

# **COMPLIANCE REVIEW REPORT**

## **CALIFORNIA COASTAL COMMISSION**

Compliance Review Division  
State Personnel Board  
August 18, 2025

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## **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 Division (CRD) conducts compliance reviews of appointing authorities' personnel practices in five areas: examinations, appointments, equal employment opportunity (EEO), personal services contracts (PSC's), and mandated training, 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.

Pursuant to Government Code section 18502, subdivision (c), the SPB and the California Department of Human Resources (CalHR) may "delegate, share, or transfer between them responsibilities for programs within their respective jurisdictions pursuant to an agreement." The SPB and the CalHR, by mutual agreement, expanded the scope of program areas to be audited to include more operational practices that have been delegated to departments and for which the CalHR provides policy direction. Many of these delegated practices are cost drivers to the state and were not being monitored on a statewide basis.

As such, the SPB also conducts compliance reviews of appointing authorities' personnel practices to ensure that state departments are appropriately managing the following non-merit-related personnel functions: compensation and pay, leave, and policy and processes. These reviews will help to avoid and prevent potential costly litigation related to improper personnel practices, and deter waste, fraud, and abuse.

The SPB conducts these reviews on a three-year cycle.

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

It should be noted that this report only contains findings from this hiring authority's compliance review. Other issues found in the SPB's appeals and special investigations as well as audit and review findings by other agencies such as the CalHR and the California State Auditor are reported elsewhere.

### **EXECUTIVE SUMMARY**

The CRD conducted a routine compliance review of the California Coastal Commissions' (CCC's) personnel practices in the areas of examinations, appointments, EEO, PSC's, mandated training, compensation and pay, leave, and policy and processes. The following table summarizes the compliance review findings.

Area	Compliance	Finding
Appointments	Out of Compliance	Unlawful Promotion-In-Place Appointment
Equal Employment Opportunity	In Compliance	Equal Employment Opportunity Program Complied with all Civil Service Laws and Board Rules
Personal Services Contracts	In Compliance	Personal Services Contracts Complied with Procedural Requirements
Mandated Training	Out of Compliance	Ethics Training Was Not Provided for All Filers
Mandated Training	Out of Compliance	Supervisory Training Was Not Provided for All Supervisors, Managers, and CEAs
Mandated Training	Out of Compliance	Sexual Harassment Prevention Training Was Not Provided for All Employees
Compensation and Pay	Out of Compliance	Incorrect Application of Salary Determination Laws, Rules, and CalHR Policies and Guidelines for Appointment
Compensation and Pay	Out of Compliance	Alternate Range Movements Did Not Comply with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
Compensation and Pay	Out of Compliance	Incorrect Authorization of Bilingual Pay

Area	Compliance	Finding
Compensation and Pay	In Compliance	Pay Differential Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
Compensation and Pay	In Compliance	Out of Class Pay Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
Leave	In Compliance	Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
Leave	In Compliance	Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
Leave	In Compliance	Leave Accounting Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
Leave	In Compliance	Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
Policy	In Compliance	Nepotism Policy Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
Policy	Out of Compliance	Injured Employee Did Not Receive Claim Form Within One Working Day of Notice or Knowledge of Injury
Policy	In Compliance	Performance Appraisal Policy and Processes Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines

### **BACKGROUND**

The CCC was established by voter initiative in 1972 and later made permanent by the Legislature through adoption of the California Coastal Act of 1976 (Coastal Act). The mission of the CCC is to protect, conserve, restore, and enhance environmental and human-based resources of the California coast and ocean for environmentally sustainable and prudent use by current and future generations.

The CCC, in partnership with coastal cities and counties, plans and regulates the use of land and water in the coastal zone. Development activities are broadly defined and include the construction of buildings and divisions of land. Activities that change the

intensity of use of land or public access to coastal waters generally require a coastal permit from either the CCC or the local government.

The CCC consists of about 202 authorized positions. The majority are employees in the Coastal Program Analyst classification series; supported by a range of scientific, legal, administrative, and management staff. Program staff review permit applications for coastal development projects and advise local governments on the coastal planning process.

The CCC is an independent, quasi-judicial state agency, composed of 12 voting members, appointed equally by the Governor, the Senate Rules Committee, and the Speaker of the Assembly. Six of the voting commissioners are locally elected officials and six are appointed from the public at large. Three ex officio (non-voting) members represent the Resources Agency, the California State Transportation Agency, and the State Lands Commission.

### **SCOPE AND METHODOLOGY**

The scope of the compliance review was limited to reviewing the CCC's examinations, appointments, EEO program, PSC's, mandated training, compensation and pay, leave, and policy and processes<sup>1</sup>. The primary objective of the review was to determine if the CCC's personnel practices, policies, and procedures complied with state civil service laws and Board regulations, Bargaining Unit Agreements, CalHR policies and guidelines, CalHR Delegation Agreements, and to recommend corrective action where deficiencies were identified.

The CCC did not conduct any examinations or permanent withhold actions during the compliance review period.

A cross-section of the CCC's appointments was selected for review to ensure that samples of various appointment types, classifications, and levels were reviewed. The CRD examined the documentation that the CCC provided, which included Notice of Personnel Action (NOPA) forms, Request for Personnel Actions (RPA's), vacancy postings, certification lists, transfer movement worksheets, employment history records, correspondence, and probation reports. The CCC did not conduct any unlawful appointment investigations during the compliance review period.

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<sup>1</sup> Timeframes of the compliance review varied depending on the area of review. Please refer to each section for specific compliance review timeframes.

The CCC's appointments were also selected for review to ensure the CCC applied salary regulations accurately and correctly processed employees' compensation and pay. The CRD examined the documentation that the CCC provided, which included employees' employment and pay history and any other relevant documentation such as certifications, degrees, and/or the appointee's application. Additionally, the CRD reviewed specific documentation for the following personnel functions related to compensation and pay: bilingual pay, monthly pay differentials, alternate range movements, and out-of-class assignments. During the compliance review period, the CCC did not issue or authorize red circle rate requests, or arduous pay.

The review of the CCC's EEO program included examining written EEO policies and procedures; the EEO Officer's role, duties, and reporting relationship; the internal discrimination complaint process; the reasonable accommodation program; the discrimination complaint process; and the Disability Advisory Committee.

The CCC's PSC's were also reviewed.<sup>2</sup> It was beyond the scope of the compliance review to make conclusions as to whether the CCC's justifications for the contracts were legally sufficient. The review was limited to whether the CCC's practices, policies, and procedures relative to PSC's complied with procedural requirements.

The CCC's mandated training program was reviewed to ensure all employees required to file statements of economic interest were provided ethics training, that all supervisors, managers, and those serving in Career Executive Assignments (CEA) were provided leadership and development training, that all employees were provided sexual harassment prevention training, and that all officials with authority to represent the state in a tribal government-to-government consultation were provided tribal consultations training within statutory timelines.

The CRD reviewed the CCC's monthly internal audit process to verify all leave input into any leave accounting system was keyed accurately and timely and ensure the department certified that all leave records have been reviewed and corrected if necessary. The CRD selected a small cross-section of the CCC's units to ensure they maintained accurate and timely leave accounting records. Part of this review also examined a cross-section of the CCC's employees' employment and pay history, state service records, and leave accrual histories to ensure employees with non-qualifying pay periods did not receive

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<sup>2</sup>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.

vacation/sick leave and/or annual leave accruals or state service credit. Additionally, the CRD reviewed a selection of the CCC employees who used Administrative Time Off (ATO) to ensure that ATO was appropriately administered. Further, the CRD reviewed a selection of the CCC positive paid employees whose hours are tracked during the compliance review period in to ensure that they adhered to procedural requirements.

Moreover, the CRD reviewed the CCC's policies and processes concerning nepotism, workers' compensation, and performance appraisals. The review was limited to whether the CCC's policies and processes adhered to procedural requirements.

The CCC declined an exit conference to explain and discuss the CRD's initial findings and recommendations. The CRD received and carefully reviewed the CCC's written response on August 6, 2025, which is attached to this final compliance review report.

## **FINDINGS AND RECOMMENDATIONS**

### **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.) The hiring process for eligible candidates chosen for job interviews shall be competitive and be designed and administered to hire candidates who will be successful. (Cal. Code Regs., tit. 2, § 250, subd. (b).) Interviews shall be conducted using job-related criteria. (*Ibid.*) Persons selected for appointment shall satisfy the minimum qualifications of the classification to which he or she is appointed or have previously passed probation and achieved permanent status in that same classification. (Cal. Code Regs., tit. 2, § 250, subd. (d).) While persons selected for appointment may meet some or most of the preferred or desirable qualifications, they are not required to meet all the preferred or desirable qualifications. (*Ibid.*) This section does not apply to intra-agency job reassignments. (Cal. Code Regs., tit. 2, § 250, subd. (e).)

During the period under review, January 1, 2023, through September 30, 2023, the CCC made 58 appointments. The CRD reviewed 17 of those appointments, which are listed below:



Classification	Appointment Type	Tenure	Time Base	No. of Appts.
Associate Governmental Program Analyst	Certification List	Permanent	Full Time	1
Attorney	Certification List	Permanent	Full Time	1
Attorney III	Certification List	Permanent	Full Time	1
Coastal Program Analyst I	Certification List	Permanent	Full Time	1
Coastal program Analyst II	Certification List	Permanent	Full Time	1
Coastal Program Analyst III	Certification List	Permanent	Full Time	1
Engineer, Civil	Certification List	Permanent	Full Time	1
Environmental Program Manager II	Certification List	Permanent	Full Time	1
Environmental Scientist	Certification List	Limited Term	Full Time	1
Information Technology Technician	Certification List	Permanent	Full Time	1
Legal Analyst	Certification List	Permanent	Full Time	1
Senior Accounting Officer (Specialist)	Certification List	Permanent	Full Time	1
Senior Environmental Scientist (Specialist)	Certification List	Permanent	Full Time	1
Senior Legal Analyst	Certification List	Permanent	Full Time	1
Staff Services Analyst	Certification List	Limited Term	Full Time	1
Attorney III	Transfer	Permanent	Full Time	1
Environmental Scientist	Transfer	Permanent	Full Time	1

<b>FINDING NO. 1</b>	<b>UNLAWFUL PROMOTION-IN-PLACE APPOINTMENT</b>
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**Summary:** The CCC made an appointment utilizing the promotion-in-place (PIP) process in which not all requirements of the PIP were met.

The CCC promoted-in-place an employee from Coastal Program Analyst III (Supervisor) to Attorney (Non-Supervisory). The Attorney class does not have the same job functions as the Coastal Program Analyst III (Supervisor) class as required by California Code of Regulations, title 2, section 242, subdivision (a)(3). There is no indication that this appointment was offered and accepted in other than good faith; therefore, the appointment will stand as it is beyond one year since the appointment occurred.

**Criteria:** As mandated by California Code of Regulations, title 2, section 242, subdivision (a), a permanent employee may receive a promotion in place where all the following apply:

- (1) The employee has demonstrated satisfactory or higher job performance in their current position and the ability and willingness to succeed at the higher level classification;
- (2) The position currently occupied by the employee is reallocated to the “to” class without a change in unit or location;
- (3) The employee's “from” class has the same job functions as the “to” class but at a higher level and the appointing power documents how the promotion in place meets this criteria;
- (4) The promotion in place is not from a rank-and-file classification to a supervisory or managerial classification;
- (5) The promotion in place is not from a supervisory classification to a managerial classification;
- (6) The employee competed in and passed an examination for the “to” class and is currently placed on the employment list for that examination in one of the top three ranks; and
- (7) The appointing power documents the reasons why the selected employee was chosen for the promotion in place.

Furthermore, California Code of Regulations, title 2, section 243.2, subdivisions (a)-(c) provide:

(a) When the Board, Executive Officer, or Department determines that an appointment is unlawful, the Board, Executive Officer, or Department may take appropriate action up to and including voiding the appointment under the following circumstances:

(1) The action to void the appointment is taken within one year after the appointment; and

(A) The appointing power or employee or both the appointing power and employee did not act in good faith in accordance with section 243; or

(B) The appointment was accepted and made in good faith by both the appointing power and employee; and the appointment would not have been made but for some mistake of law or fact that if known to the parties would have rendered the appointment unlawful when made.

(b) When the Board or Executive Officer determines that an appointment is unlawful and the appointment has been in effect for longer than one year, the Board or Executive Officer may take

appropriate action up to and including voiding the appointment under any or all of the following circumstances:

(1) The employee did not act in good faith in accordance with section 243, subdivision (c).

(2) The appointing power did not act in good faith in accordance with section 243, subdivision (b).

(3) The action(s) or omission(s) found to render the appointment(s) unlawful resulted in a selection process not based solely on merit or that significantly disadvantaged the other candidates.

(c) When the Department determines that an appointment is unlawful and the appointment was not made in good faith and has been in effect for longer than one year, the Department shall request the Board or Executive Officer take appropriate action up to and including voiding the appointment in accordance with the provisions of subdivision (b).

**Corrective Action:** Within 90 days of the date of this report, the CCC must submit to the SPB a written corrective action response which addresses the corrections the department will implement to demonstrate that the department will improve its hiring practices to comply with and California Code of Regulations, title 2, section 242 (a)(3). Copies of relevant documentation demonstrating that the corrective action has been implemented must be included with the corrective action response.

### **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 EEO; issue procedures for filing, processing, and resolving discrimination complaints; and cooperate with the CalHR, in accordance with Civil Code section 1798.24, subdivisions (o) and (p), by providing access to all required files, documents and data necessary to carry out these mandates. (*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, subd. (a).)

Pursuant to Government Code section 19795, subdivision (a), in a state agency with less than 500 employees, like the CCC, the EEO Officer may be the Personnel Officer.

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).)

<b>FINDING NO. 2</b>	<b>EQUAL EMPLOYMENT OPPORTUNITY PROGRAM COMPLIED WITH ALL CIVIL SERVICE LAWS AND BOARD RULES</b>
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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 CRD determined that the CCC's 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, reports directly to the Executive Director of the CCC. The CCC also provided evidence of its efforts to promote EEO in its hiring and employment practices and to increase its hiring of persons with a disability.

### **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 Regs., 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, but are not limited to, 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 PSC's, 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 period under review, April 1, 2023, through December 31, 2023, the CCC had 17 PSC's that were in effect. The CRD reviewed eight of those, which are listed below:

Vendor	Services	Contract Amount	Justification Identified?	Union Notification?
AGP Video, Inc	Web streaming and A/V services	\$487,360	Yes	Yes
Digital Revolution Media Center, LLC	Digitization of audio tapes	\$294,849	Yes	Yes
Focus Language International Inc	Spanish interpreter services	\$5,155	Yes	Yes
Shute, Mihaly & Weinberger LLP	Legal services	\$788,000	Yes	Yes
The Spanish Group, LLC	Written Spanish translation services	\$10,000	Yes	Yes
Todd Edward Holmes	Documentary services	\$8,622	Yes	Yes
Zephyr Collaboration	Facilitation services	\$125,320	Yes	Yes
Zephyr Collaboration	Facilitation services	\$99,910	Yes	Yes

<b>FINDING NO. 3</b>	<b>PERSONAL SERVICES CONTRACTS COMPLIED WITH PROCEDURAL REQUIREMENTS</b>
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The total dollar amount of all the PSC's reviewed was \$1,819,216. It was beyond the scope of the review to make conclusions as to whether the CCC justifications for the contract were legally sufficient. For all PSC's reviewed, the CCC provided specific and detailed factual information in the written justifications as to how each of the contracts met at least one condition set forth in Government Code section 19130, subdivision (b). Additionally, the CCC complied with proper notification to all organizations that represent state employees who perform or could perform the type or work contracted as required

by California Code of Regulations section 547.60.2. Accordingly, the CCC PSC's complied with civil service laws and board rules.

### **Mandated Training**

Each member, officer, or designated employee of a state agency who is required to file a statement of economic interest (referred to as "filers") because of the position he or she holds with the agency is required to take an orientation course on the relevant ethics statutes and regulations that govern the official conduct of state officials. (Gov. Code, §§ 11146 & 11146.1.) State agencies are required to offer filers the orientation course on a semi-annual basis. (Gov. Code, § 11146.1.) New filers must be trained within six months of appointment and at least once during each consecutive period of two calendar years, commencing on the first odd-numbered year thereafter. (Gov. Code, § 11146.3.)

Upon the initial appointment of any employee designated in a supervisory position, the employee shall be provided a minimum of 80 hours of training, as prescribed by the CalHR. (Gov. Code, § 19995.4, subd. (b).) The training addresses such topics as the role of the supervisor, techniques of supervision, performance standards, and sexual harassment and abusive conduct prevention. (Gov. Code, §§ 12950.1, subds. (a) and (b), & 19995.4, subd. (b).) Additionally, the training must be successfully completed within the term of the employee's probationary period or within six months of the initial appointment, unless it is demonstrated that to do so creates additional costs or that the training cannot be completed during this time period due to limited availability of supervisory training courses. (Gov. Code, § 19995.4, subd. (c).)

Within 12 months of the initial appointment of an employee to a management or CEA position, the employee shall be provided leadership training and development, as prescribed by the CalHR. (Gov. Code, § 19995.4, subds. (d) & (e).) For management employees the training must be a minimum of 40 hours and for CEAs the training must be a minimum of 20 hours. (*Ibid.*)

New employees must be provided sexual harassment prevention training within six months of appointment. Thereafter, each department must provide its supervisors two hours of sexual harassment prevention training and non-supervisors one hour of sexual harassment prevention training every two years. (Gov. Code, § 12950.1, subds. (a) and (b); Gov. Code, § 19995.4.)

The Board may conduct reviews of any appointing power's personnel practices to ensure compliance with civil service laws and Board regulations. (Gov. Code, § 18661, subd.

(a.) In particular, the Board may audit personnel practices related to such matters as selection and examination procedures, appointments, promotions, the management of probationary periods, and any other area related to the operation of the merit principle in state civil service. (*Ibid.*) Accordingly, the CRD reviews documents and records related to training that appointing powers are required by the afore-cited laws to provide its employees.

The CRD reviewed the CCC's mandated training program that was in effect during the compliance review period, January 1, 2022, through December 31, 2023.

<b>FINDING NO. 4</b>	<b>ETHICS TRAINING WAS NOT PROVIDED FOR ALL FILERS<sup>3</sup></b>
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**Summary:** The CCC did not provide ethics training for 7 of 113 existing filers. In addition, the CCC did not provide ethics training to 36 of 61 new filers within 6 months of their appointment.

**Criteria:** New filers must be provided with 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).)

**Corrective Action:** Within 90 days of this report, the CCC must submit to the SPB a written corrective action response which addresses the corrections the department will implement to demonstrate conformity with Government Code section 11146.3. Copies of relevant documentation demonstrating that the corrective action has been implemented must be included with the corrective action response.

<b>FINDING NO. 5</b>	<b>SUPERVISORY TRAINING WAS NOT PROVIDED FOR ALL SUPERVISORS, MANAGERS, AND CEAs</b>
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**Summary:** The CCC did not provide basic supervisory training to 4 of 11 new supervisors within 12 months of appointment; and did not provide CEA training to 3 of 3 new CEAs within 12 months of appointment. The CCC did not have any new managers to review.

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<sup>3</sup> Repeat finding; see report dated January 25, 2022.

**Criteria:** Each department must provide its new supervisors with a minimum of 80 hours of supervisory training within the probationary period. (Gov. Code, § 19995.4, subd. (b).)

Upon initial appointment of an employee to a Career Executive Assignment position, each employee must receive 20 hours of leadership training within 12 months of appointment. (Gov. Code, § 19995.4, subd. (e).)

**Corrective Action:** Within 90 days of the date of this report, the CCC must submit to the SPB a written corrective action response which addresses the corrections the department will implement to ensure that new supervisors, managers, and CEAs are provided leadership and development training within 12 months of appointment as required by Government Code section 19995.4. Copies of relevant documentation demonstrating that the corrective action has been implemented must be included with the corrective action response.

<b>FINDING NO. 6</b>	<b>SEXUAL HARASSMENT PREVENTION TRAINING WAS NOT PROVIDED FOR ALL EMPLOYEES<sup>4</sup></b>
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**Summary:** The CCC did not provide sexual harassment prevention training to 12 of 12 new supervisors within 6 months of their appointment. In addition, the CCC did not provide sexual harassment prevention training to 1 of 42 existing supervisors every 2 years.

The CCC did not provide sexual harassment prevention training to 9 of 59 existing non-supervisors every 2 years.

**Criteria:** Each department must provide its supervisors two hours of sexual harassment prevention training every two years and non-supervisory employees one hour of sexual harassment prevention training every two years. New employees must be provided sexual harassment prevention training within six months of appointment. (Gov. Code, § 12950.1 subds. (a) and (b); Gov. Code § 19995.4.)

**Corrective Action:** Within 90 days of the date of this report, the CCC must submit to the SPB a written corrective action response which addresses the

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<sup>4</sup> Repeat finding; see report dated January 25, 2022.



corrections the department will implement to ensure that all employees are provided sexual harassment prevention training in accordance with Government Code section 12950.1. Copies of relevant documentation demonstrating that the corrective action has been implemented must be included with the corrective action response.

## **Compensation and Pay**

### **Salary Determination**

The pay plan for state civil service consists of salary ranges and steps established by the CalHR. (Cal. Code Regs., tit. 2, § 599.666.) Several salary rules dictate how departments calculate and determine an employee's salary rate<sup>5</sup> upon appointment depending on the appointment type, the employee's state employment and pay history, and tenure.

Typically, agencies appoint employees to the minimum rate of the salary range for the class. Special provisions for appointments above the minimum exist to meet special recruitment needs and to accommodate employees who transfer into a class from another civil service class and are already receiving salaries above the minimum.

During the period under review, January 1, 2023, through September 30, 2023, the CCC made 58 appointments. The CRD reviewed eight of those appointments to determine if the CCC applied salary regulations accurately and correctly processed employees' compensation.

<b>FINDING NO. 7</b>	<b>INCORRECT APPLICATIONS OF SALARY DETERMINATION LAWS, RULES, AND CALHR POLICIES AND GUIDELINES FOR APPOINTMENT</b>
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**Summary:** The CRD found one error in the eight salary determinations reviewed:

Classification	Description of Finding	Criteria
Engineer, Civil	A salary determination was processed using the employee's limited term salary. The employee had no prior permanent status and a CalHR exception was not requested. The employee was overpaid.	Cal. Code Regs., tit. 2, section 599.676,  Cal. Code Regs., tit. 2, section 599.673

<sup>5</sup> "Rate" is any one of the salary rates in the resolution by the CalHR which establishes the salary ranges and steps of the Pay Plan (Cal. Code Regs., tit. 2, section 599.666).

**Criteria:** Departments are required to calculate and apply salary rules for each appointed employee accurately based on the pay plan for the state civil service. All civil service classes have salary ranges with minimum and maximum rates. (Cal. Code Regs., tit. 2, § 599.666.)

**Corrective Action:** Within 90 days of the date of this report, the CCC must submit to the SPB a written corrective action response which addresses the corrections the department will implement to ensure that employees are compensated correctly. The CCC must establish an audit system to correct current compensation transactions as well as future transactions. Copies of relevant documentation demonstrating that the corrective action has been implemented must be included with the corrective action response.

Alternate Range Movement Salary Determination (within same classification)

If an employee qualifies under established criteria and moves from one alternate range to another alternate range of a class, the employee shall receive an increase or a decrease equivalent to the total of the range differential between the maximum salary rates of the alternate ranges. (Cal. Code Regs., tit. 2, § 599.681.) However, in many instances, the CalHR provides salary rules departments must use when employees move between alternate ranges. These rules are described in the alternate range criteria. (CalHR Pay Scales). When no salary rule or method is cited in the alternate range criteria, departments must default to Rule 599.681.

During the period under review, January 1, 2023, through September 30, 2023, the CCC employees made 10 alternate range movements within a classification. The CRD reviewed nine of those alternate range movements to determine if the CCC applied salary regulations accurately and correctly processed each employee's compensation, which are listed below:

Classification	Prior Range	Current Range	Salary (Monthly Rate)
Attorney	A	B	\$9,589
Attorney	A	B	\$8,454
Coastal Program Analyst I	A	B	\$4,510
Coastal Program Analyst I	B	C	\$5,313
Coastal Program Analyst I	B	C	\$5,313
Coastal Program Analyst I	B	C	\$5,313
Coastal Program Analyst I	A	B	\$4,510

Classification	Prior Range	Current Range	Salary (Monthly Rate)
Coastal Program Analyst I	B	C	\$5,313
Engineer, Civil	C	D	\$9,471

<b>FINDING NO. 8</b>	<b>ALTERNATE RANGE MOVEMENTS DID NOT COMPLY WITH CIVIL SERVICE LAWS, RULES, AND CALHR POLICIES AND GUIDELINES</b>
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**Summary:** The CRD found one error in the nine alternate range movements reviewed:

Classification	Description of Finding	Criteria
Attorney	Incorrect salary determination resulting in the employee being overcompensated.	Cal. Code Regs., tit. 2, section 599.676 and Pay Scales Section 6

**Criteria:** Alternate ranges are designed to recognize increased competence in the performance of class duties based upon experience obtained while in the class. The employee gains status in the alternate range as though each range was a separate classification. (Classification and Pay Guide Section 220.)

Departments are required to calculate and apply salary rules for each appointed employee accurately based on the pay plan for the state civil service. All civil service classes have salary ranges with minimum and maximum rates. (Cal. Code Regs., tit. 2, § 599.666.)

**Corrective Action:** Within 90 days of the date of this report, the CCC must submit to the SPB a written corrective action response which addresses the corrections the department will implement to ensure that employees are compensated correctly. The CCC must establish an audit system to correct current compensation transactions as well as future transactions. Copies of relevant documentation demonstrating that the corrective action has been implemented must be included with the corrective action response.

### Bilingual Pay

A certified bilingual position is a position where the incumbent uses bilingual skills on a continuous basis and averages 10 percent or more of the total time worked. According to the Pay Differential 14, the 10 percent time standard is calculated based on the time spent

conversing, interpreting, or transcribing in a second language and time spent on closely related activities performed directly in conjunction with the specific bilingual transactions.

Typically, the department must review the position duty statement to confirm the percentage of time performing bilingual skills and verify the monthly pay differential is granted to a certified bilingual employee in a designated bilingual position. The position, not the employee, receives the bilingual designation and the department must verify that the incumbent successfully participated in an Oral Fluency Examination prior to issuing the additional pay.

During the period under review, January 1, 2023, through September 30, 2023, the CCC issued bilingual pay to two employees. The CRD reviewed the two bilingual pay authorizations to ensure compliance with applicable CalHR policies and guidelines. These are listed below:

Classification	No. of Appts.
Coastal Program Analyst II	1
Coastal Program Analyst III	1

<b>FINDING NO. 9</b>	<b>INCORRECT AUTHORIZATION OF BILINGUAL PAY<sup>6</sup></b>
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**Summary:** The CRD found one error in the two bilingual pay authorizations reviewed:

Classification	Description of Finding	Criteria
Coastal Program Analyst III	The department failed to provide certification that the employees' duties required use of bilingual skills for at least 10% of their time; and to demonstrate the need for bilingual services.	Pay Differential 14

**Criteria:** An individual must be in a position that has been certified by the department as a position which requires the use of bilingual skills on a continuing basis averaging 10 percent of the time spent either conversing, interpreting or transcribing in a second language and time spent on closely related activities performed directly in conjunction with specific bilingual transactions. (Pay Differential 14.)

**Corrective Action:** Within 90 days of the date of this report, the CCC must submit to the SPB a written corrective action response which addresses the

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<sup>6</sup> Repeat finding; see report dated January 25, 2022.

corrections the department will implement to ensure conformity with Government Code section 7296, and/or Pay Differential 14. Copies of relevant documentation demonstrating that the corrective action has been implemented must be included with the corrective action response.

### Pay Differentials

A pay differential is special additional pay recognizing unusual competencies, circumstances, or working conditions applying to some or all incumbents in select classes. A pay differential may be appropriate in those instances when a subgroup of positions within the overall job class might have unusual circumstances, competencies, or working conditions that distinguish these positions from other positions in the same class. Typically, pay differentials are based on qualifying pay criteria such as: work locations or shift assignments; professional or educational certification; temporary responsibilities; special licenses, skills or training; performance-based pay; incentive-based pay; or, recruitment and retention. (Classification and Pay Manual Section 230.)

California State Civil Service Pay Scales Section 14 describes the qualifying pay criteria for the majority of pay differentials. However, some of the alternate range criteria in the pay scales function as pay differentials. Generally, departments issuing pay differentials should justify the additional pay, document the following: the effective date of the pay differential, the collective bargaining unit identifier, the classification applicable to the salary rate and conditions along with the specific criteria, and any relevant documentation to verify the employee meets the criteria.

During the period under review, January 1, 2023, through September 30, 2023, the CCC authorized 10 pay differentials<sup>7</sup>. The CRD reviewed nine of these pay differentials to ensure compliance with applicable CalHR policies and guidelines. These are listed below:

Classification	Pay Differential	Monthly Amount
Information Technology Associate	13	5%
Information Technology Associate	13	5%
Information Technology Associate	13	5%
Information Technology Specialist I	13	5%
Information Technology Specialist I	13	5%
Legal Secretary	141	3.05%
Personnel Specialist	211	5%

<sup>7</sup> For the purposes of CRD's review, only monthly pay differentials were selected for review at this time.

Classification	Pay Differential	Monthly Amount
Personnel Specialist	211	5%
Personnel Supervisor II	211	10%

<b>FINDING NO. 10</b>	<b>PAY DIFFERENTIAL AUTHORIZATIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES</b>
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The CRD found no deficiencies in the pay differentials that the CCC authorized during the compliance review period. Pay differentials were issued correctly in recognition of unusual competencies, circumstances, or working conditions in accordance with applicable rules and guidelines.

### Out-of-Class Assignments and Pay

For excluded<sup>8</sup> and most rank-and-file employees, out-of-class (OOC) work is defined as performing, more than 50 percent of the time, the full range of duties and responsibilities allocated to an existing class and not allocated to the class in which the person has a current, legal appointment. (Cal. Code Regs., tit. 2, § 599.810, subd. (a)(2).) A higher classification is one with a salary range maximum that is any amount higher than the salary range maximum of the classification to which the employee is appointed. (Cal. Code Regs., tit. 2, § 599.810, subd. (a)(3).)

According to the Classification and Pay Guide, OOC assignments should only be used as a last resort to accommodate temporary staffing needs. All civil service alternatives should be explored first before using OOC assignments. However, certain MOU provisions and the California Code of Regulations, title 2, section 599.810 allow for short-term OOC assignments to meet temporary staffing needs. Should OOC work become necessary, the assignment would be made pursuant to the applicable MOU provisions or salary regulations. Before assigning the OOC work, the department should have a plan to correct the situation before the time period outlined in applicable law, policy or MOU expires. (Classification and Pay Guide Section 375.)

During the period under review, January 1, 2023, through September 30, 2023, the CCC issued OOC pay to one employee. The CRD reviewed the OOC assignment to ensure

<sup>8</sup> "Excluded employee" means an employee as defined in Government Code section 3527, subdivision (b) (Ralph C. Dills Act) except those excluded employees who are designated managerial pursuant to Government Code section 18801.1.

compliance with applicable MOU provisions, salary regulations, and CalHR policies and guidelines. It is listed below:

Classification	Bargaining Unit	Out-of-Class Classification	Time Frame
Senior Environmental Scientist (Supervisory)	S10	Environmental Program Manager I	1/2/2023 – 5/1/2023

<b>FINDING NO. 11</b>	<b>OUT OF CLASS PAY AUTHORIZATION COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES</b>
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The CRD found no deficiencies in the OOC pay assignments that the CCC authorized during the compliance review period. OOC pay was issued appropriately to employees performing, more than 50 percent of the time, the full range of duties and responsibilities allocated to an existing class and not allocated to the class in which the person has a current, legal appointment.

## Leave

### Positive Paid Employees

Actual Time Worked (ATW) is a method that can be used to keep track of a Temporary Authorization Utilization (TAU) employee's time to ensure that the Constitutional limit of 9 months in any 12 consecutive months is not exceeded. The ATW method of counting time is used to continue the employment status for an employee until the completion of an examination, for seasonal type work, while attending school, or for consulting services.

An employee is appointed TAU-ATW when he/she is not expected to work all the working days of a month. When counting 189 days, every day worked, including partial days<sup>9</sup> worked and paid absences<sup>10</sup>, are counted. (Cal. Code Regs., tit. 2, § 265.1, subd. (b).) The hours worked in one day are not limited by this rule. (*Ibid.*) The 12-consecutive month timeframe begins by counting the first pay period worked as the first month of the 12-consecutive month timeframe. (*Ibid.*) The employee shall serve no longer than 189 days in a 12 consecutive month period. (*Ibid.*) A new 189-days working limit in a 12-consecutive month timeframe may begin in the month immediately following the month that marks the end of the previous 12-consecutive month timeframe. (*Ibid.*)

<sup>9</sup> For example, two hours or ten hours count as one day.

<sup>10</sup> For example, vacation, sick leave, compensating time off, etc.

It is an ATW appointment because the employee does not work each workday of the month, and it might become desirable or necessary for the employee to work beyond nine calendar months. The appointing power shall monitor and control the days worked to ensure the limitations set forth are not exceeded. (Cal. Code Regs., tit. 2, § 265.1, subd. (f).)

For student assistants, graduate student assistants, youth aides, and seasonal classifications a maximum work-time limit of 1500 hours within 12 consecutive months may be used rather than the 189-day calculation. (Cal. Code Regs., tit. 2, § 265.1, subd. (d).)

Additionally, according to Government Code section 21224, retired annuitant appointments shall not exceed a maximum of 960 hours in any fiscal year (July-June), regardless of the number of state employers, without reinstatement, loss or interruption of benefits.

At the time of the review, the CCC had five positive paid employees whose hours were tracked. The CRD reviewed three of those positive paid appointments to ensure compliance with applicable laws, regulations, policies and guidelines, which are listed below:

Classification	Tenure	Time Frame	Time Worked
Associate Personnel Analyst	Retired Annuitant	Intermittent	42 Hours
Coastal Program Analyst III	Retired Annuitant	Intermittent	152 Hours
Coastal Program Manager	Retired Annuitant	Intermittent	215 Hours

<b>FINDING NO. 12</b>	<b>POSITIVE PAID EMPLOYEES' TRACKED HOURS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES</b>
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The CRD found no deficiencies in the positive paid employees reviewed during the compliance review period. The CCC provided sufficient justification and adhered to applicable laws, regulations and CalHR policy and guidelines for positive paid employees.

#### Administrative Time Off

ATO is a form of paid administrative leave status initiated by appointing authorities for a variety of reasons. (Human Resources Manual Section 2121.) Most often, ATO is used when an employee cannot come to work because of a pending investigation, fitness for



duty evaluation, or when work facilities are unavailable. (*Ibid.*) ATO can also be granted when employees need time off for reasons such as blood or organ donation, extreme weather preventing safe travel to work, states of emergency, voting, and when employees need time off to attend special events. (*Ibid.*)

During the period under review, October 1, 2022, through September 30, 2023, the CCC authorized 25 ATO transactions. The CRD reviewed 20 of these ATO transactions to ensure compliance with applicable laws, regulations, and CalHR policy and guidelines.

<b>FINDING NO. 13</b>	<b>ADMINISTRATIVE TIME OFF AUTHORIZATIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES</b>
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The CRD found no deficiencies in the ATO transactions reviewed during the compliance review period. The CCC provided the proper documentation justifying the use of ATO and adhered to applicable laws, regulations and CalHR policy and guidelines.

#### Leave Accounting

Departments are directed to create a monthly internal audit process to verify all leave input into any leave accounting system is keyed accurately and timely. (Human Resources Manual Section 2101.) Departments shall create an audit process to review and correct leave input errors on a monthly basis. The review of leave accounting records shall be completed by the pay period following the pay period in which the leave was keyed into the leave accounting system. (*Ibid.*) If an employee's attendance record is determined to have errors or it is determined that the employee has insufficient balances for a leave type used, the attendance record must be amended. (*Ibid.*) Attendance records shall be corrected by the pay period following the pay period in which the error occurred. (*Ibid.*) Accurate and timely attendance reporting is required of all departments and is subject to audit. (*Ibid.*)

During the period under review, July 1, 2023, through September 30, 2023, the CCC reported three units. The CRD reviewed three units within three pay periods to ensure compliance with applicable laws, regulations and CalHR policy and guidelines.

<b>FINDING NO. 14</b>	<b>LEAVE ACCOUNTING COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES</b>
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The CRD reviewed leave records from three different leave periods to ensure compliance with applicable laws, regulations and CalHR policy and guidelines. Based on our review, the CRD found no deficiencies. The CCC utilized a monthly internal audit process to verify all leave input into any leave accounting system was keyed accurately and timely.

<b>FINDING NO. 15</b>	<b>SERVICE AND LEAVE TRANSACTIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES</b>
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The CRD determined that the CCC ensured employees with non-qualifying pay periods did not receive vacation/sick leave, annual leave, and/or state service accruals. The CRD found no deficiencies in this area.

## **Policy and Processes**

### **Nepotism**

It is the policy of the State of California to hire, transfer, and promote all employees on the basis of merit and fitness in accordance with civil service statutes, rules and regulations. Nepotism is expressly prohibited in the state workplace because it is antithetical to California's merit based civil service. (Cal. Code Regs., tit. 2, § 87.) (*Ibid.*) All appointing powers shall adopt an anti-nepotism policy that includes the following components: (1) a statement that the appointing power is committed to merit-based hiring and that nepotism is antithetical to a merit-based civil service system; (2) a definition of "nepotism" as an employee's use of influence or power to hire, transfer, or promote an applicant or employee because of a personal relationship; (3) a definition of "personal relationship" as persons related by blood, adoption, current or former marriage, domestic partnership or cohabitation; (4) a statement that prohibits participation in the selection of an applicant for employment by anyone who has a personal relationship with the applicant, as defined in section 83.6; (5) a statement that prohibits the direct or first-line supervision of an employee with whom the supervisor has a personal relationship, as defined in section 83.6; (6) a process for addressing issues of direct supervision when personal relationships between employees exist. (*Ibid.*)

<b>FINDING NO. 16</b>	<b>NEPOTISM POLICY COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES</b>
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The CRD verified that the policy was disseminated to all staff and emphasized the CCC's commitment to the state policy of hiring, transferring, and promoting employees on the basis of merit. Additionally, the CCC's nepotism policy was comprised of specific and sufficient components intended to prevent favoritism, or bias, based on a personal relationship from unduly influencing employment decisions.

### Workers' Compensation

Employers shall provide to every new employee, either at the time of hire or by the end of the first pay period, written notice concerning the rights, benefits, and obligations under workers' compensation law. (Cal. Code Regs., tit. 8, § 9880, subd. (a).) This notice shall include the right to predesignate their personal physician or medical group; a form that the employee may use as an optional method for notifying the employer of the name of employee's "personal physician," as defined by Labor Code section 4600. (Cal. Code Regs., tit. 8, § 9880, subd. (c)(7) & (8).) Additionally, within one working day of receiving notice or knowledge that the employee has suffered a work-related injury or illness, employers shall provide a claim form and notice of potential eligibility for benefits to the injured employee. (Labor Code, § 5401, subd. (a).)

Public employers may choose to extend workers' compensation coverage to volunteers that perform services for the organization. (Human Resources Manual Section 1415.) Workers' compensation coverage is not mandatory for volunteers as it is for employees. (*Ibid.*) This is specific to the legally uninsured state departments participating in the Master Agreement. (*Ibid.*) Departments with an insurance policy for workers' compensation coverage should contact their State Compensation Insurance Fund (State Fund) office to discuss the status of volunteers. (*Ibid.*)

<b>FINDING NO. 17</b>	<b>INJURED EMPLOYEE DID NOT RECEIVE CLAIM FORM WITHIN ONE WORKING DAY OF NOTICE OR KNOWLEDGE OF INJURY</b>
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**Summary:** Of the two workers' compensation claim forms reviewed by the CRD, one of them was not provided to the employee within one working day of notice or knowledge of injury.

**Criteria:** An employer shall provide a claim form and notice of potential eligibility for workers' compensation benefits to its employee within

one working day of notice or knowledge that the employee has suffered a work-related injury or illness. (Cal. Lab. Code, § 5401, subd. (a).)

**Corrective Action:** Within 90 days of the date of this report, the CCC must submit to the SPB a written corrective action response which addresses the corrections the department will implement to ensure conformity with Labor Code, section 5401. Copies of relevant documentation demonstrating that the corrective action has been implemented must be included with the corrective action response.

### Performance Appraisals

According to Government Code section 19992.2, subdivision (a), appointing powers must “prepare performance reports.” Furthermore, California Code of Regulations, title 2, section 599.798, directs supervisors to conduct written performance appraisals and discuss overall work performance with permanent employees at least once in each twelve calendar months after the completion of the employee’s probationary period.

The CRD selected 34 permanent CCC employees to ensure that the department was conducting performance appraisals on an annual basis in accordance with applicable laws, regulations, policies and guidelines.

<b>FINDING NO. 18</b>	<b>PERFORMANCE APPRAISAL POLICY AND PROCESSES COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES</b>
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The CRD found no deficiencies in the performance appraisals selected for review. Accordingly, the CCC’s performance appraisal policy and processes satisfied civil service laws, Board rules, policies and guidelines.

### **DEPARTMENTAL RESPONSE**

The CCC’s response is attached as Attachment 1.

### **SPB REPLY**

Based on the CCC’s written response, the department will comply with the corrective actions specified in the report findings. The causes of each finding are detailed in the departmental response attached at the end of this report. Within 90 days of the date of

this report, a written corrective action response, including documentation demonstrating implementation of the specified corrective actions, must be submitted to the CRD.

**CALIFORNIA COASTAL COMMISSION**

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August 6, 2025

Suzanne M. Ambrose  
Executive Officer  
State Personnel Board  
801 Capitol Mall  
Sacramento, CA 95818

**Subject:** Response to the State Personnel Board Draft Report “COMPLIANCE REVIEW REPORT”

Dear Ms. Ambrose,

The California Coastal Commission (CCC) would like to thank the State Personnel Board’s Compliance Review Unit (CRU) for undertaking the 2024 CCC Compliance Review. CCC leadership and our Human Resources (HR) office strive to be in full compliance with established requirements, training, tracking systems, best practices and reminders that govern our Human Resources work.

The CCC has reviewed the July 2025 draft audit report and provides the following responses and causes to the findings:

**Finding No. 1 – Unlawful Promotion in Place**

Response: The Commission acknowledges that the Promotion In Place (PIP) rules were not adequately reviewed. The Commission submitted a Budget Change Proposal (BCP) to request the funding for a CPA III position to be reclassified to an attorney position within the same unit. An additional vacant position was not gained with this BCP, so internal advertisement within the unit for the opportunity to convert to an attorney was conducted.

Corrective Action: The Commission will make sure to review the PIP rules more thoroughly before considering a PIP.

**Finding No. 4 – Ethics training was not provided for all filers**

Response: Ethics training is provided to all employees upon appointment and every odd year thereafter. Reminders are sent to employees to complete the training, but for several of our staff, the department did not receive a timely response.

Corrective Action: The Commission developed and implemented an updated training tracking process and has provided instruction to new Human Resources staff to ensure required trainings are completed on time.

**Finding No. 5 – Supervisory training was not provided to all supervisors, managers, and CEAs**

Response: During the audit period, Human Resources experienced a large turnover in staff. Some of the employees who were promoted to supervisory or Executive staff were not provided notice of the mandatory training during the required timeline.

Corrective Action: Training of Human Resources staff regarding these mandatory trainings has occurred. The Commission developed and implemented an updated training tracking process and has provided instruction to new Human Resources staff to ensure required trainings are completed on time.

**Finding No. 6 – Sexual Harassment prevention training was not provided to all employees**

Response: Mandatory training for harassment prevention is provided to all new staff and bi-annually. During the audit period, Human Resources experienced a large turnover in staff and follow-up on the mandatory training was challenging.

Corrective Action: Training of Human Resources staff regarding this mandatory training has occurred. The Commission developed and implemented an updated training tracking process and has provided instruction to new Human Resources staff to ensure required trainings are completed on time.

**Finding No. 7 – Incorrect applications of salary determination laws, rules, and CalHR policies and guidelines for appointment**

The salary determination upon appointment to Limited Term position was based on Cal. Code Regs. Tit. 2, § 599.673 and the position was posted as Limited Term position with the possibility of becoming Permanent. Using Cal. Code Regs. Tit. 2, § 599.674, the employee retained their current salary since they were being appointed from a Permanent employment list instead of the Limited Term employment list that they were originally hired from and had not left state service in the interim. The Commission was unaware that an exception request from CalHR was needed in order to retain the current salary.

Corrective Action: The Commission will seek CalHR approval on retaining salary for converting Limited Term appointments to Permanent when necessary.

**Finding No. 8 – Alternative Range movements did not comply with civil service laws, rules, and CalHR policies and guidelines**

Response: This was a typographical error on the document instructions to the transaction unit from the salary determination. What should have been a 7 was typed as a 9, resulting in an overpayment of \$2 per month.

Corrective Action: The Commission will make every effort to review salary determination documents more carefully.

**Finding No. 9 – Incorrect Authorization of Bilingual pay**

Response: STD 897 provided and shows the approval for the Bilingual Pay as a CPA III; however, the Commission was unable to locate the corresponding duty statement.

Corrective Action: The Commission will make every effort to accurately maintain hiring records.


**Finding No. 17 – Injured employee did not receive claim form within one working day of notice of knowledge of injury**

Response: At the time this occurred, the employee had had no discussions with the supervisor. The department's first notice of injury was upon receipt of the Work Status report from the employee's doctor. The form was provided to the employee the following week.

Corrective Action: Additional training for current Human Resources staff has been provided and reminders about procedures for when an employee is injured while on the job have been issued to all managers and supervisors.

Should you have any questions or need additional information, please contact Gail Ignacio, Director of Human Resources at (415) 729-1641 or [gail.ignacio@coastal.ca.gov](mailto:gail.ignacio@coastal.ca.gov).

Sincerely,

DocuSigned by:  
  
F089034704B5459...

Madeline Cavalieri  
Deputy Executive Director

cc: Ashley Reineman, Deputy Director of Statewide Programs  
Human Resources Compliance Files