



COMPLIANCE REVIEW REPORT

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Compliance Review Division
State Personnel Board
April 8, 2026

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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." SPB and 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 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, 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 SPB 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 Department of Forestry and Fire Protection (CAL FIRE) 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
Examinations	In Compliance	Examinations Complied with Civil Service Laws and Board Rules
Appointments	In Compliance	Unlawful Appointment Investigations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
Appointments	Out of Compliance	Probationary Evaluations Were Not Provided for All Appointments Reviewed and Some That Were Provided Were Untimely
Appointments	Out of Compliance	Appointment Documentation Was Not Kept for the Appropriate Amount of Time
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

Area	Compliance	Finding
Compensation and Pay	In Compliance	Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
Compensation and Pay	In Compliance	Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
Compensation and Pay	In Compliance	Red Circle Rate Authorization Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
Compensation and Pay	In Compliance	Arduous Pay Authorization Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
Compensation and Pay	Out of Compliance	Incorrect Authorization of Bilingual Pay
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/or CalHR Policies and Guidelines
Leave	Out of Compliance	Administrative Time Off Was Not Properly Documented
Leave	Out of Compliance	Department Did Not Certify That All Leave Records Were Reviewed
Leave	In Compliance	Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
Policy	In Compliance	Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
Policy	In Compliance	Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines

Area	Compliance	Finding
Policy	Substantial Compliance ¹	Performance Appraisal Policy and Processes Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines with Seven Exceptions

BACKGROUND

The CAL FIRE protects the people, property, and natural resources of California. The department’s diverse programs work together to plan protection strategies for over 31 million acres of wildlands, and to provide emergency services of all kinds throughout California.

The mission of the department is to serve and safeguard the people and protect the property and resources of California. The CAL FIRE’s vision is to be the leader in providing fire prevention and protection, emergency response, and enhancement of natural resource systems. The organization is comprised of nearly 8,000 permanent and seasonal employees.

SCOPE AND METHODOLOGY

The scope of the compliance review was limited to reviewing the CAL FIRE’s examinations, appointments, EEO program, PSC’s, mandated training, compensation and pay, leave, and policy and processes². The primary objective of the review was to determine if the CAL FIRE’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 actions where deficiencies were identified.

A cross-section of the CAL FIRE’s examinations was selected for review to ensure that samples of various examination types, classifications, and levels were reviewed. The CRD examined the documentation that the CAL FIRE provided, which included examination plans, examination bulletins, job analyses, and scoring results.

¹ The department has achieved 90% or more compliance in this area and has provided a response sufficient to address full compliance in the future; therefore, no corrective action is required.

² Timeframes of the compliance review varied depending on the area of review. Please refer to each section for specific compliance review timeframes.

A cross-section of the CAL FIRE'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 CAL FIRE provided, which included Notice of Personnel Action (NOPA) forms, Request for Personnel Actions, vacancy postings, certification lists, transfer movement worksheets, employment history records, correspondence, and probation reports. The CRD also reviewed the CAL FIRE's policies and procedures concerning unlawful appointments to ensure departmental practices conform to state civil service laws and Board regulations.

The CAL FIRE's appointments were also selected for review to ensure the CAL FIRE applied salary regulations accurately and correctly processed employees' compensation and pay. The CRD examined the documentation that the CAL FIRE 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: red circle rate requests, arduous pay, bilingual pay, monthly pay differentials, alternate range movements, and out-of-class assignments.

The review of the CAL FIRE'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 CAL FIRE's PSC's were also reviewed.³ It was beyond the scope of the compliance review to make conclusions as to whether the CAL FIRE's justifications for the contracts were legally sufficient. The review was limited to whether the CAL FIRE's practices, policies, and procedures relative to PSC's complied with procedural requirements.

The CAL FIRE'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.

³If 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.

The CRD reviewed the CAL FIRE'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 CAL FIRE's units in order to ensure they maintained accurate and timely leave accounting records. Part of this review also examined a cross-section of the CAL FIRE's employees' employment and pay history, state service records, and leave accrual histories to ensure employees with non-qualifying pay periods did not receive vacation/sick leave and/or annual leave accruals or state service credit. Additionally, the CRD reviewed a selection of the CAL FIRE employees who used Administrative Time Off (ATO) in order to ensure that ATO was appropriately administered. Further, the CRD reviewed a selection of CAL FIRE positive paid employees whose hours are tracked during the compliance review period in order to ensure that they adhered to procedural requirements.

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

On March 20, 2026, an exit conference was held with the CAL FIRE to explain and discuss the CRD's initial findings and recommendations. The CRD received and carefully reviewed the CAL FIRE written response on March 26, 2026, which is attached to this final compliance review report.

FINDINGS AND RECOMMENDATIONS

Examinations

Examinations to establish an eligible list must be competitive and of such character as fairly to test and determine the qualifications, fitness, and ability of competitors to perform the duties of the class of position for which he or she seeks appointment. (Gov. Code, § 18930.) Examinations may be assembled or unassembled, written or oral, or in the form of a demonstration of skills, or any combination of those tests. (*Ibid.*) The Board establishes minimum qualifications for determining the fitness and qualifications of employees for each class of position and for applicants for examinations. (Gov. Code, § 18931, subd. (a).) Within a reasonable time before the scheduled date for the examination, the designated appointing power shall announce or advertise the examination for the establishment of eligible lists. (Gov. Code, § 18933, subd. (a).) The advertisement shall contain such information as the date and place of the examination

and the nature of the minimum qualifications. (*Ibid.*) Every applicant for examination shall file an application with the department or a designated appointing power as directed by the examination announcement. (Gov. Code, § 18934, subd. (a)(1).) The final earned rating of each person competing in any examination is to be determined by the weighted average of the earned ratings on all phases of the examination. (Gov. Code, § 18936.) Each competitor shall be notified in writing of the results of the examination when the employment list resulting from the examination is established. (Gov. Code, § 18938.5.)

During the period under review, February 1, 2025, through July 31, 2025, the CAL FIRE conducted 29 examinations. The CRD reviewed 12 of these examinations, which are listed below:

Classification	Exam Type	Exam Components	Final File Date	No. of Apps
Career Executive Assignment (CEA) B, Deputy Director, Management Services	CEA	Statement of Qualifications (SOQ) ⁴	3/12/25	10
CEA B, Deputy Director, Resource Management	CEA	SOQ	5/26/25	15
Arson and Bomb Investigator	Departmental Open	Training and Experience (T&E) ⁵	3/31/25	10
Cook Specialist I	Departmental Open	T&E	4/11/25	119
Cook Specialist II	Departmental Open	T&E	4/11/25	93
Forestry Assistant II	Departmental Open	T&E	4/9/25	58
Forestry and Fire Protection Administrator	Departmental Open	T&E	4/25/25	36
Senior Arson and Bomb Investigator	Department Open	T&E	3/31/25	1

⁴ In a Statement of Qualifications examination, applicants submit a written summary of their qualifications and experience related to a published list of desired qualifications. Raters, typically subject matter experts, evaluate the responses according to a predetermined rating scale designed to assess their ability to perform in a job classification, assign scores and rank the competitors in a list.

⁵ The Training and Experience examination is administered either online or in writing, and asks the applicant to answer multiple-choice questions about his or her level of training and/or experience performing certain tasks typically performed by those in this classification. Responses yield point values.

Classification	Exam Type	Exam Components	Final File Date	No. of Apps
Fire Apparatus Engineer (Paramedic)	Departmental Open	Written ⁶	4/29/25	75
Senior Aviation Officer	Departmental Open	Qualification Appraisal Panel ⁷	6/30/25	4
Communications Operator	Departmental Open	Performance ⁸	3/30/25	305
Heavy Fire Equipment Operator	Departmental Open	Performance	5/1/25	147

FINDING NO. 1	EXAMINATIONS COMPLIED WITH CIVIL SERVICE LAWS AND BOARD RULES
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The CRD reviewed 2 CEA and 10 open examinations which the CAL FIRE administered in order to create eligible lists from which to make appointments. The CAL FIRE published and distributed examination bulletins containing the required information for all examinations. Applications received by the CAL FIRE were accepted prior to the final filing date. Applicants were notified about the next phase of the examination process. After all phases of the examination process were completed, the score of each competitor was computed, and a list of eligible candidates was established. The examination results listed the names of all successful competitors arranged in order of the score received by rank. The CRD found no deficiencies in the examinations that the CAL FIRE conducted during the compliance review period.

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

⁶ A written examination is a testing procedure in which candidates' job-related knowledge and skills are assessed through the use of a variety of item formats. Written examinations are either objectively scored or subjectively scored.

⁷ The Qualification Appraisal Panel interview is the oral component of an examination whereby competitors appear before a panel of two or more evaluators. Candidates are rated and ranked against one another based on an assessment of their ability to perform in a job classification.

⁸ A Performance examination requires applicants to replicate/simulate job related tasks or duties.

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).)

For the purposes of temporary appointments, an employment list is considered not to exist where there is an open eligible list that has three or fewer names of persons willing to accept appointment and no other employment list for the classification is available. (Cal. Code Regs., tit. 2, § 265.) In such a situation, an appointing power may make a temporary appointment in accordance with section 265.1 (*Ibid.*) A Temporary Authorization Utilization (TAU) appointment shall not exceed nine months in a 12-month period. (Cal. Const., art. VII.) In addition, when a temporary appointment is made to a permanent position, an appropriate employment list shall be established for each class to which a temporary appointment is made before the expiration of the appointment. (Gov. Code, § 19058.)

During the period under review, August 1, 2024, through January 31, 2025, the CAL FIRE made 1,322 appointments. The CRD reviewed 90 of these appointments, which are listed below:

Classification	Appointment Type	Tenure	Time Base	No. of Appts.
CEA	Certification List	Permanent	Full Time	3
Accountant Trainee	Certification List	Permanent	Full Time	1
Accounting Administrator I (Supervisor)	Certification List	Permanent	Full Time	1
Accounting Officer (Specialist)	Certification List	Permanent	Full Time	2
Associate Architect	Certification List	Permanent	Full Time	1
Associate Governmental Program Analyst	Certification List	Permanent	Full Time	3
Attorney	Certification List	Permanent	Full Time	1
Attorney IV	Certification List	Permanent	Full Time	1
Automotive Technician II	Certification List	Permanent	Full Time	1
Battalion Chief	Certification List	Permanent	Full Time	1
Battalion Chief	Certification List	Limited Term	Full Time	1

Classification	Appointment Type	Tenure	Time Base	No. of Appts.
Caltrans Equipment Operator II	Certification List	Permanent	Full Time	1
Carpenter II	Certification List	Limited Term	Full Time	1
Communications Operator	Certification List	Permanent	Full Time	1
Cook Specialist I	Certification List	Permanent	Full Time	1
Cook Specialist II	Certification List	Permanent	Full Time	2
Deputy State Fire Marshal	Certification List	Permanent	Full Time	2
Direct Construction Supervisor I	Certification List	Permanent	Full Time	2
Environmental Scientist	Certification List	Permanent	Full Time	1
Fire Captain	Certification List	Permanent	Full Time	3
Fire Fighter II (Paramedic)	Certification List	Limited Term	Full Time	2
Forestry Assistant I	Certification List	Permanent	Full Time	1
Forestry Logistics Officer I	Certification List	Permanent	Full Time	1
Heavy Equipment Mechanic	Certification List	Permanent	Full Time	1
Information Technology Associate	Certification List	Permanent	Full Time	1
Information Technology Specialist I	Certification List	Permanent	Full Time	1
Management Services Technician	Certification List	Permanent	Full Time	1
Maintenance Mechanic	Certification List	Permanent	Full Time	2
Office Assistant (Typing)	Certification List	Permanent	Full Time	1
Office Technician (Typing)	Certification List	Permanent	Full Time	1
Office Technician (Typing)	Certification List	Limited Term	Full Time	1
Personnel Specialist	Certification List	Permanent	Full Time	2
Pipeline Safety Engineer	Certification List	Permanent	Full Time	1
Senior Environmental Scientist (Specialist)	Certification List	Permanent	Full Time	1
Senior Environmental Scientist (Supervisory)	Certification List	Permanent	Full Time	1
Staff Services Analyst	Certification List	Permanent	Full Time	2
Staff Services Analyst	Certification List	Limited Term	Full Time	3
Staff Services Management Auditor	Certification List	Limited Term	Full Time	1
Staff Services Manager I	Certification List	Permanent	Full Time	1
Staff Services Manager II (Supervisory)	Certification List	Permanent	Full Time	1
Stationary Engineer	Certification List	Permanent	Full Time	1
Supervising Cook I	Certification List	Permanent	Full Time	1
Television Specialist	Certification List	Permanent	Full Time	1

Classification	Appointment Type	Tenure	Time Base	No. of Appts.
Transportation Surveyor Party Chief (Caltrans)	Certification List	Permanent	Full Time	1
Associate Governmental Program Analyst	Reinstatement	Permanent	Full Time	1
Fire Apparatus Engineer	Reinstatement	Permanent	Full Time	1
Fire Captain	Reinstatement	Permanent	Full Time	2
Forestry Technician	Reinstatement	Permanent	Full Time	2
Heavy Fire Equipment Operator	Reinstatement	Permanent	Full Time	1
Pipeline Safety Engineer	Reinstatement	Permanent	Full Time	1
Research Date Analyst I	Reinstatement	Limited Term	Full Time	1
Stationary Engineer	Reinstatement	Permanent	Full Time	1
Water and Sewage Plant Operator, Department of Forestry and Fire Protection (Safety)	Reinstatement	Permanent	Full Time	1
Fire Fighter I	Emergency	Emergency	Full Time	5
Cook Specialist I	Temporary	Temporary	Full Time	3
Cook Specialist II	Temporary	Temporary	Full Time	1
Fire Fighter I	Temporary	Temporary	Full Time	2
Heavy Equipment Mechanic	Temporary	Temporary	Full Time	1
Supervising Cook I	Temporary	Temporary	Full Time	1
Forestry Logistics Officer I	Transfer	Permanent	Full Time	1
Senior Mechanical Engineer	Transfer	Permanent	Full Time	1
Staff Services Manager I	Transfer	Permanent	Full Time	2
Communications Operator	Training and Development ⁹	Permanent	Full Time	1
Senior Personnel Specialist	T&D	Permanent	Full Time	1

FINDING NO. 2	UNLAWFUL APPOINTMENT INVESTIGATIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES
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⁹ The Training and Experience examination is administered either online or in writing, and asks the applicant to answer multiple-choice questions about his or her level of training and/or experience performing certain tasks typically performed by those in this classification. Responses yield point values.

The CAL FIRE’s unlawful appointment investigations were found to comply with the rules set forth in the signed Delegation Agreement with the CalHR.

FINDING NO. 3	PROBATIONARY EVALUATIONS WERE NOT PROVIDED FOR ALL APPOINTMENTS REVIEWED AND SOME THAT WERE PROVIDED WERE UNTIMELY¹⁰
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Summary: The CAL FIRE did not provide 33 of the 279 probationary reports of performance reviewed by the CRD. In addition, the CAL FIRE did not provide one of the probationary reports of performance in a timely manner.

Criteria: The service of a probationary period is required when an employee enters or is promoted in the state civil service by permanent appointment from an employment list; upon reinstatement after a break in continuity of service resulting from a permanent separation; or after any other type of appointment situation not specifically excepted from the probationary period. (Gov. Code, § 19171.) During the probationary period, the appointing power shall evaluate the work and efficiency of a probationer in the manner and at such periods as the department rules may require. (Gov. Code, § 19172.) A report of the probationer’s performance shall be made to the employee at sufficiently frequent intervals to keep the employee adequately informed of progress on the job. (Cal. Code Regs., tit. 2, § 599.795.) A written appraisal of performance shall be made to the Department within 10 days after the end of each one-third portion of the probationary period. (*Ibid.*) The Board’s record retention rules require that appointing powers retain all probationary reports for five years from the date the record is created. (Cal. Code Regs., tit. 2, § 26, subd. (a)(3).)

FINDING NO. 4	APPOINTMENT DOCUMENTATION WAS NOT KEPT FOR THE APPROPRIATE AMOUNT OF TIME¹¹
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Summary: Of the 90 appointments reviewed, the CAL FIRE did not retain 18 NOPAs.

¹⁰ Repeat finding; see reports dated January 8, 2024, October 12, 2020, and March 17, 2016.

¹¹ Repeat finding; see reports dated January 8, 2024, October 12, 2020, and March 17, 2016.

Criteria: As specified in section 26 of the Board’s Regulations, appointing powers are required to retain records related to affirmative action, equal employment opportunity, examinations, merit, selection, and appointments 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 Regs., tit. 2, § 26.)

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).)

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).)

FINDING NO. 5	EQUAL EMPLOYMENT OPPORTUNITY PROGRAM COMPLIED WITH ALL CIVIL SERVICE LAWS AND BOARD RULES
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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 CAL FIRE’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 CAL

FIRE. The CAL FIRE 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 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, February 1, 2025, through July 31, 2025, the CAL FIRE had 147 PSC’s that were in effect. The CRD reviewed 30 of these, which are listed below:

Vendor	Services	Contract Amount	Justification Identified?	Union Notification?
A & CC Equipment	Operated Heavy Equipment Rentals	\$842,000	Yes	Yes
A & P Helicopters, Inc.	Wildfire Suppression	\$1,802,850	Yes	Yes
Air Rescue	Insertion & Extraction Training	\$42,500	Yes	Yes
All Day West Pest Control	Pest Control	\$10,260	Yes	Yes
American Forest	Reforestation Support	\$366,120	Yes	Yes

Vendor	Services	Contract Amount	Justification Identified?	Union Notification?
Ascent Environmental, Inc.	Vegetation Treatment Program	\$1,000,000	Yes	Yes
Billings Flying Service, Inc.	Emergency Wildfire Suppression	\$4,838,000	Yes	Yes
Clinical Lab of San Bernardino	Potable Water and Wastewater Testing	\$4,265	Yes	Yes
Merced County Fire Department	Training Center Facility Rental	\$822,600	Yes	Yes
Michael Jon Tadlock	RPF-Expert Grader	\$32,760	Yes	Yes
Microbac Laboratories, Inc.	Waste Water Testing	\$106,230	Yes	Yes
Mission Linen Supply	Uniform Rental	\$29,842	Yes	Yes
Rezek Equipment	Structured Tent Rental	\$54,000	Yes	Yes
Roadrunner Express	Accounting Clerks/Temporary Fire Season	\$729,081	Yes	Yes
Samuel Brigantino dba, Dirt Works	Heavy Equipment Rental	\$3,000	Yes	Yes
Schoolhouse Canyon Campground	Water Supplier	\$25,026	Yes	Yes
Sean McAllister	Survey Services	\$249,810	Yes	Yes
SEGI Reforestation, Inc.	Tree Climber Training	\$278,000	Yes	Yes
Shasta College	Provide Training Center	\$24,060	Yes	Yes
The Five CJ's, LLC	Electrical and Solar Safety Courses	\$12,500	Yes	Yes
Tibbett & Associates	Pest Control	\$38,592	Yes	Yes
Top Industry Cleaners	Janitorial Services	\$12,600	Yes	Yes
Trunorth Gov, LLC	Santa Cruz Unit-Glenwood Fire Crew Lodging	\$1,877,458	Yes	Yes

Vendor	Services	Contract Amount	Justification Identified?	Union Notification?
US Forest Services	Inventory & Analysis Temporal Intensification	\$2,319,169	Yes	Yes
Vestis Uniforms and Workplace Supplies	Uniform and Linen Rental Services	\$12,189	Yes	Yes
Veterans Service Solutions	Catering Services	\$4,247,100	Yes	Yes
Video Vets	Graduation Broadcast and Audio Services	\$249,660	Yes	Yes
Westside Forestry Consulting, Inc.	Vegetation Mgmt.	\$140,000	Yes	Yes
Quality Cleaning Professionals	Janitorial Services	\$69,372	Yes	Yes
11 th Hour Trauma Retreat	Post Trauma Stress Retreat Services	\$32,000	Yes	Yes

FINDING NO. 6	PERSONAL SERVICES CONTRACTS COMPLIED WITH PROCEDURAL REQUIREMENTS
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The total dollar amount of all the PSC’s reviewed was \$20,271,044. It was beyond the scope of the review to make conclusions as to whether CAL FIRE’s justifications for the contract were legally sufficient. For all PSC’s reviewed, the CAL FIRE 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, CAL FIRE 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 CAL FIRE 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 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 Legislature encourages the state and its agencies to consult on a government-to-government basis with federally recognized tribes and with nonfederally recognized tribes and tribal organizations in order to allow tribal officials the opportunity to provide meaningful and timely input in the development of policies, programs, and projects that have tribal implications. (Gov. Code, § 11019.81, sub. (c).) Each official specified in Government Code section 11019.81 subdivision (f)¹² shall complete tribal consultations

¹² Within the executive branch, the following officials have authority to represent the state in a tribal government-to-government consultation: the governor, the attorney general, each constitutional officer and statewide elected official, the director of each state agency and department, the chair and executive officer of each state commission and task force, and the chief counsel of any state agency. (Gov. Code, § 11019.81, sub. (f) (1).) Each authorized official may formally designate another agency official to conduct preliminary tribal consultations, and each designated official may have the authority to act on behalf of the state during a government-to-government consultation. (Gov. Code, § 11019.81, sub. (f) (2).)

training by January 1, 2025, or, for officials appointed after that date, within six months of their appointment or confirmation of appointment, whichever is later. (Gov. Code, § 11019.81, sub. (h).) Each official shall retake the training annually. (*Ibid.*)

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 CAL FIRE's mandated training program that was in effect during the compliance review period, August 1, 2023, through July 31, 2025. The CAL FIRE's tribal consultations training was found to be in compliance, while the CAL FIRE ethics training, supervisory training, and sexual harassment prevention training were found to be out of compliance.

FINDING NO. 7	ETHICS TRAINING WAS NOT PROVIDED FOR ALL FILERS¹³
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Summary: The CAL FIRE did not provide ethics training to 27 of 183 existing filers. In addition, the CAL FIRE did not provide ethics training to 14 of 99 new filers within 6 months of their appointment.

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).)

FINDING NO. 8	SUPERVISORY TRAINING WAS NOT PROVIDED FOR ALL SUPERVISORS, MANAGERS, AND CEAs¹⁴
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Summary: The CAL FIRE did not provide basic supervisory training to 46 of 181 new supervisors within 12 months of appointment; did not provide manager training to 5 of 25 new managers within 12 months of

¹³ Repeat finding; see report dated January 8, 2024.

¹⁴ Repeat finding; see reports dated January 8, 2024, and October 12, 2020.

appointment; and did not provide CEA training to 8 of 17 new CEAs within 12 months of appointment.

Criteria: Each department must provide its new supervisors 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 managerial position, each employee must receive 40 hours of leadership training within 12 months of appointment. (Gov. Code, § 19995.4, subd. (d).)

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

FINDING NO. 9	SEXUAL HARASSMENT PREVENTION TRAINING WAS NOT PROVIDED FOR ALL EMPLOYEES¹⁵
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Summary: The CAL FIRE did not provide sexual harassment prevention training to 281 of 699 new supervisors within 6 months of their appointment. In addition, the CAL FIRE did not provide sexual harassment prevention training to 4 of 200 existing supervisors every 2 years.

The CAL FIRE did not provide sexual harassment prevention training to 41 of 15,128 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.)

Compensation and Pay

During the period under review, August 1, 2024, through January 31, 2025, the CAL FIRE made 1,322 appointments. The CRD reviewed 42 of these appointments to determine if

¹⁵ Repeat finding; see reports dated January 8, 2024, and October 12, 2020.

the CAL FIRE applied salary regulations accurately and correctly processed employees' compensation.

FINDING NO. 10	SALARY DETERMINATIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES
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The CRD found no deficiencies in the salary determinations that were reviewed. The CAL FIRE appropriately calculated and keyed the salaries for each appointment and correctly determined employees' anniversary dates ensuring that subsequent merit salary adjustments will satisfy civil service laws, Board rules and CalHR policies and guidelines.

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, August 1, 2024, through January 31, 2025, the CAL FIRE employees made 132 alternate range movements within a classification. The CRD reviewed 30 of these alternate range movements to determine if the CAL FIRE applied salary regulations accurately and correctly processed each employee's compensation, which are listed below:

Classification	Prior Range	Current Range	Salary (Monthly Rate)
Communications Operator	A	B	\$6,649
Communications Operator	A	B	\$5,322
Communications Operator	A	B	\$5,322
Deputy State Fire Marshall	A	B	\$7,527
Fire Captain	A	B	\$6,304
Fire Captain	B	A	\$5,605

Classification	Prior Range	Current Range	Salary (Monthly Rate)
Fire Captain	B	A	\$7,102
Fire Captain	A	B	\$8,425
Fire Captain	B	A	\$7,506
Fire Captain	A	B	\$8,275
Heavy Fire Equipment Operator	A	B	\$8,240
Information Technology Associate	C	D	\$7,410
Information Technology Associate	B	C	\$7,005
Information Technology Specialist I	A	B	\$8,899
Personnel Specialist	C	D	\$5,987
Personnel Specialist	A	B	\$4,497
Personnel Specialist	B	C	\$4,887
Personnel Specialist	B	C	\$4,797
Staff Services Analyst	B	C	\$4,983
Staff Services Analyst	A	B	\$4,060
Staff Services Analyst	B	C	\$4,893
Staff Services Analyst	B	C	\$5,284
Staff Services Analyst	A	B	\$4,139
Staff Services Analyst	B	C	\$4,868
Staff Services Analyst	B	C	\$4,868
Staff Services Analyst	B	C	\$4,868
Staff Services Analyst	B	C	\$5,335
Staff Services Analyst	A	B	\$4,139
Staff Services Management Auditor	B	C	\$5,367
State Engineer	A	B	\$6,826

FINDING NO. 11	ALTERNATE RANGE MOVEMENTS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES
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The CRD determined that the alternate range movements the CAL FIRE made during the compliance review period, satisfied civil service laws, Board rules and CalHR policies and guidelines.

Red Circle Rates

A red circle rate is a rate of pay authorized for an individual above the maximum salary for his or her class. (Gov. Code, § 19837.) Departments may authorize a red circle rate in the following circumstances: management-initiated change¹⁶, lessening of abilities¹⁷, downward reclassification,¹⁸ split off,¹⁹ allocation standard changes,²⁰ or changes in salary setting methods.²¹ (*Ibid.*)

If a salary reduction is the result of split-off, changes in allocation standards, changes in salary setting methods, or a downward reclassification initiated by SPB or CalHR staff determination, the affected employee may receive a red circle rate regardless of the employee's state service total. The employee may retain it until the maximum salary of his or her class equals or exceeds the red circle rate. (Classification and Pay Guide Section 260.)

If an employee is moved to a position in a lower class because of management-initiated changes, he or she may receive a red circle rate provided he or she has a minimum of ten years' state service²² and has performed the duties of the higher class satisfactorily²³. The length of the red circle rate resulting from a management-initiated change is based on the affected employee's length of state service. The red circle rate ends when the maximum salary of the class equals or exceeds the red circle rate or at the expiration of eligibility. (*Ibid.*)

An employee whose position is blanketed into the state civil service from another public jurisdiction may receive a red circle rate regardless of the length of service in the other jurisdiction. (Cal. Code Regs., tit. 2, § 275.) The employee may retain the red circle rate until the maximum salary of the class to which the employee's position is allocated equals or exceeds the red circle rate.

¹⁶ Any major change in the type of classes, organizational structure, and/or staffing levels in a program.

¹⁷ Refers to an employee who, after many years of satisfactory service, no longer possess the ability to perform the duties and responsibilities of his/her position.

¹⁸ Downward reclassification is when, as a result of SPB action or a CalHR (or its predecessor, the Department of Personnel Administration) staff determination, an incumbent's position is moved to a lower class without the duties being changed.

¹⁹ Split off is when one class is split into two or more classes, one of which is at a lower salary level than the original class.

²⁰ Allocation standards for two or more classes may change to the degree that a position originally allocated to one class may be reallocated to a class with a lower salary without a change in duties.

²¹ Revised valuation standards applied in setting the salary for a class may result in reducing the salary of a class.

²² As calculated by the State Service and Seniority Unit at CalHR. An employee with nine years' state service qualifies if the employee had been laid off or had been on a leave of absence for one or more years to reduce the effect of a layoff (CCR § 599.608).

²³ The latter requirement is normally satisfied by the successful completion of a probationary period, unless there is compelling evidence to suggest otherwise.

Additionally, a red circle rate may be authorized for a former CEA appointee who is reinstating to a civil service classification, a CEA with no prior civil service in a promotional exam and is being appointed from a list without a break in service, or a CEA appointee who is being reduced to a lower CEA salary rate (Classification and Pay Guide Section 440). An employee who has ten years of service, one year of which is under a career executive assignment, shall receive a red circle rate unless the termination was voluntary or based on unsatisfactory performance. (Cal. Code of Regs., tit. 2, § 599.993.) If the termination was voluntary and performance was satisfactory, a red circle rate is permissible. (*Ibid.*) This rate is based on the CEA salary rate received at the time of the termination. Government Code section 13332.05 limits the funding of the red circle rate to no more than 90 calendar days following termination of a CEA appointment.

As of April 1, 2005, departments have delegated authority to approve red circle rates for general civil service employees and CEA positions for up to 90 days. Current Bargaining Unit agreements also provide guidelines and rules on red circle rates that may supersede applicable laws, codes, rules and/or CalHR policies and guidelines.

During the period under review, August 1, 2024, through January 31, 2025, the CAL FIRE authorized one red circle requests. The CRD reviewed this red circle request, listed below, to determine if the CAL FIRE correctly verified, approved and documented the red circle authorization process:

Classification	Prior Classification	Red Circle Rate	Reason for Red Circle Rate
Division Chief, California State Fire Marshall	CEA	\$3,705	Management Initiated Changes

FINDING NO. 12	RED CIRCLE RATE AUTHORIZATION COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES
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The CRD found that the red circle rate request the CAL FIRE authorized during the compliance review period, satisfied civil service laws, Board rules and CalHR policies and guidelines.

Arduous Pay

Effective July 1, 1994, appointing authorities were provided the discretion to provide additional compensation for employees exempt from the Fair Labor Standards Act (FLSA) who perform arduous work that exceeds the normal demands of state service employment. (Human Resources Manual Section 1702.) The work must be extraordinarily demanding, time consuming, and significantly exceed employees' normal work week. The employee cannot be entitled to receive any other sort of compensation such as overtime. Eligible employees are FLSA-exempt employees who do not receive compensation in recognition of hours worked in excess of 40 hours per week. The duration of the arduous period must be at least two weeks or more. (*Ibid.*)

Excluded and represented employees who are FLSA-exempt and assigned to Work Week Group E are eligible to receive up to four (4) months of pay per fiscal year, or per event for emergencies, if the following conditions are met:²⁴

- There is a nonnegotiable deadline or extreme urgency;
- Work exceeds normal work hours and normal productivity;
- Work is unavoidable;
- Work involves extremely heavy workload;
- Employee is eligible for no other compensation, and
- The circumstances that support this pay differential are documented.

Departments have delegated authority to approve arduous pay for excluded employees who are FLSA-exempt, but CalHR approval is required for any arduous pay issued to represented employees.

Although departments have delegated authority to approve arduous pay,²⁵ they are required to fill out CalHR Form 777, documenting the circumstances, assessment and rationale behind all arduous pay approvals. A new Form 777 should be filled out for every employee receiving the pay differential, every time an employee is approved to receive a new pay differential, and every time an employee wants to extend their arduous pay. Extensions are only granted in rare circumstances. Departments must keep the Form 777 on file and retain the form for five years after the approval date. (*Ibid.*)

During the period under review, August 1, 2024, through January 31, 2025, the CAL FIRE issued Arduous Pay to three employees. The CRD reviewed eight of these employees'

²⁴ Applicable Memorandum of Understandings or Bargaining Unit Agreements detail other specific criteria.

²⁵ Pay Letter 94-32 established Pay Differential 62 regarding arduous pay for Bargaining Units 1, 7, 9, 17, 19, and 21, and Excluded employees.

arduous pay authorizations, listed below, to ensure compliance with applicable CalHR policies and guidelines:

Classification	Collective Bargaining Identifier	Work Week Group	Total Compensation	No. of Months Received
Staff Services Manager II (Supervisory)	S01	E	\$2,400	2
Staff Services Manager III	M01	E	\$1,800	3
CEA	M01	E	\$3,600	3

FINDING NO. 13	ARDUOUS PAY AUTHORIZATIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES
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The CRD found that the arduous pay authorizations that the CAL FIRE made during the compliance review period, satisfied civil service laws, Board rules and CalHR policies and guidelines.

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, August 1, 2024, through January 31, 2025, the CAL FIRE issued bilingual pay to 44 employees. The CRD reviewed 25 of these bilingual pay authorizations to ensure compliance with applicable CalHR policies and guidelines. These are listed below:

Classification	No. of Appts.
Associate Governmental Program Analyst	1
Battalion Chief	4
Fire Apparatus Engineer	3
Fire Apparatus Engineer (Paramedic)	1
Fire Captain	10
Fire Fighter II	1
Fire Fighter II (Paramedic)	1
Forester I (Non-Supervisory)	1
Forestry Technician	1
Office Technician (Typing)	1
Staff Services Manager I	1

FINDING NO. 14	INCORRECT AUTHORIZATION OF BILINGUAL PAY²⁶
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Summary: The CRD found 13 errors in the 25 bilingual pay authorizations reviewed.

Classification	Description of Findings	Criteria
Associate Governmental Program Analyst (1 position)	Department failed to provide supporting documentation that the employee has been tested and certified bilingual.	Government Code section 7296
Battalion Chief (3 positions)	Department failed to supply supporting documentation demonstrating the need for bilingual services.	Pay Differential 14
Fire Captain (3 positions)	Department failed to supply supporting documentation demonstrating the need for bilingual services.	Pay Differential 14
Forester (Non-Supervisory) (1 position)	Department failed to supply supporting documentation demonstrating the need for bilingual services.	Pay Differential 14
Fire Apparatus Engineer (3 positions)	Department failed to supply supporting documentation demonstrating the need for bilingual services.	Pay Differential 14

²⁶ Repeat finding; see reports dated January 8, 2024, and October 12, 2020.

Classification	Description of Findings	Criteria
Office Technician (1 position)	Department failed to provide certification that the employee's duties required use of bilingual skills for at least 10% of their time.	Pay Differential 14
Staff Services Manager I (1 position)	Department failed to supply supporting documentation demonstrating the need for bilingual services.	Pay Differential 14

Criteria: For any state agency, a “qualified” bilingual employee, person, or interpreter is someone who CalHR has tested and certified, someone who was tested and certified by a state agency or other approved testing authority, and/or someone who has met the testing or certification standards for outside or contract interpreters as proficient in both the English language and the non-English language to be used. (Gov. Code, § 7296, subd. (a)(3).)

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.)

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, in order to 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, August 1, 2024, through January 31, 2025, the CAL FIRE authorized 1,000 pay differentials²⁷. The CRD reviewed 25 of these pay differentials to ensure compliance with applicable CalHR policies and guidelines. These are listed below:

Classification	Pay Differential	Monthly Amount
Assistant Chief	9	1.9%
Assistant Chief	73	9%
Assistant Chief	379	1.9% + 15% of base salary
Arson & Bomb Investigator	21	\$357
Battalion Chief	143	\$150
CEA	369	\$1550
Deputy State Fire Marshal	419	10%
Executive Assistant	52	1.5 Salary Steps
Heavy Equipment Mechanic (Correctional Facility)	59	2 steps
Heavy Fire Equipment Operator	228	\$75
Fire Apparatus Engineer (Paramedic)	143	\$150
Fire Captain	45	\$150
Fire Captain	45	\$150
Fire Captain	505	5%
Fire Fighter II	73	7%
Forestry Aid	59	1 step
Forestry and Fire Protection Administrator	73	3%
Forestry Fire Pilot	506	10% of base salary
Forestry Fire Pilot	506	2.5% of base salary
Office Technician (Typing)	67	\$190
Unit Chief	369	\$1943
Water and Sewage Plant Operator, Department of Forestry and Fire Protection (Safety)	233	\$100

²⁷ For the purposes of CRD's review, only monthly pay differentials were selected for review at this time.

Classification	Pay Differential	Monthly Amount
Water and Sewage Plant Operator, Department of Forestry and Fire Protection (Safety)	234	6%
Water and Sewage Plant Operator, Department of Forestry and Fire Protection (Safety)	338	4%
Water and Sewage Plant Operator, Department of Forestry and Fire Protection (Safety)	436	5%

FINDING NO. 15	PAY DIFFERENTIAL AUTHORIZATIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES
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The CRD found no deficiencies in the pay differentials that the CAL FIRE 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 excluded²⁸ 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

²⁸ “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.

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, August 1, 2024, through January 31, 2025, the CAL FIRE issued OOC pay to two employees. The CRD reviewed all of these OOC assignments to ensure compliance with applicable MOU provisions, salary regulations, and CalHR policies and guidelines. These are listed below:

Classification	Collective Bargaining Identifier	Out-of-Class Classification	Time Frame
Assistant Chief	S08	Unit Chief	7/15/2024 – 9/14/2024
Office Technician (Typing)	R04	Staff Services Analyst	11/21/2024 – 3/20/2025

FINDING NO. 16	OUT OF CLASS PAY AUTHORIZATIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES
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The CRD found no deficiencies in the OOC pay assignments that the CAL FIRE 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 days²⁹

²⁹ For example, two hours or ten hours count as one day.

worked and paid absences³⁰, 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.*)

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 CAL FIRE had 118 positive paid employees whose hours were tracked. The CRD reviewed 15 of these positive paid appointments to ensure compliance with applicable laws, regulations, policies and guidelines, which are listed below:

Classification	Tenure	Time Frame	Time Worked
Assistant Chief	Retired Annuitant	7/1/2023 - 6/30/2024	724 Hours
Assistant Chief	Retired Annuitant	7/1/2023 - 6/30/2024	635 Hours
Assistant Chief	Retired Annuitant	7/1/2023 - 6/30/2024	735 Hours
Associate Civil Engineer	Retired Annuitant	7/1/23 - 6/30/24	338 Hours

³⁰ For example, vacation, sick leave, compensating time off, etc.

Classification	Tenure	Time Frame	Time Worked
Associate Civil Engineer	Retired Annuitant	7/1/23 - 6/30/24	417.5 Hours
Associate Civil Engineer	Retired Annuitant	7/1/23 - 6/30/24	202 Hours
Battalion Chief	Retired Annuitant	7/1/23 - 6/30/2024	781 hours
Deputy State Fire Marshall III/Specialist	Retired Annuitant	7/1/2023 - 6/30/2024	952 Hours
Deputy State Fire Marshall III/Specialist	Temporary	7/1/2023 - 6/30/2024	172 Hours
Fire Captain	Retired Annuitant	7/1/23 - 6/30/2024	933 Hours
Fire Captain	Retired Annuitant	7/1/23 - 6/30/2024	838 Hours
Fire Captain	Retired Annuitant	7/1/23 - 6/30/2024	951 Hours
Information Technician Specialist I	Retired Annuitant	7/1/23 - 6/30/2024	690 Hours
Pipeline Safety Engineer	Retired Annuitant	7/1/23 - 6/30/2024	821.5 Hours
Research Data Specialist II	Retired Annuitant	7/1/23 - 6/30/2024	960 Hours

FINDING NO. 17	POSITIVE PAID EMPLOYEES' TRACKED HOURS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND/OR CALHR POLICIES AND GUIDELINES
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The CRD found no deficiencies in the positive paid employees reviewed during the compliance review period. The CAL FIRE provided sufficient justification and adhered to applicable laws, regulations and CalHR policy and guidelines for positive paid employees.

Administrative Time Off

During the period under review, May 1, 2024, through April 30, 2025, the CAL FIRE authorized 485 ATO transactions. The CRD reviewed 25 of these ATO transactions to ensure compliance with applicable laws, regulations, and CalHR policy and guidelines.

FINDING NO. 18	ADMINISTRATIVE TIME OFF WAS NOT PROPERLY DOCUMENTED³¹
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³¹ Repeat finding; see report dated October 12, 2020.

Summary: The CAL FIRE did not grant ATO in conformity with the established policies and procedures. Of the 25 ATO authorizations reviewed by the CRD, 3 were found to be out of compliance for failing to document justification for ATO.

Criteria: Appointing authorities are authorized to approve ATO for up to five (5) working days. (Gov. Code, § 19991.10.) Furthermore, they “have delegated authority to approve up to 30 calendar days.” (Human Resources Manual Section 2121.) Any ATO in excess of 30 calendar days must be approved in advance by the CalHR. (*Ibid.*) In most cases, if approved, the extension will be for an additional 30 calendar days. (*Ibid.*) The appointing authority is responsible for submitting ATO extension requests to CalHR at least 5 working days prior to the expiration date of the approved leave. (*Ibid.*)

When requesting an ATO extension, the appointing authority must provide a justification establishing good cause for maintaining the employee on ATO for the additional period of time. (*Ibid.*) ATO may not be used and will not be granted for an indefinite period. (*Ibid.*) If CalHR denies a request to extend ATO, or the appointing authority fails to request approval from CalHR to extend the ATO, the employee must be returned to work in some capacity. (*Ibid.*)

Regardless of the length of ATO, appointing authorities must maintain thorough documentation demonstrating the justification for the ATO, the length of the ATO, and the approval of the ATO. (*Ibid.*)

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, February 1, 2025, through April 30, 2025, the CAL FIRE reported over 100 total units. The CRD reviewed 15 units within 3 pay periods to ensure compliance with applicable laws, regulations and CalHR policy and guidelines.

FINDING NO. 19	DEPARTMENT DID NOT CERTIFY THAT ALL LEAVE RECORDS WERE REVIEWED³²
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Summary: The CAL FIRE failed to certify that all leave records have been reviewed and corrected if necessary for 15 out of the 15 units/pay periods reviewed.

Criteria: Each appointing power shall keep complete and accurate time and attendance records for each employee and officer employed within the agency over which it has jurisdiction. (Cal. Code Regs., tit. 2, § 599.665.) Departments are directed to create an audit process to verify all leave input is keyed accurately and timely. (Human Resources Manual Section 2101.) Departments shall identify and record all errors found and shall certify that all leave records for the unit/pay period identified have been reviewed and all leave errors identified have been corrected. (*Ibid.*) Attendance records shall be corrected by the pay period following the pay period in which the error occurred. (*Ibid.*)

State Service

The state recognizes two different types of absences while an employee is on pay status, paid or unpaid. The unpaid absences can affect whether a pay period is a qualifying or non-qualifying pay period for state service and leave accruals.

Generally, an employee who has 11 or more working days of service in a monthly pay period shall be considered to have a complete month, a month of service, or continuous service.³³ (Cal. Code Regs., tit. 2, § 599.608.) Full time and fractional employees who work less than 11 working days in a pay period will have a non-qualifying month and will not receive state service or leave accruals for that month.

³² Repeat finding; see report dated January 8, 2024.

³³ Government Code sections 19143, 19849.9, 19856.1, 19858.1, 19859, 19861, 19863.1, and 19997.4 and California Code of Regulations, title 2, sections 599.609, 599.682, 599.683, 599.685, 599.687, 599.737, 599.738, 599.739, 599.740, 599.746, 599.747, 599.776.1, 599.787, 599.791, 599.840 and 599.843 provide further clarification for calculating state time.

Hourly or daily rate employees working at a department in which the full-time workweek is 40 hours who earn the equivalent of 160 hours of service in a monthly pay period or accumulated pay periods shall be considered to have a complete month, a month of service, or continuous service. (Cal. Code Regs., tit. 2, § 599.609.)

For each qualifying monthly pay period, the employee shall be allowed credit for vacation with pay on the first day of the following monthly pay period. (Cal. Code Regs., tit. 2, § 599.608.) When computing months of total state service to determine a change in the monthly credit for vacation with pay, only qualifying monthly pay periods of service before and after breaks in service shall be counted. (Cal. Code Regs., tit. 2, § 599.739.) Portions of non-qualifying monthly pay periods of service shall not be counted nor accumulated. (*Ibid.*) On the first day following a qualifying monthly pay period, excluded employees³⁴ shall be allowed credit for annual leave with pay. (Cal. Code Regs., tit. 2, § 599.752.)

Permanent intermittent employees also earn leave credits on the pay period following the accumulated accrual of 160 hours worked. Hours worked in excess of 160 hours in a monthly pay period, are not counted or accumulated towards leave credits.

During the period under review, February 1, 2025, through July 31, 2025, the CAL FIRE had 31 employees with qualifying and non-qualifying pay period transactions. The CRD reviewed 25 transactions to ensure compliance with applicable laws, regulations and CalHR policy and guidelines.

FINDING NO. 20	SERVICE AND LEAVE TRANSACTIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND/OR CALHR POLICIES AND GUIDELINES
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The CRD determined that the CAL FIRE 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

³⁴ As identified in Government Code sections 19858.3, subdivisions (a), (b), or (c), or as it applies to employees excluded from the definition of state employee under Government Code section 3513, subdivision (c), or California Code of Regulations, title 2, section 599.752, subdivision (a), and appointees of the Governor as designated by the Department and not subject to section 599.752.1.

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.*)

FINDING NO. 21	NEPOTISM POLICY COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND/OR CALHR POLICIES AND GUIDELINES
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The CRD verified that the policy was disseminated to all staff and emphasized the CAL FIRE’s commitment to the state policy of hiring, transferring, and promoting employees on the basis of merit. Additionally, the CAL FIRE’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.*)

FINDING NO. 22	WORKERS' COMPENSATION PROCESS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND/OR CALHR POLICIES AND GUIDELINES
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The CRD verified that the CAL FIRE provides notice to their employees to inform them of their rights and responsibilities under California's Workers' Compensation Law. Furthermore, the CRD verified that when the CAL FIRE received workers' compensation claims, they properly provided claim forms within one working day of notice or knowledge of injury.

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 100 permanent CAL FIRE employees to ensure that the department was conducting performance appraisals on an annual basis in accordance with applicable laws, regulations, policies and guidelines.

FINDING NO. 23	PERFORMANCE APPRAISAL POLICY AND PROCESSES COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES WITH SEVEN EXCEPTIONS
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Summary: The CAL FIRE did not provide annual performance appraisals to 7 of 100 employees reviewed after the completion of the employee's probationary period.

Criteria: Appointing powers shall prepare performance reports and keep them on file as prescribed by department rule. (Gov. Code, § 19992.2, subd. (a).) Each supervisor, as designated by the appointing power, shall make an appraisal in writing and shall discuss with the employee overall work performance at least once in each twelve calendar months following the end of the employee's probationary period. (Cal. Code Regs., tit. 2, § 599.798.)

DEPARTMENTAL RESPONSE

The CAL FIRE's response is attached as Attachment 1.

CORRECTIVE ACTIONS

A written corrective action response addressing all areas identified as out of compliance, along with supporting documentation demonstrating the implementation of the specified corrective actions, must be submitted to the CRD within 90 days of the date of this report.

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

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March 26, 2026

Ms. Suzanne M. Ambrose
Executive Director
State Personnel Board
801 Capitol Mall
Sacramento, CA 95814

Dear Ms. Ambrose:

This letter is in response to the State Personnel Board (SPB) Compliance Review Division (CRD) Compliance Review Report issued to the California Department of Forestry and Fire Protection (CAL FIRE) regarding its personnel practices in the areas of examinations, appointments, Equal Employment Opportunity, Personnel Services Contracts, mandated training, compensation and pay, leave, and policy and processes.

Thank you for holding an exit conference with the Department on March 20, 2026, to discuss the CRD's initial findings and recommendations. The Department appreciates the efforts of your team and understands that the CRD will be providing CAL FIRE with corrective action items.

The following are CAL FIRE's responses:

FINDING NO. 3 - PROBATIONARY EVALUATIONS WERE NOT PROVIDED FOR ALL APPOINTMENTS REVIEWED AND SOME THAT WERE PROVIDED WERE UNTIMELY

Cause(s)/Response:

The Department issued a directive in May 2025 directing managers and supervisors to ensure timely completion of probationary reports to comply with applicable laws, rules, and regulations. A reminder of this directive was issued in December 2025. Following the issuance of this directive, CAL FIRE's Human Resource Management will be conducting periodic reviews to enhance future compliance and is actively searching for a dependable notification (and reminder) tracking mechanism and future tracking system. In addition, the importance of completing probationary reports (and performance evaluations) is emphasized to managers and supervisors during various supervisory trainings administered by the Department.

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FINDING NO. 4 - APPOINTMENT DOCUMENTATION WAS NOT KEPT FOR THE APPROPRIATE AMOUNT OF TIME

Cause(s)/Response:

CAL FIRE Human Resource Management and Region – Management Services continue to emphasize the importance of tracking and maintaining all Notices of Personnel Actions (NOPAs). The utilization of DocuSign has been implemented which provides tracking and reminder capability, for both the employee and Personnel Specialists.

FINDING NO. 7 - ETHICS TRAINING WAS NOT PROVIDED FOR ALL FILERS

Cause(s)/Response:

With the understanding this is a repeat finding, CAL FIRE Human Resource Management and Training Program collaborated in late 2024/early 2025 to condense the Ethics Training Course for State Officials and completion of the Fair Political Practices Commission (FPPC) Form 700 into a new single credential housed in the Department's Learning Management System (LMS) Vector Solutions, managed by Human Resource Management, to minimize the various routes to complete and submit the required documents. This update includes notifications prior to expiration sent to the employee and immediate supervisor creating an additional safety component to maintain compliance. CAL FIRE Training Program also distributes an Annual Mandates memorandum to further expand on the required training, ensuring proper guidance and transparency for required employees.

FINDING NO. 8 - SUPERVISORY TRAINING WAS NOT PROVIDED FOR ALL SUPERVISORS, MANAGERS, AND CAREER EXECUTIVE APPOINTMENTS (CEAs)

Cause(s)/Response:

CAL FIRE Human Resource Management, Professional Standards Program, and the Training Program continually collaborate crafting the Annual Mandates memorandum with assignments under the LMS used by the California Department of Human Resources (CalHR) CalLearns umbrella and housed in Vector Solutions as a standalone credential with currency requirements. These credentials for CEAs, managers, and supervisors include notifications for the employee and immediate supervisor creating an additional safety component to maintain compliance. As previously mentioned, the Annual Mandates memorandum has further expanded on the required training to ensure proper guidance and transparency for the required employees. With CAL FIRE's budding partnership and understanding of the CalLearns platform under CalHR, the Department in recent years has exponentially increased the use and opportunities to ensure compliance.

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FINDING NO. 9 - SEXUAL HARASSMENT PREVENTION TRAINING WAS NOT PROVIDED FOR ALL EMPLOYEES

Cause(s)/Response:

In late 2024, the CAL FIRE Training Program in collaboration with the Equal Employment Opportunity Office and Diversity, Equity, Inclusion, and Belonging (EEO/DEIB) program streamlined the process for training to one available course option (managerial/supervisory) with an annual requirement to ensure all employees regardless of rank, position, or bargaining unit affiliation-maintained compliance. This includes notification to the employee and immediate supervisor ahead of expiration to ensure timely completion.

FINDING NO. 14 - INCORRECT AUTHORIZATION OF BILINGUAL PAY

Cause(s)/Response:

Department procedures were updated in February 2024. Bargaining Unit 8 removal of Bilingual Pay only occurs upon movement to another unit (inter-unit movement). This may be the case with 11 of the 13 findings, but considering the findings, CAL FIRE's Human Resource Management in collaboration with the Regions – Management Services and EEO/DEIB will need to consider adding some additional checks and balances for tracking purposes.

FINDING NO. 18 - ADMINISTRATIVE TIME OFF (ATO) WAS NOT PROPERLY DOCUMENTED

Cause(s)/Response:

Following review of the three identified ATO cases found to be out of compliance, it was determined that documentation for one of the three was on file; however, the reason was unidentified on the ATO Log maintained by CAL FIRE Human Resource Management. This case was related to a Skelly Period for a Notice of Adverse Action. The other two cases were related to work injuries pursuant to CalHR Policy 1416 Workers' Compensation Administrative Time Off. CAL FIRE Human Resource Management will collaborate with the Regions – Management Services on creating a tracking mechanism for these situations and for future compliance reviews. ATO is tracked within the Timekeeping/Attendance System and in most but not all cases, by way of a spreadsheet maintained by Human Resource Management when ATO is requested and authorized. Human Resource Management is currently in the process of revising policy/procedures.

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FINDING NO. 19 - DEPARTMENT DID NOT CERTIFY THAT ALL LEAVE RECORDS WERE REVIEWED

Cause(s)/Response:

The Department utilizes electronic timekeeping systems with copies of all certified timesheets having been provided for this compliance review. While timesheet auditing and certification occurs on a regular and reoccurring basis (monthly, at minimum), CAL FIRE Human Resource Management will work with the Information Technology Section to enhance the electronic systems to include a separate and distinct "certification" function to alleviate future findings.

Once again, CAL FIRE would like to thank the SPB for its efforts and looks forward to receiving the corrective action plan template provided by the SPB's CRD. If you have any questions regarding the information within this response, please feel free to contact me at (916) 208-3832 or via email at stephanie.portela@fire.ca.gov.

Sincerely

DocuSigned by:

6C241DEC5E7F414...
STEPHANIE PORTELA
Assistant Deputy Director
Management Services, Human Resource Management

cc: Joe Tyler, CAL FIRE Director/Fire Chief
Anale Burlew, CAL FIRE Chief Deputy Director, Operations
Daniel Berlant, CAL FIRE State Fire Marshal
Kerry Garcia, CAL FIRE Chief Deputy Director, Administration
George Morris III, CAL FIRE Northern Region Chief
Mike van Loben Sels, CAL FIRE Southern Region Chief
Matthew Sully, CAL FIRE Deputy Director, Cooperative Fire Protection
Christy White, CAL FIRE Deputy Director, Management Services
David Geisen, CAL FIRE Deputy Director, Fiscal Services
Serena Ortega, CAL FIRE Deputy Director, Equal Employment Opportunity Program
Monte Manson, CAL FIRE Deputy Director, Professional Standards Program
Helen Lopez, CAL FIRE Deputy Director, Tribal Affairs Program
Windy C. Bouldin, CAL FIRE Deputy Director, Office of Program Accountability