cal OES provided the documents that SPB requested. A cross-section of Cal OES's examinations, appointments, and EEO were selected for review to ensure that samples of various examinations and appointment types, classifications, and levels were analyzed. The review of the EEO program included examining written policies and procedures, the EEO officer's role and duties, and the internal discrimination complaint process. The SPB also interviewed appropriate Cal OES staff.

The Compliance Review Division (CRD) has found no deficiencies in the review of Cal OES's administration of examinations and appointments. However, the CRD found a deficiency in the review of the EEO program. Cal OES does not have a Disability Advisory Committee (DAC).

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).)

Accordingly, Cal OES must invite all employees to serve on a DAC 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. No later than 30 days after the Board's Resolution adopting these findings and recommendations, Cal OES must invite all its employees to serve on the DAC, and no later than 60 days after the Board's Resolution adopting these

findings and recommendations, Cal OES must establish the DAC and submit to the SPB a written report of compliance.

On September 9, 2013, an exit conference was held with Cal OES to explain and discuss the SPB's initial findings and recommendations. Cal OES was given until September 12, 2013 to submit a written response to the SPB's findings and recommendations. On September 11, 2013, the SPB received and carefully reviewed the response, which is attached to this final compliance report.

### **Department Response**

Cal OES was provided a draft copy of the initial report to review. A copy of Cal OES's response is attached.

### **SPB Reply**

Cal OES's written response concurs that Cal OES does not have an established and active DAC within Cal OES itself. Cal OES indicates that they are currently in the process of sending out an invitation to all their employees to serve on the DAC.

It is thus recommended that within 60 days of the Board's Resolution adopting these findings and recommendations Cal OES submit to the Board a written compliance plan that addresses the actions and procedures Cal OES has implemented and/or will implement to ensure that it establishes a DAC in conformity with Government Code section 19795. Copies of any relevant documents should also be attached to the compliance plan.

The CRD will submit its findings to the five member State Personnel Board and recommend adoption. The Board will issue a resolution either adopting these findings or issuing its own findings and order. In either event, you will be notified of the Board's action. The final Board action will be posted on the SPB's website.

We greatly appreciated the cooperation and assistance provided by Cal OES personnel. If you have questions or comments, please contact me at (916) 651-0924.

Sincerely,



James L. Murray, Chief  
Compliance Review Division  
State Personnel Board

cc: Leslie Oakley  
Branch Manager of Human Resources

EDMUND G. BROWN, JR.  
GOVERNOR

MARK S. GHILARDUCCI  
DIRECTOR



**Cal OES**  
GOVERNOR'S OFFICE  
OF EMERGENCY SERVICES

September 10, 2013

Mr. James L. Murray  
Chief, Compliance Review Division  
State Personnel Board  
801 Capitol Mall  
Sacramento, CA 95814

Dear Chief Murray:

The California Governor's Office of Emergency Services (Cal OES) (formerly California Emergency Management Agency) is submitting the required 3-day response to the recommended corrective action regarding the Cal OES EEO program.

**Recommended Corrective Action**

Establish a Disability Advisory Committee (DAC).

**Cal OES Response**

Cal OES concurs that a DAC needs to be established. Cal OES is currently in the process of sending out an invitation to all employees to serve on the committee and will adopt the State Personnel Board findings and recommendations and establish the DAC in accordance with Government Code Section 19795 subd. (b)(1) and Government Code Section 19795 subd (b)(2).

On behalf of Cal OES, we appreciate the assistance and guidance offered during your review. If you have additional questions or concerns, please feel free to contact Leslie Oakley at (916) 845-8377.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brendan Murphy'.

BRENDAN MURPHY  
Deputy Director  
Finance and Administration



**Cal OES**  
GOVERNOR'S OFFICE  
OF EMERGENCY SERVICES

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M E M O R A N D U M

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**Date:** September 3, 2013  
**To:** All Cal OES Employees  
**From:** Mark Ghilarducci, Director  
**Subject:** **DISABILITY ADVISORY COMMITTEE – MEMBERSHIP DRIVE**

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Cal OES is seeking members to establish a Disability Advisory Committee (DAC).

*What is the Disability Advisory Committee?* The DAC serves as a resource for all employees. The DAC assists and advises the Director through the Equal Employment Opportunity Office (EEO) to help create and maintain a workplace where all individuals have equal access to employment and departmental programs. The DAC also works with department staff to help make the facilities accessible to everyone.

*Why are we recruiting?* The Department is committed to building a strong organization for all of our employees. The DAC is one of the ways we can gather information and take action to assist our employees and customers. I am seeking a membership that represents all offices and divisions within Cal OES from all locations around the state. For members outside of the Mather area, video and teleconferencing options are available.

*Who are we recruiting?* Employees that have a good understanding of their office program, functions, and those that represent a diverse cross section of disabilities; including non-visible disabilities, and employees without disabilities. Employees that are selected to serve on the DAC must have approval of their supervisor.

Below explains further what role you will play as a DAC member:

## **THE ROLE OF THE DISABILITY ADVISORY COMMITTEE**

The DAC can be an integral part of each department's equal employment opportunity (EEO) program. Each departmental director is responsible for establishing an EEO program which includes a DAC. The role of each department's DAC is to advise and assist the department head in a variety of ways as exemplified by the following:

1. Serve as technical advisers to the department head and EEO/AA officer on the development, implementation and maintenance of equal employment opportunity and affirmative action programs and activities for persons/ employees with disabilities.
2. Initiate, design, coordinate and implement projects that will improve the personnel practices and employment opportunities for persons with disabilities in order to facilitate their representation at all levels within the department.
3. Establish liaison with groups and organizations that are concerned with achieving representation and utilization of persons with disabilities in the department's work force.
4. Monitor issues concerning the DAC to guarantee that necessary actions occur within reasonable time frames.
5. Assist and advise staff on issues relating to the Americans with Disabilities Act (ADA).

Please contact Robin Frazier at (916) 845-8527, if you are interested or have any questions.

**Mark Ghilarducci**  
**California Governor's Office of Emergency Services Director**