



2016 REPORT TO THE LEGISLATURE

COMPLIANCE REVIEW AND SPECIAL INVESTIGATION ACTIVITIES

Prepared by

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BACKGROUND

Effective July 1, 2012, the Governor's Reorganization Plan #1 (GRP1) of 2011 consolidated all of the functions of the Department of Personnel Administration and the merit-related transactional functions of the State Personnel Board (SPB) into the Department of Human Resources (CalHR). Specifically, SPB programs related to appointments consultation, career executive assignment (CEA) allocations, test development, recruitment, examinations, psychological and medical screening, training, and the Office of Civil Rights transferred to the CalHR along with the associated staff and funding. In addition, all of the SPB's accounting, budget, business services, human resources, information technology, legislative affairs, and public information office resources were transferred to the CalHR. The CalHR staff is now charged with providing these services to the SPB.

The GRP1 recognized and preserved the SPB's exclusive constitutional authority to administer the merit system. As a result, in addition to retaining the Appeals Division, the GRP1 created both a Policy Unit and Compliance Review Unit (CRU) at the SPB to establish merit-related policy and conduct reviews of departmental merit-related practices to ensure compliance with laws, rules, and board policy. The CRU performs cyclical standard reviews of five major areas: examinations, appointments, equal employment opportunity (EEO), personal services contracts (PSC's) and mandated trainings. The CRU also conducts special investigations of certain departments' personnel practices as determined by the Board. Special investigations may be initiated in response to a specific request or when the SPB obtains information suggesting a potential merit-related violation.

Government Code section 18662, subdivision (e), provides, "On or before October 1, 2014, and every October 1 thereafter, the board shall report to the Chairperson of the Joint Legislative Budget Committee the audit and special investigation activities of the board pursuant to this article from the preceding fiscal year. The board shall include in the report the following information:

"(1) A summary of each audit and special investigation, including findings.

(2) The number and total cost of audits and special investigations, by department."

This report, which is due October 1, 2016, describes the compliance review and special investigation activities of the CRU from July 1, 2015, to June 30, 2016. The report summarizes the compliance review and special investigation findings by state department and includes the numbers and total cost of compliance reviews and special investigations by state department in compliance with the statute cited above.

INDEX OF REVIEWED AREAS

#	Department	Exam	Appt	EEO	PSC	Trn
1	Air Resources Board	✓	✓	✓	✓	✓
2	Board of State and Community Corrections	✓	✓	✓	✓	✓
3	California Arts Council	✓	✓	✓	X	X
4	California Correctional Health Care Services	✓	✓	✓	✓	X
5	California Department of Aging	✓	✓	✓	X	X
6	California Department of Finance	✓	✓	✓	✓	X
7	California Department of Forestry and Fire Protection	✓	✓	✓	✓	✓
8	California Department of Health Care Services	✓	✓	✓	✓	X
9	California Department of Industrial Relations	✓	✓	✓	✓	✓
10	California Department of Justice	✓	✓	✓	✓	✓
11	California Department of Motor Vehicles	✓	✓	✓	✓	X
12	California Department of Pesticide Regulation	✓	✓	✓	✓	X
13	California Department of Rehabilitation	✓	✓	✓	✓	✓
14	California Department of Resources and Recycling	✓	✓	✓	✓	✓
15	California Department of Toxic Substances Control	✓	✓	✓	✓	✓
16	California Energy Commission	✓	✓	✓	✓	✓
17	California Fair Political Practices Commission	✓	✓	✓	✓	✓
18	California Governor's Office of Emergency Services	✓	✓	✓	✓	X
19	California Health and Human Services Agency	✓	✓	✓	✓	✓
20	California Health Facilities Financing Authority	✓	✓	✓	✓	✓
21	California Highway Patrol	✓	✓	✓	✓	X
22	California Horse Racing Board	✓	✓	✓	✓	✓
23	California Military Department	✓	✓	✓	X	X

#	Department	Exam	Appt	EEO	PSC	Trn
24	California Public Employees Retirement System	✓	✓	✓	X	X
25	California Science Center	✓	✓	✓	✓	✓
26	California State Controller's Office	✓	✓	✓	✓	✓
27	California State Transportation Agency	✓	✓	✓	✓	✓
28	California Student Aid Commission	X	✓	✓	X	✓
29	California Transportation Commission	✓	✓	✓	X	X
30	Commission on Peace Officer Standards and Training	✓	✓	✓	✓	X
31	Commission on State Mandates	X	✓	✓	X	✓
32	Department of Child Support Services	✓	✓	✓	✓	X
33	Department of Community Services and Development	✓	✓	✓	✓	X
34	Department of Consumer Affairs	✓	✓	✓	✓	X
35	Department of Food and Agriculture	✓	✓	✓	✓	✓
36	Department of General Services	✓	✓	✓	✓	X
37	Department of Parks and Recreation	✓	✓	✓	✓	X
38	Department of Social Services	✓	✓	✓	✓	X
39	Department of Technology	✓	✓	✓	✓	✓
40	Department of Water Resources	✓	✓	✓	✓	X
41	Emergency Medical Services Authority	X	✓	✓	X	✓
42	Franchise Tax Board	✓	✓	✓	✓	X
43	Labor and Workforce Development Agency	X	✓	✓	X	✓
44	Mental Health Services Oversight and Accountability Commission	✓	✓	✓	✓	✓
45	Public Employment Relations Board	✓	✓	✓	X	X
46	Sierra Nevada Conservancy	✓	✓	✓	X	✓
47	State Compensation Insurance Fund	✓	✓	✓	X	X

#	Department	Exam	Appt	EEO	PSC	Trn
	Total	42	47	47	35	24

Key: ✓ Signifies that a review of the area was conducted.
 X Signifies that a review of the area was not conducted.

SUMMARY OF COMPLIANCE REVIEW AREAS

From July 1, 2015 to June 30, 2016, the CRU completed full compliance reviews of 47 state departments and two special investigations. Four out of the 47 departments reviewed, or 9%, had no deficiencies. PSC procedural deficiencies were not found at any of the 35 departments which were reviewed for PSC compliance. The examination, appointment, EEO and mandated training deficiencies found at the other departments are described beginning on page six.

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

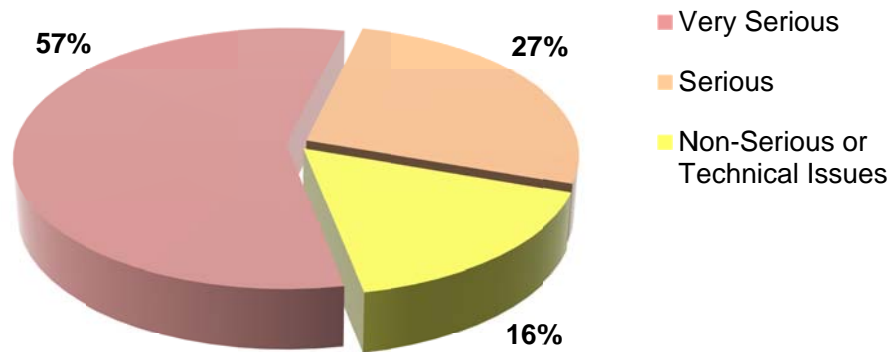
- Red = Very Serious
- Orange = Serious
- Yellow = Non-serious or Technical

In addition the frequency occurrence is classified as follows:

- 1-9% of departments reviewed = Low
- 10-19% of departments reviewed = Medium
- 20%+ of departments reviewed = High

The following chart displays the frequency of violations by severity. These findings are as anticipated given the need for education and oversight of the state’s delegated selection process.

July 1, 2015 - June 30, 2016 Compliance Review Summary of Findings Total



The most common very serious and serious violations and corrective actions from the compliance reviews are:

Very Serious Issues

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments) – 23 of 47 Departments Reviewed or 49%
 - Corrective Action: Departments must ensure all EEO questionnaires are separated from applications
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams) – 16 of 42 Departments Reviewed or 38%
 - Corrective Action: Departments must ensure all EEO questionnaires are separated from applications
- Job Analyses Were Not Developed or Used for the Examination Process (Exams) – 8 of 42 Departments Reviewed or 19%
 - Corrective Action: Departments must abolish active eligible lists and develop job analyses before administering future examinations
- A Disability Advisory Committee Has Not Been Established (EEO) – 8 of 47 Departments Reviewed or 17%
 - Corrective Action: Departments were required to submit corrective action plans to the CRU to ensure the establishment of legally compliant DAC's

Serious Issues

- Probationary Evaluations Were Not Provided for All Appointments Reviewed – 29 of 47 Departments Reviewed or 62%

- Corrective Action: Departments must ensure probationary evaluations are completed and retained
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time – 14 of 47 Departments Reviewed or 30%
 - Corrective Action: Departments must ensure documentation is retained in the future

The CRU is continuing to conduct full compliance reviews. The CRU will continue to post review findings and consult with departments during reviews in order to educate departments regarding appropriate personnel practices. The CRU will monitor to ensure departments adopt corrective actions within the period prescribed.

The CRU will monitor violations to view trends and make further corrective action, if warranted. Departments found in repeated violation will face severe corrective action which could include mandating training, additional monitoring, voiding examinations or appointments, and revocation or modification of delegated agreements.

Based on the results of the compliance reviews and special investigations, the CRU has recommended regulatory changes to the Policy Unit to clarify existing law and to adopt long-standing best practices into regulation. Examples of proposed changes include, clarifying under what conditions an employee may receive a promotion in place, and the policy related to the use of appropriate lists when lists are not available for a particular classification.

In addition, the CRU will periodically report violation trends to human resource forums. The CRU will also post best practices and tools on its webpage to aid departments in appropriately carrying out their personnel transactions.

VERY SERIOUS ISSUES

Issue 1:	EEO Questionnaires Were Not Separated from Applications (Appointments)
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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 voluntarily provide 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.”

Cause: Lack of policies, procedures, and training related to the proper processing of EEO information; lack of staff resources; and inadvertent oversight.

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

Frequency: High. 23 out of 47 departments or 49%.

Action: The departments were required to submit a corrective action plan to the CRU to ensure that, in the future, all EEO questionnaires will be separated from applications.

Issue 2:	EEO Questionnaires Were Not Separated from Applications (Exams)
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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 voluntarily provide 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.”

Cause: Lack of policies, procedures, and training related to the proper processing of EEO information; lack of staff resources; and inadvertent oversight.

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

Frequency: High. 16 out of 42 departments or 38%.

Action: The departments were required to submit a corrective action plan to the CRU to ensure that, in the future, all EEO questionnaires will be separated from applications.

Issue 3: Ethics Training Was Not Provided for All Filers

Criteria: New filers must be provided ethics training within six months of appointment. Existing filers must be trained at least once during each consecutive period of two calendar years commencing on the first odd-numbered year thereafter. (Gov. Code, § 11146.3, subd. (b).)

Severity: Very Serious. The department does not ensure its filers are aware of prohibitions related to his or her official position and influence.

Frequency: High. 7 out of 24 departments or 29%.

Cause: Lack of effective tracking processes; lack of administrative notification, follow-up, and enforcement; and, failure to collect and retain training certificates.

Action: The departments were required to submit corrective action plans to the CRU to ensure compliance in meeting the mandatory training requirements of Government Code section 11146.3, subd (b).

Issue 4: Sexual Harassment Prevention Training Was Not Provided for All Supervisors

Criteria: Each department must provide its supervisors two hours of sexual harassment training every two years. New supervisors must be provided sexual harassment prevention training within six months of appointment. (Gov. Code, § 12950.1 subd. (a).)

Severity: Very Serious. The department does not ensure its new managers are properly trained. Without proper training, supervisors are not

prepared to properly respond to issues involving sexual harassment, which limits the department's ability to retain a quality workforce, impacts employee morale and productivity, and subjects the department to liability.

Frequency: High. 6 out of 24 departments or 25%.

Cause: Lack of effective tracking processes; lack of administrative notification, follow-up, and enforcement; failure to collect and retain training certificates; and, lack of trainer availability.

Action: The departments were required to submit corrective action plans to the CRU to ensure compliance in meeting the mandatory training requirements of Government Code section 12950.1, subd (a).

Issue 5:	Basic Supervisory Training Was Not Provided for All Supervisors
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Criteria: Each department must provide its new supervisors supervisory training within twelve months of appointment. (Gov. Code, § 19995.4 subd. (b) and (c).) The training must be a minimum of 80 hours, 40 of which must be structured and given by a qualified instructor. The other 40 hours may be done on the job by a higher-level supervisor or manager. (Gov. Code, § 19995.4 subd. (b).)

Severity: Very Serious. The department does not ensure its new managers are properly trained. Without proper training, new supervisory employees may not properly carry out their supervisory roles, including managing employees.

Frequency: High. Six out of 24 departments or 25%.

Cause: Lack of effective tracking processes; lack of administrative notification, follow-up, and enforcement; failure to collect and retain training certificates; and, lack of training availability.

Action: The departments were required to submit corrective action plans to the CRU to ensure compliance in meeting the mandatory training requirements of Government Code section 19995.4, subd. (b) and (c.)

Issue 6: Job Analyses Were Not Developed or Used for the Examination Process

Criteria: The Merit Selection Manual (MSM), which is incorporated in California Code of Regulations (CCR), title 2, section 50, mandates the development and use of a job analysis for the examination process. A "job analysis shall serve as the primary basis for demonstrating and documenting the job-relatedness of examination processes conducted for the establishment of eligible lists within the State's civil service." (MSM (Oct. 2003), § 2200, p. 2.) The MSM requires that job analyses adhere to the legal and professional standards outlined in the job analysis section of the MSM and that certain elements must be included in the job analysis studies. (*Ibid.*) Those requirements include the following: (1) that the job analysis be performed for the job for which the subsequent selection procedure is developed and used; (2) the methodology utilized be described and documented; (3) the job analytic data be collected from a variety of current sources; (4) job tasks be specified in terms of importance or criticality, and their frequency of performance; (5) and job tasks be sufficiently detailed to derive the requisite knowledge, skills, abilities (KSA's), and personal characteristics that are required to perform the essential tasks and functions of the job classification. (MSM, § 2200, pp. 2-3.)

Severity: Very Serious. The examinations may not have been job-related or legally defensible.

Frequency: High. 8 out of 42 departments or 19%.

Cause: Lack of training; staff turnover and/or inadequate staffing; and, lack of examination resources.

Action: Eligible lists from examinations without a job analysis which had not expired were abolished and the departments were required to submit corrective action plans to the CRU to ensure that, in the future, job analyses will be developed and used for the examination process.

Issue 7: A Disability Advisory Committee Has Not Been Established

Criteria: 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).)

Cause: Prior Disability Advisory Committees (DAC)'s became inactive, recruitment issues and/or declining participation, DAC member turnover, and minimal staff.

Severity: Very Serious. The department heads did not have direct information on issues of concern to employees or other persons with disabilities and input to correct any underrepresentation. The lack of a Disability Advisory Committee (DAC) may limit a department's ability to recruit and retain a qualified workforce, impact productivity, and subject the department to liability.

Frequency: Medium. 8 out of 47 departments or 17%.

Action: The departments were required to submit corrective action plans to the CRU to ensure the establishment of legally compliant DAC's.

Issue 8:	EEO Officers Did Not Monitor the Composition of Oral Panels in Department Exams
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Criteria: The EEO Officer at each department must monitor the composition of oral panels in departmental examinations (Gov. Code, § 19795, subd. (a)).

Severity: Very Serious. Requiring the EEO Officer to monitor oral panels is intended to ensure protection against discrimination in the hiring process.

Frequency: Medium. 6 out of 47 departments or 13%.

Cause: Lack of process/procedure and lack of training and/or awareness of applicable laws and rules.

Action: The departments were required to submit a corrective action plan to the CRU to ensure that the EEO Officer monitors the composition of oral panels in departmental exams.

Issue 9:**Unlawful Appointments**

Criteria: Article VII of the State Constitution requires that permanent appointments in State civil service be based on merit as ascertained by competitive examination. Unlawful appointments may occur for a variety of reasons including administrative errors, oversight, misinformation, or, in rare cases, attempts to circumvent the state's civil service system. Some of the most common reasons for unlawful appointments are:

- Transfer of an individual based on inaccurate interpretation of the transfer requirements.
- Appointment of an individual from a non-reachable rank of the certification list.
- Appointment of an individual who does not meet the minimum qualifications of the classification.

Severity: Very Serious. An unlawful appointment provides the employee with an unfair and unearned appointment advantage over other employees whose appointments have been processed in compliance with the requirements of civil service law. Unlawful appointments which are not corrected also create appointment inconsistencies that jeopardize the equitable administration of the civil service merit system.

When an unlawful appointment is voided, the employee loses any tenure in the position, as well as seniority credits, eligibility to take promotional examinations, and compensation at the voided appointment level. If "bad faith" is determined on the part of the appointing power, civil or criminal action may be initiated. Disciplinary action may also be pursued against any officer or employee in a position of authority who directs any officer or employee to take action in violation of the appointment laws. If bad faith is determined on the part of the employee, the employee may be required to reimburse all compensation resulting from the unlawful appointment and may also be subject to disciplinary action.

Frequency: Low. 4 out of 47 departments or 9%.

Cause: Staff error, lack of proper staff training and awareness of the laws and rules governing the appointment process.

Action: The departments were required to submit a corrective action plan to the CRU that addresses the corrections the departments will implement to ensure the departments will improve their hiring practices.

Issue 10: The EEO Officers Did Not Report Directly to the Heads of the Departments

Criteria: 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.) In a state department with less than 500 employees, the EEO Officer may be the personnel officer. (*Ibid.*)

Severity: Very Serious. The EEO Officers did not have direct access to the head of the organization, diminishing the significance of the EEO program.

Frequency: Low. 4 out of 47 departments or 9%.

Cause: Reorganization of administrative functions and lack of awareness of Government Code section 19795.

Action: The departments were required to submit a corrective action plan to the CRU to ensure that their EEO Officers report directly to the head of each department.

Issue 11: No Active Upward Mobility Program

Criteria: Each appointing authority shall develop and maintain a written upward mobility plan as specified in the State Personnel Board's *Guidelines for Administering Departmental Upward Mobility Employment Programs* (Guidelines), revised July 25, 2000.

The plan shall include: (a) A policy statement regarding the appointing authority's commitment to providing equal upward mobility opportunity for its employees in low-paying occupations. (b) A description of the components of its program consistent with Government Code section 19401, how employees may access the program, and where information about the program may be obtained. (c) The roles and responsibilities of the employee, the

employee's supervisor, the upward mobility program coordinator, the personnel office, the training office, and the equal employment opportunity office regarding the upward mobility program. (d) Criteria for selecting employees in low-paying occupations to 19401. (e) The number of employees in classifications in low-paying occupations technical, professional, and administrative classes targeted for upward mobility; and planned upward mobility examinations. (Cal. Code Regs., tit. 2, § 599.983.)

Severity: Very Serious. The department does not have a plan to ensure it has an effective upward mobility program to develop and advance employees in low-paying occupations.

Frequency: Low. 3 out of 47 departments or 6%.

Cause: Lack of resources and personnel; staff turnover; and, written upward mobility plan in developmental stage due to lengthy review process.

Action: The departments were required to submit a corrective action plan to the CRU to ensure conformity with upward mobility requirements of Government Code section 19401.

Issue 12:	Examination Was Compromised
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Criteria: California Code Regulations, Title 2, section 197.5, subdivision (b) mandates that when anyone directly involved in the development or administration of any phase of an examination and a competitor are related by blood, "(1) The rater shall disqualify him/herself from rating the applicant, or (2) shall not participate in any phase of the administration of that particular examination."

Severity: Very Serious. The compromised examination provided one candidate with an unfair advantage over other candidates. The equitable administration of the civil service merit system has been jeopardized. Additionally, since no job analysis was used, the examinations may not have been job-related or legally defensible.

Frequency: Low. 1 out of 42 departments or 2%.

Cause: Lack of staff training and/or awareness of the laws and rules governing the examination process.

Action: The department was required to abolish the exam list and submit a corrective action plan to the CRU to ensure that future examinations are not compromised.

Issue 13: Complainants Were Not Notified of the Reasons for Delays in Decisions Within the Prescribed Time Period

Criteria: The appointing power must issue a written decision to the complainant within 90 days of the discrimination complaint being filed. (Cal. Code Regs., tit. 2, § 64.4, subd. (a).) If the appointing power is unable to issue its decision within the prescribed time period, the appointing power must inform the complainant in writing of the reasons for the delay. (*Ibid.*)

Severity: Very Serious. Employees were not informed of the reasons for delays in decision for complaints of discrimination. Employees may feel their concerns are not being taken seriously, which can leave the department open to liability and low employee morale.

Frequency: Low. 1 out of 47 departments or 2%.

Cause: The department believed that the 90-day window for issuing a decision on a discrimination complaint was only applicable for complaints based on mental disability, physical disability, and medical condition.

Action: The department was required to submit a corrective action plan to the CRU to ensure that complainants are notified of the reasons for delays in decisions within the prescribed time period.

Issue 14: Equal Employment Opportunity Officer Also Serves as the Personnel Officer at a State Agency with More Than 500 Employees

Criteria: California Government Code section 19795 (a) states “The appointing power of each state agency and the director of each state department shall appoint, at the managerial level, an equal employment opportunity officer, who shall report directly to, and be under the supervision of, the director of the department, to develop, implement, coordinate, and monitor the agency’s equal employment opportunity program. In a state agency with less than 500 employees, the equal employment opportunity officer may be the personnel officer.”

Severity: Very Serious. The EEO Officer is responsible for developing, implementing, coordinating, and monitoring their department's EEO program. Due to the substantial responsibilities held by each department's EEO Officer, it is essential that each department, employing more than 500 employees, appoint an EEO Officer, at the managerial level, that may successfully maintain the effectiveness of the EEO program without the undue burden of also maintaining the effectiveness of the department's Personnel Office.

Frequency: Low. 1 out of 47 departments or 2%.

Cause: No ability to allocate a position to meet this requirement.

Action: The department was required to submit a written corrective action plan to ensure conformity with California Government Code section 19795.

Issue 15: Inappropriate Appointment Via Departmental Reemployment

Criteria: California Government Code section 19056 mandates that the individual standing highest on a departmental reemployment list shall be certified and appointed. Therefore, the rule of one name applies to subdivisional and departmental reemployment lists wherein the first interested individual on the list must be selected if a list appointment is to be the method of appointment.

Severity: Very Serious. Without documentation establishing the basis for not hiring the highest ranked individual on the departmental reemployment list, the CRU could not verify whether the appointment was properly conducted.

Frequency: Low. 1 out of 47 departments or 2%.

Cause: Documentation for the reemployment list was not sufficient to ensure compliance with California Government Code section 19056.

Action: The department was required to submit a written corrective action plan to ensure conformity with the requirements of California Government Code section 19056.

Issue 16: Job Opportunities Were Not Properly Advertised

Criteria: Departments are required to have recruitment strategies designed to be “as broad and inclusive as necessary to ensure the identification of an appropriate candidate group.” (Merit Selection Manual [MSM], § 1100, p. 1100.2 (Oct. 2003); Cal. Code Reg., tit. 2, § 50.) Generally, the typical steps a department takes after determining that approval to fill a vacant position has been secured include: determining whether there is an eligible list for the classification in which the vacancy exists; determining whether an eligible list is necessary to fill the vacancy; advertise the vacancy, which may include certifying the eligible list; receive applications, and if no applications are received, re-advertise the position with increased recruitment efforts; screen applications to determine which candidates meet minimum qualification requirements and are eligible for appointment; and conduct hiring interviews. (MSM, § 1200, pp. 1200.7-1200.8; Cal. Code Reg., tit. 2, § 50.)

Severity: Very Serious. All interested individuals were not provided the opportunity to apply. By failing to advertise, the department cannot be certain that it has hired the most qualified workforce.

Frequency: Low. 1 out of 47 departments or 2%.

Cause: The department had not yet implemented policies and procedures requiring the posting of all vacancies on CalHR’s designated website.

Action: The department was required to submit a corrective action plan to the CRU to ensure that recruitment strategies are broad and inclusive and that vacancies are posted on CalHR’s designated website.

SERIOUS ISSUES

Issue 17: Probationary Evaluations Were Not Provided for All Appointments
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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 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.

Frequency: High. 29 out of 47 departments or 62%.

Cause: Lack of or deficiency in process, tracking system, training; workload issues; or staff failed to follow existing policies and procedures.

Action: The departments were required to submit to the CRU a written corrective action plan that addresses how they will ensure full compliance from supervisory/managerial staff to meet with the probationary requirements of Government Code section 19172.

Issue 18:	Appointment Documentation Was Not Kept for the Appropriate Amount of Time
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Criteria: As specified in California Code of Regulations, section 26, (Rule 26), appointing powers are required to retain records related to affirmative action, equal employment opportunity, examinations, merit, selection, and appointment for a minimum period of five years from the date the record is created. These records are required to be readily accessible and retained in an orderly and systematic manner. (Cal. Code Reg., tit. 2, § 26.)

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

Frequency: High. 14 out of 47 departments or 30%.

Cause: Lack of policies, procedures, and training; or erroneous destruction of documents by hiring manager.

Action: The departments were required to submit a corrective action plan to the CRU to ensure that, in the future, appointment documentation is retained for the appropriate period of time.

Issue 19: Examination Documentation Was Not Kept for the Appropriate Amount of Time

Criteria: As specified in California Code of Regulations, section 26, (Rule 26), appointing powers are required to retain records related to affirmative action, equal employment opportunity, examinations, merit, selection, and appointment for a minimum period of five years from the date the record is created. These records are required to be readily accessible and retained in an orderly and systematic manner. (Cal. Code Reg., tit. 2, § 26.)

Severity: Serious. Without documentation, the CRU cannot verify if examinations were properly conducted.

Frequency: Low. 1 out of 42 departments or 2%.

Cause: Lack of policies, procedures, and training.

Action: The departments were required to submit a corrective action plan to the CRU to ensure that, in the future, all employment documentation is retained for the appropriate amount of time.

Issue 20: Hiring Individual Below Rank Three Was Not Documented

Criteria: California Code of Regulations, title 2, section 254 (Rule 254) mandates that each vacancy for a class in which the certification of eligibles is under Government Code section 19057, the department shall fill a vacancy by eligibles in the three highest names certified. Government Code section 19057 refers to promotional employment lists. Rule 254 additionally mandates that each vacancy for a class

in which the certification of eligibles is under Government Code sections 19057.1, 19057.2 and 19057.3, the department shall fill a vacancy by eligibles in the three highest ranks certified. Government Code sections 19057.1, 19057.2 and 19057.3 refer to professional, scientific, administrative and management classifications.

Severity: Serious. Without documentation establishing the basis for hiring below the top three ranks, the CRU could not verify whether one appointment to Office Technician was properly conducted.

Frequency: Low. 1 out of 47 departments or 2%.

Cause: The department had a documentation process for appointing candidates from ranks four and below. However, that process was not properly followed in this instance.

Action: The department was required to submit to the CRU a written corrective action plan that addresses the corrections the department will implement to improve its hiring practices.

NON-SERIOUS OR TECHNICAL ISSUES

Issue 21:	Applications Were Not Date Stamped and/or Accepted After the Final File Date (Appointments)
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Criteria: California Code of Regulations, title 2, section 174 (Rule 174) requires timely filing of applications: All applications must be filed at the place, within the time, in the manner, and on the form specified in the examination announcement. Filing an application 'within the time' shall mean postmarked by the postal service or date stamped at one of the department's offices (or appropriate office of the agency administering the examination) by the date specified.

An application that is not postmarked or date stamped by the specified date shall be accepted, if one of the following conditions as detailed in Rule 174 apply: (1) the application was delayed due to verified error; (2) the application was submitted in error to the wrong state agency and is either postmarked or date stamped on or before the specified date; (3) the employing agency verifies examination announcement distribution problems that prevented timely notification to an employee of a promotional examination; or (4) the employing agency verifies that the

applicant failed to receive timely notice of promotional examination. (Cal. Code Reg., tit. 2, § 174, subds. (a), (b), (c), & (d).) The same final filing date procedures are applied to the selection process used to fill a job vacancy.

Severity: Non-serious or Technical. Final filing dates are established to ensure all applicants are given the same amount of time in which to apply for a job vacancy and to set a deadline for the recruitment. Therefore, although the acceptance of applications after the final filing date may give some applicants more time to prepare their application than other applicants who meet the final filing date, the acceptance of late applications will not impact the results of the job vacancy selection.

Frequency: High. 20 out of 47 departments or 43%.

Cause: Lack of centralized process for receiving applications to ensure proper processes were being followed; staff removed and discarded the stamped mailing letters/envelopes stapled to applications; and, staff error and/or insufficient training.

Action: The departments were required to submit a written corrective action plan to CRU to ensure conformity with Rule 174.

Issue 22:	Applications Were Not Date Stamped and/or Accepted After the Final File Date (Exams)
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Criteria: California Code of Regulations, title 2, section 174 (Rule 174) requires timely filing of applications: All applications must be filed at the place, within the time, in the manner, and on the form specified in the examination announcement. Filing an application 'within the time' shall mean postmarked by the postal service or date stamped at one of the department's offices (or appropriate office of the agency administering the examination) by the date specified.

An application that is not postmarked or date stamped by the specified date shall be accepted, if one of the following conditions as detailed in Rule 174 apply: (1) the application was delayed due to verified error; (2) the application was submitted in error to the wrong state agency and is either postmarked or date stamped on or before the specified date; (3) the employing agency verifies examination announcement distribution problems that prevented timely notification to an employee of a promotional examination; or

(4) the employing agency verifies that the applicant failed to receive timely notice of promotional examination. (Cal. Code Reg., tit. 2, § 174, subds. (a), (b), (c), & (d).) The same final filing date procedures are applied to the selection process used to fill a job vacancy.

Severity: Non-serious or Technical. Final filing dates are established to ensure all applicants are given the same amount of time in which to apply for a job vacancy and to set a deadline for the recruitment. Therefore, although the acceptance of applications after the final filing date may give some applicants more time to prepare their application than other applicants who meet the final filing date, the acceptance of late applications will not impact the results of the job vacancy selection.

Frequency: Medium. 7 out of 42 departments or 17%.

Cause: Lack of centralized process for receiving applications to ensure proper processes were being followed; staff removed and discarded the stamped mailing letters/envelopes stapled to applications; and, staff error and/or insufficient training.

Action: The departments were required to submit written corrective action plans to CRU to ensure conformity with Rule 174.

Issue 23:	Examination Bulletins Did Not Include All Requirements
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Criteria: Government Code section 18933 states that a department or a designated appointing power shall announce or advertise examinations for the establishment of eligible lists. The announcement shall include the following:

- (1) The date and place of the examination.
 - (2) The nature of the minimum qualifications.
 - (3) The general scope of the examination.
 - (4) ***The relative weight of its several parts if more than one type of test is to be utilized.***
 - (5) Any other information the department deems proper.
- (b) The department shall notify the Department of Veterans Affairs when any promotional examination for the establishment of an eligible list is announced or advertised to eligible candidates. The notification shall state the job position and include all of the

information listed in paragraphs (1) to (5), inclusive, of subdivision (a).

Frequency: Low. 1 out of 42 departments or 2%.

Severity: Non-Serious or Technical. Although examination bulletins should include the relative weight of each part of the tests being utilized, in this case, it did not appear to compromise the results of the examination process.

Cause: Specific weight of each component of the exam was not known upon release of the exam bulletin.

Action: The department was required to submit a corrective action plane for ensuring full compliance in meeting the requirements of Government Code section 18933.

SUMMARY OF SPECIAL INVESTIGATIONS

In response to the SPB Appeals Division (AD) merit issue determination in David Carrillo, Jill Harvey, Luanne Schuler, and Audrey Uratani v. Department of Justice (Case No. 14-1031N, 14-1032N, 14-0133N, and 14-0134N) (Carrillo), the CRU conducted a special investigation into California Department of Justice (DOJ) personnel practices related to appointments made from July 1, 2011, to December 5, 2014. Specifically, the special investigation focused on appointments subsequent to the Governor's Reorganization Plan # 2, which involved merging the California Gambling Commission (CGC) into the DOJ's Bureau of Gambling Control (BGC). Based upon the review of the information contained in DOJ appointment files and other relevant materials, the CRU found records retention deficiencies; but no evidence of illegal hiring practices.

The CRU also investigated the California Department of Forestry and Fire Protection (CalFire) regarding two re-promotional appointments to Fire Captain. In 2015, adverse actions were taken against the three employees for improperly receiving interview questions and desired answers before participating in competitive interviews for vacant Fire Captain positions. Two of the three individuals were demoted from limited-term Fire Captain positions back to their previous Fire Apparatus Engineer classification within the same fire stations and given a 5% salary reduction for 12 months. The third individual was rejected on probation from the limited-term Fire Captain position to his previous Fire Apparatus Engineer classification at a different fire station than he had been promoted from and given a 5% salary reduction for 12 months. Within 30 days of the effective date of the demotions, however, two of the demoted employees were re-appointed to Fire Captain positions within the same fire stations to which they had been demoted. In order to determine whether the two re-promotions to Fire Captain following

adverse actions were appropriate, the CRU reviewed the three original appointments to Fire Captain positions and the two subsequent re-appointments back to Fire Captain following the brief demotion.

The CRU found that CAL FIRE failed to maintain proper documentation, provided inconsistent and contradictory information, and failed to follow established procedures in the appointments.

COMPLIANCE REVIEW UNIT COSTS

The CRU completed 47 compliance reviews and two special investigations from July 1, 2015, to June 30, 2016. The total cost of the combined completed reviews is \$2,241,881.38. The total only includes *completed* reviews and special investigations and does not include compliance reviews or special investigations currently in process. A per department breakdown of costs for each review and special investigation is listed in the Index of Compliance Reviews and Special Investigations Costs on page 36.

INDEX OF FINDINGS FOR COMPLIANCE REVIEWS

Air Resources Board

- Examinations Complied with Civil Service Laws and Board Rules
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Applications Were Not Date Stamped and/or Accepted After the Final File Date (Appointments)
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Supervisory Training Was Not Provided For All Supervisors
- Sexual Harassment Training Was Not Provided for All Supervisors

Board of State and Community Corrections

- Examinations Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated from All Applications (Appointments)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Applications Were Not Date Stamped and/or Accepted After the Final File Date (Appointments)
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Supervisory Training Was Not Provided For All Supervisors
- Ethics Training Was Not Provided for All Filers
- Sexual Harassment Training Was Not Provided for All Supervisors

California Arts Council

- Job Analyses Were Not Developed or Used for the Examination Process
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Applications Were Not Date Stamped and/or Accepted After the Final File Date (Appointments)
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules

California Correctional Health Care Services

- Examinations Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments)
- Equal Employment Opportunity Officer Does Not Report Directly to the Head of the Agency
- Personal Services Contracts Complied with Procedural Requirements

California Department of Aging

- Examinations Complied with Civil Service Laws and Board Rules
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Applications Were Not Date Stamped
- Equal Employment Opportunity Officer Does Not Monitor the Composition of Oral Panels in Departmental Exams
- Personal Services Contracts Complied with Procedural Requirements

California Department of Finance

- Exam Bulletin Did Not Include All Requirements
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications
- Job Opportunities Were Not Properly Advertised
- Unlawful Appointment By Way of Transfer
- Unlawful Promotion-In-Place Appointments
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements

California Department of Forestry and Fire Protection

- Examinations Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments)
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Applications Were Not Date Stamped.
- Certifications Were Not Documented Electronically
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Mandatory Training Complied with Statutory Requirements

California Department of Health Care Services

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Applications Were Not Date Stamped and/or Accepted After the Final File Date (Exams)
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Applications Were Not Date Stamped
- Equal Employment Opportunity Officer Does Not Monitor the Composition of Oral Panels in Departmental Exams
- Personal Services Contracts Complied with Procedural Requirements

California Department of Industrial Relations

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Applications Were Not Date Stamped and/or Accepted After The Final File Date (Exams)
- Equal Employment Opportunity Questionnaires Were Not Separated from All Applications (Appointments)
- Unlawful Appointment
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Applications Were Not Date Stamped and/or Accepted After the Final File Date (Appointments)
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Supervisory Training Was Not Provided For All Supervisors
- Ethics Training Was Not Provided for All Filers
- Sexual Harassment Training Was Not Provided for All Supervisors

California Department of Justice

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Equal Employment Opportunity Questionnaires Were Not Separated from All Applications (Appointments)
- Inappropriate Appointment via Departmental Reemployment
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Applications Were Not Date Stamped and/or Accepted After the Final File Date (Appointments)
- Job Opportunities Were Not Properly Advertised
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Supervisory Training Was Not Provided For All Supervisors
- Ethics Training Was Not Provided for All Filers
- Sexual Harassment Training Was Not Provided for All Supervisors

California Department of Motor Vehicles

- Examinations Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications
- Applications Were Not Date Stamped
- Certifications Were Not Documented Electronically

- Complainants Were Not Notified of the Reasons for Delays in Decisions Within the Prescribed Time Period
- Personal Services Contracts Complied with Procedural Requirements

California Department of Pesticide Regulation

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements

California Department of Rehabilitation

- Examinations Complied with Civil Service Laws and Board Rules
- Applications Were Not Date Stamped and/or Accepted After the Final File Date
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Mandatory Training Complied with Statutory Requirements

California Department of Resources and Recycling

- Examinations Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated from All Applications (Appointments)
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Applications Were Not Date Stamped and/or Accepted After the Final File Date (Appointments)
- Equal Employment Opportunity Officer Also Serves As the Personnel Officer at a State Agency with More Than 500 Employees
- Personal Services Contracts Complied with Procedural Requirements
- Supervisory Training Was Not Provided For All Supervisors
- Ethics Training Was Not Provided for All Filers

California Department of Toxic Substances Control

- Examinations Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments)
- Applications Were Not Date Stamped
- Certifications Were Not Documented Electronically

- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements

California Energy Commission

- Job Analyses Were Not Developed or Used for the Examination Process
- Equal Employment Opportunity Questionnaires Were Not Separated from All Applications (Appointments)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Ethics Training Was Not Provided for All Filers

California Fair Political Practices Commission

- Examinations Complied with Civil Service Laws and Board Rules
- Appointments Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Mandatory Training Complied with Statutory Requirements

California Governor's Office of Emergency Services

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Job Analyses Were Not Developed or Used for the Examination Process
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Equal Employment Opportunity Officer Does Not Report Directly to the Head of the Agency
- Personal Services Contracts Complied with Procedural Requirements

California Health and Human Services Agency

- Examinations Complied with Civil Service Laws and Board Rules
- Appointments Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Mandatory Training Complied with Statutory Requirements

California Health Facilities Financing Authority

- Examinations Complied with Civil Service Laws and Board Rules
- Probationary Evaluations Were Not Provided for All Appointments Reviewed.
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements

- Mandatory Training Complied with Statutory Requirements

California Highway Patrol

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Examination Documentation Was Not Kept for the Appropriate Amount of Time
- Applications Were Accepted After the Final File Date (Exams)
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments)
- Unlawful Appointment
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Applications Were Not Date Stamped and/or Accepted After the Final File Date (Appointments)
- Equal Employment Opportunity Officer Does Not Report Directly to the Head of the Agency
- Personal Services Contracts Complied with Procedural Requirements

California Horse Racing Board

- Job Analyses Were Not Developed or Used for the Examination Process
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- A Disability Advisory Committee Has Not Been Established
- Personal Services Contracts Complied with Procedural Requirements
- Basic Supervisory Training Was Not Provided For All Supervisors
- Ethics Training Was Not Provided for All Filers
- Sexual Harassment Training Was Not Provided for All Supervisors

California Military Department

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications
- Job Analyses Were Not Developed or Used for the Examination Process
- Armory Custodian Examination Was Compromised (Special Investigation)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Equal Employment Opportunity Officer Does Not Monitor the Composition of Oral Panels in Departmental Exams

California Public Employees Retirement System

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Equal Employment Opportunity Officer Does Not Monitor the Composition of Oral Panels in Departmental Exams

California Science Center

- Examinations Complied with Civil Service Laws and Board Rules

- Appointments Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Mandatory Training Complied with Statutory Requirements

California State Controller's Office

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Job Analyses Were Not Developed or Used for the Examination Process
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments)
- Applications Were Not Date Stamped
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Mandatory Training Complied with Statutory Requirements

California State Transportation Agency

- Applications Were Not Date Stamped and/or Accepted After The Final File Date (Exams)
- Equal Employment Opportunity Questionnaires Were Not Separated from All Applications (Appointments)
- A Disability Advisory Committee Has Not Been Established
- Personal Services Contracts Complied with Procedural Requirements
- Mandatory Training Complied with Statutory Requirements

California Student Aid Commission

- Appointments Complied with Civil Service Laws and Board Rules
- No Active Upward Mobility Program
- Mandatory Training Complied with Statutory Requirements

California Transportation Commission

- Examinations Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments)
- Equal Employment Opportunity Officer Does Not Monitor the Composition of Oral Panels in Departmental Exams
- A Disability Advisory Committee Has Not Been Established

Commission on Peace Officer Standards and Training

- Job Analyses Were Not Developed or Used for the Examination Process
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- A Disability Advisory Committee Has Not Been Established
- Personal Services Contracts Complied with Procedural Requirements

Commission on State Mandates

- Applications Were Not Date Stamped and/or Accepted After the Final File Date
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Mandatory Training Complied with Statutory Requirements

Department of Child Support Services

- Examinations Complied with Civil Service Laws and Board Rules
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements

Department of Community Services and Development

- Examinations Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements

Department of Consumer Affairs

- Examinations Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Applications Were Not Date Stamped
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements

Department of Food and Agriculture

- Examinations Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Applications Were Not Date Stamped
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Ethics Training Was Not Provided for All Filers
- Sexual Harassment Training Was Not Provided for All Supervisors

Department of General Services

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Applications Were Not Date Stamped
- Equal Employment Opportunity Officer Does Not Monitor the Composition of Oral Panels in Departmental Exams
- Personal Services Contracts Complied with Procedural Requirements

Department of Parks and Recreation

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Applications Were Accepted After the Final File Date (Exams)
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Hiring Individual Below Rank Three Was Not Documented
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements

Department of Social Services

- Job Analyses Were Not Developed or Used for the Examination Process
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements

Department of Technology

- Examinations Complied with Civil Service Laws and Board Rules
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- A Disability Advisory Committee Has Not Been Established
- Personal Services Contracts Complied with Procedural Requirements
- Mandatory Training Complied with Statutory Requirements

Department of Water Resources

- Applications Were Accepted After Final Filing Date
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Applications Were Not Date Stamped

- Equal Employment Opportunity Officer Does Not Report Directly to the Head of the Agency
- Personal Services Contracts Complied with Procedural Requirements

Emergency Medical Services Authority

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- A Written Upward Mobility Plan Has Not Been Established
- A Disability Advisory Committee Has Not Been Established
- Mandatory Training Complied with Statutory Requirements

Franchise Tax Board

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements

Labor and Workforce Development Agency

- Appointments Complied with Civil Service Laws and Board Rules
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Mandatory Training Complied with Statutory Requirements

Mental Health Services Oversight and Accountability Commission

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Appointment Documentation Was Not Kept for the Appropriate Amount of Time
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Personal Services Contracts Complied with Procedural Requirements
- Mandatory Training Complied with Statutory Requirements

Public Employment Relations Board

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Applications Were Not Date Stamped and/or Accepted After the Final File Date (Exams)
- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Appointments)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed

- Applications Were Not Date Stamped.
- A Disability Advisory Committee Has Not Been Established
- A Written Upward Mobility Plan Has Not Been Established

Sierra Nevada Conservancy

- Examinations Complied with Civil Service Laws and Board Rules
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Equal Employment Opportunity Program Complied With Civil Service Laws and Board Rules
- Mandatory Training Complied with Statutory Requirements

State Compensation Insurance Fund

- Equal Employment Opportunity Questionnaires Were Not Separated From All Applications (Exams)
- Probationary Evaluations Were Not Provided for All Appointments Reviewed
- Equal Employment Opportunity Officer Does Not Monitor the Composition of Oral Panels in Departmental Exams

INDEX OF COMPLETED REVIEWS AND SPECIAL INVESTIGATIONS COSTS

Department	Compliance Review Completed	Special Investigation Completed	Total Cost
Air Resources Board	Yes	No	\$39,489.95
Board of State and Community Corrections	Yes	No	\$18,000
California Arts Council	Yes	No	\$9,000
California Correctional Health Care Services	Yes	No	\$68,431.25
California Department of Aging	Yes	No	\$30,759.38
California Department of Forestry and Fire Protection	Yes	Yes	\$93,000
California Department of Health Care Services	Yes	No	\$84,000
California Department of Industrial Relations	Yes	No	\$84,000
California Department of Justice	Yes	Yes	\$84,000
California Department of Motor Vehicles	Yes	No	\$93,000
California Department of Pesticide Regulation	Yes	No	\$33,000
California Department of Rehabilitation	Yes	No	\$48,000
California Department of Resources Recycling and Recovery	Yes	No	\$48,000
California Department of Toxic Substances Control	Yes	No	\$48,000
California Energy Commission	Yes	No	\$48,000
California Fair Political Practices Commission	Yes	No	\$18,000
California Governor's Office of Emergency Services	Yes	No	\$48,000
California Health and Human Services Agency	Yes	No	\$33,000
California Health Facilities Financing Authority	Yes	No	\$9,000
California Highway Patrol	Yes	No	\$138,000
California Horse Racing Board	Yes	No	\$18,000
California Military Department	Yes	No	\$31,364.50
California Public Employees Retirement System	No	No	\$84,000
California Science Center	Yes	No	\$33,000
California State Controller's Office	Yes	No	\$48,000
California State Transportation Agency	No	No	\$18,000
California Student Aid Commission	Yes	No	\$33,000
California Transportation Commission	Yes	No	\$20,847.64
Commission on Peace Officer Standards and Training	Yes	No	\$33,000
Commission on State Mandates	Yes	No	\$9,000
Department of Child Support Services	Yes	No	\$48,000
Department of Community Services and Development	Yes	No	\$35,476.88
Department of Consumer Affairs	Yes	No	\$96,000
Department of Food and Agriculture	Yes	No	\$43,819.50
Department of General Services	Yes	No	\$72,692.28
Department of Parks and Recreation	Yes	No	\$84,000
Department of Social Services	Yes	No	\$84,000
Department of Technology	Yes	No	\$48,000
Department of Water Resources	Yes	No	\$84,000

Department	Compliance Review Completed	Special Investigation Completed	Total Cost
Emergency Medical Services Authority	Yes	No	\$18,000
Franchise Tax Board	Yes	No	\$93,000
Labor and Workforce Development Agency	Yes	No	\$9,000
Mental Health Services Oversight and Accountability Commission	Yes	No	\$9,000
Public Employment Relations Board	Yes	No	\$18,000
Sierra Nevada Conservancy	Yes	No	\$12,000
State Compensation Insurance Fund	Yes	No	\$84,000
Total			\$2,241,881.38

The costs only include *completed* reviews and special investigations from July 1, 2015, to June 30, 2016, and do not include reviews and special investigations currently in progress.