



COMPLIANCE REVIEW REPORT

CALIFORNIA DEPARTMENT OF TRANSPORTATION

Compliance Review Division
State Personnel Board
March 6, 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 Transportation (Caltrans) 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
Examinations	In Compliance	Permanent Withhold Actions Complied with Civil Service Laws and Board Rules
Appointments	Out of Compliance	Probationary Evaluations Were Not Provided for All Appointments Reviewed
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	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

Area	Compliance	Finding
Compensation and Pay	In Compliance	Bilingual Pay Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
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	Substantial Compliance ¹	Positive Paid Temporary Employees' Tracked Hours Complied With Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines With One Exception
Leave	Out of Compliance	Administrative Time Off Was Not Properly Documented
Leave	Out of Compliance	Department Has Not Implemented a Monthly Internal Audit Process to Verify All Leave Input is Keyed Accurately and Timely
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
Policy	Out of Compliance	Performance Appraisals Were Not Provided to All Employees

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.

BACKGROUND

The Caltrans strives to improve lives and communities through transportation. The Caltrans manages more than 50,000 miles of California's highway and freeway lanes, provides inter-city rail services, permits more than 400 public-use airports and special-use hospital heliports, and works with local agencies throughout the state. The Caltrans carries out its mission with six primary programs: Aeronautics, Highway Transportation, Mass Transportation, Transportation Planning, Administration, and the Equipment Service Center. The department employs over 22,000 individuals in a variety of classifications, including engineers, planners, scientists, maintenance workers, equipment staff, administrative staff, right-of-way agents, attorneys, and investigators.

SCOPE AND METHODOLOGY

The scope of the compliance review was limited to reviewing the Caltrans' 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 Caltrans' 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 Caltrans' 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 Caltrans provided, which included examination plans, examination bulletins, job analyses, and scoring results. The CRD also reviewed the Caltrans' permanent withhold actions documentation, including Withhold Determination Worksheets, State applications (STD 678), class specifications, and withhold letters.

A cross-section of the Caltrans' 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 Caltrans provided, which included Notice of Personnel Action forms, Request for Personnel Actions, vacancy postings, certification lists, transfer movement worksheets, employment history records, correspondence, and probation reports.

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

The Caltrans did not conduct any unlawful appointment investigations during the compliance review period.

The Caltrans' appointments were also selected for review to ensure the Caltrans applied salary regulations accurately and correctly processed employees' compensation and pay. The CRD examined the documentation that the Caltrans 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 Caltrans did not issue or authorize red circle rate requests or arduous pay.

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

The Caltrans' 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 Caltrans' monthly internal audit process to verify all leave input into any leave accounting system was keyed accurately and timely and ensure the

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.

department certified that all leave records have been reviewed and corrected if necessary. The CRD selected a small cross-section of the Caltrans' units in order to ensure they maintained accurate and timely leave accounting records. Part of this review also examined a cross-section of the Caltrans' 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 Caltrans employees who used Administrative Time Off (ATO) in order to ensure that ATO was appropriately administered. Further, the CRD reviewed a selection of Caltrans 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 Caltrans' policies and processes concerning nepotism, workers' compensation, and performance appraisals. The review was limited to whether the Caltrans' policies and processes adhered to procedural requirements.

The Caltrans did not request an exit conference to explain and discuss the CRD's initial findings and recommendations. The CRD received and carefully reviewed the Caltrans' written response on February 20, 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, December 1, 2024, through May 30, 2025, the Caltrans conducted 160 examinations. The CRD reviewed 10 of these examinations, which are listed below:

Classification	Exam Type	Exam Components	Final File Date	No. of Apps
Career Executive Assignment (CEA) A, Deputy District Director, Administration	CEA	Statement of Qualifications (SOQ) ⁴	12/4/2024	9
CEA A, Deputy District Director, Planning and Local Assistance	CEA	SOQ	11/27/2024	11
CEA A, Lead Advisor on Complete Streets	CEA	SOQ	12/10/2024	15
CEA B, Chief, Division of Maintenance	CEA	SOQ	1/29/2025	9
CEA B, Deputy District Director, Traffic Operations	CEA	SOQ	1/3/2025	19
Associate Environmental Planner (Natural Sciences)	Servicewide	Training and Experience ⁵	Continuous	5
Principal Right of Way Agent	Open	Education and Experience (E&E) ⁶	12/26/2024	4

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.

⁶ In an Education and Experience examination, one or more raters reviews the applicants' Standard 678 application forms, and scores and ranks them according to a predetermined rating scale that may include years of relevant higher education, professional licenses or certifications, and/or years of relevant work experience.

Classification	Exam Type	Exam Components	Final File Date	No. of Apps
Principal Transportation Planner	Open	E&E	12/3/2024	7
Supervising Bridge Engineer	Promotional	E&E	1/2/2024	2
Supervising Transportation Engineer, Caltrans	Open	E&E	12/6/2024	12

FINDING NO. 1	EXAMINATIONS COMPLIED WITH CIVIL SERVICE LAWS AND BOARD RULES
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The CRD reviewed five CEA, one departmental promotional, and four open examinations which the Caltrans administered in order to create eligible lists from which to make appointments. The Caltrans published and distributed examination bulletins containing the required information for all examinations. Applications received by the Caltrans 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 Caltrans conducted during the compliance review period.

Permanent Withhold Actions

Departments are granted statutory authority to permit withhold of eligibles from lists based on specified criteria. (Gov. Code, § 18935.) Permanent appointments and promotions within the state civil service system shall be merit-based, ascertained by a competitive examination process. (Cal. Const., art. VII, § 1, subd. (b).) If a candidate for appointment is found not to satisfy the minimum qualifications, the appointing power shall provide written notice to the candidate, specifying which qualification(s) are not satisfied and the reason(s) why. The candidate shall have an opportunity to establish that s/he meets the qualifications. (Cal. Code Regs., tit. 2, § 249.4, subd. (b).) If the candidate fails to respond or fails to establish that s/he meets the minimum qualification(s), the candidate's name shall be removed from the eligibility list. (Cal. Code Regs., tit. 2, § 249.4, subd. (b)(1), (2)), (HR Manual, section 1105.) The appointing authority shall promptly notify the candidate in writing and shall notify the candidate of his or her appeal rights. (*Ibid.*) A permanent withhold does not necessarily permanently restrict a candidate from retaking

the examination for the same classification in the future; however, the appointing authority may place a withhold on the candidate's subsequent eligibility record if the candidate still does not meet the minimum qualifications or continues to be unsuitable. (HR Manual, Section 1105). State agency human resources offices are required to maintain specific withhold documentation for a period of five years. (*Ibid.*)

During the period under review, December 1, 2024, through May 30, 2025, the Caltrans conducted 58 permanent withhold actions. The CRD reviewed 29 of these permanent withhold actions, which are listed below:

Exam Title	Reason Candidate Placed on Withhold	No. of Withholds
Accountant Trainee	Failed to Meet Minimum Qualifications	1
Associate Governmental Program Analyst	Failed to Meet Minimum Qualifications	9
Caltrans Equipment Operator I	Failed to Meet Minimum Qualifications	1
Caltrans Equipment Operator II	Failed to Meet Minimum Qualifications	5
Caltrans Heavy Equipment Mechanic	Failed to Meet Minimum Qualifications	1
Heavy Equipment Mechanic Apprentice, Caltrans	Failed to Meet Minimum Qualifications	1
Information Technology Associate	Failed to Meet Minimum Qualifications	1
Information Technology Specialist I	Failed to Meet Minimum Qualifications	1
Transportation Engineer (Civil)	Failed to Meet Minimum Qualifications	1
Transportation Engineer (Electrical)	Failed to Meet Minimum Qualifications	1
Transportation Engineer Technician	Failed to Meet Minimum Qualifications	3
Transportation Planner	Failed to Meet Minimum Qualifications	4

FINDING NO. 2	PERMANENT WITHHOLD ACTIONS COMPLIED WITH CIVIL SERVICE LAWS AND BOARD RULES
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The CRD found no deficiencies in the permanent withhold actions undertaken by the department 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 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, June 1, 2024, through November 30, 2024, the Caltrans made 2,998 appointments. The CRD reviewed 46 of these appointments, which are listed below:

Classification	Appointment Type	Tenure	Time Base	No. of Appts.
Accountant Trainee	Certification List	Permanent	Full Time	1
Associate Governmental Program Analyst	Certification List	Permanent	Full Time	2
Caltrans Equipment Operator I	Certification List	Permanent	Full Time	1
Caltrans Equipment Operator II	Certification List	Permanent	Full Time	2
Caltrans Equipment Operator II	Certification List	Permanent	Intermittent	1
Caltrans Heavy Equipment Mechanic	Certification List	Permanent	Full Time	1
Environmental Program Manager I (Managerial)	Certification List	Permanent	Full Time	1
Environmental Scientist	Certification List	Permanent	Full Time	2
Information Officer I (Specialist)	Certification List	Permanent	Full Time	1
Information Technology Associate	Certification List	Permanent	Full Time	1

Classification	Appointment Type	Tenure	Time Base	No. of Appts.
Information Technology Specialist I	Certification List	Permanent	Full Time	1
Junior Engineering Technician	Certification List	Permanent	Full Time	1
Office Technician (Typing)	Certification List	Permanent	Full Time	1
Office Technician (Typing), LEAP	Certification List	Limited Term	Full Time	1
Program Technician II	Certification List	Limited Term	Full Time	1
Research Data Analyst I	Certification List	Permanent	Full Time	1
Research Data Analyst II	Certification List	Permanent	Full Time	1
Senior Right of Way Agent	Certification List	Permanent	Full Time	2
Senior Transportation Engineer, Caltrans	Certification List	Permanent	Full Time	2
Senior Transportation Surveyor (Caltrans)	Certification List	Permanent	Full Time	2
Staff Services Analyst, LEAP	Certification List	Limited Term	Full Time	1
Staff Services Manager I	Certification List	Permanent	Full Time	2
Structural Design Technician I	Certification List	Permanent	Full Time	2
Supervising Transportation Engineer (Caltrans)	Certification List	Permanent	Full Time	1
Supervising Transportation Planner	Certification List	Permanent	Full Time	2
Transportation Engineer (Civil)	Certification List	Permanent	Full Time	5
Transportation Surveyor Party Chief (Caltrans)	Certification List	Permanent	Full Time	1
Caltrans Electrician II	Reinstatement	Permanent	Full Time	1
Caltrans Highway Mechanic Supervisor	Reinstatement	Limited Term	Full Time	1
Junior Engineering Technician	Reinstatement	Permanent	Full Time	1
Senior Transportation Engineer (Caltrans)	Reinstatement	Permanent	Full Time	1
Senior Transportation Surveyor (Caltrans)	Reinstatement	Permanent	Full Time	1
Caltrans Electrician II	Transfer	Permanent	Full Time	1

FINDING NO. 3**PROBATIONARY EVALUATIONS WERE NOT PROVIDED FOR ALL APPOINTMENTS REVIEWED⁷**

Summary: The Caltrans did not provide 49 of the 103 probationary reports of performance reviewed by the CRD.

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).)

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).)

⁷ Repeat finding; see reports dated April 18, 2024, and April 17, 2020.

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. 4	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 Caltrans' 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 Caltrans. The Caltrans 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, December 1, 2024, through May 30, 2025, the Caltrans had 428 PSC's that were in effect. The CRD reviewed 25 of these, which are listed below:

Vendor	Services	Contract Amount	Justification Identified?	Union Notification?
Accident Research and Biomechanics, Inc.	Expert Witness	\$25,000	Yes	N/A ⁸
Accident Science, Inc.	Expert Witness	\$20,000	Yes	N/A
Accident Science, Inc.	Expert Witness	\$75,000	Yes	N/A
Atul Jain, MD, Inc.	Expert Witness	\$50,000	Yes	N/A
Boster, Kobayashi & Associates, Inc.	Expert Witness	\$50,000	Yes	N/A
Collision and Injury Dynamics, Inc.	Expert Witness	\$50,000	Yes	N/A
Delaware Exponent, Inc.	Expert Witness	\$70,000	Yes	N/A
Dennis D. Buckman, DBA Fluid Power Technologies	Heavy Equipment Mechanic Apprentice Program	\$72,000	Yes	Yes
Explico Engineering Co.	Expert Witness	\$30,000	Yes	N/A
Explico Engineering Co.	Expert Witness	\$75,000	Yes	N/A
Girbovan, Inc.	Expert Witness	\$40,000	Yes	N/A
Girbovan, Inc.	Expert Witness	\$60,000	Yes	N/A
Gregory D. Rinehart & Associates	Expert Witness	\$60,000	Yes	N/A

⁸ Pursuant to the State Contracting Manual, Volume 1, Chapter 3, Section 7 B., union notification is not required for expert witnesses or consultations in connection with a confidential investigation or any confidential component of a pending or active legal action.

Vendor	Services	Contract Amount	Justification Identified?	Union Notification?
Hulberg & Associates, Inc., DBA Valbridge Property Advisors	Expert Witness	\$50,000	Yes	N/A
J.S. Held, LLC	Expert Witness	\$115,000	Yes	N/A
Kyung Immigration Law Office, A Professional Law Corporation	Immigration Legal Services	\$60,555	Yes	Yes
MacNair and Associates	Expert Witness	\$25,000	Yes	N/A
Mortimer Vocational Consulting, DBA Hall Mortimer Associates	Expert Witness	\$50,000	Yes	N/A
Principia Engineering, Inc.	Expert Witness	\$20,000	Yes	N/A
Rehabilitation Care Coordination	Expert Witness	\$25,000	Yes	N/A
Ross Medical Services, Inc.	Expert Witness	\$100,000	Yes	N/A
Stephen N. Price	Expert Witness	\$30,000	Yes	N/A
Sutton Pierce, LLC	Expert Witness	\$100,000	Yes	N/A
Tetra Tech BAS, Inc.	Environmental Engineering	\$18,150	Yes	Yes
Thomas J. Grogan, MD., A Medical Corporation	Expert Witness	\$20,000	Yes	N/A

FINDING NO. 5	PERSONAL SERVICES CONTRACTS COMPLIED WITH PROCEDURAL REQUIREMENTS
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The total dollar amount of all the PSC's reviewed was \$1,290,705. It was beyond the scope of the review to make conclusions as to whether Caltrans justifications for the

contract were legally sufficient. For all PSC's reviewed, the Caltrans 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, Caltrans 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 Caltrans 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, subs. (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)⁹ shall complete tribal consultations 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 Caltrans' mandated training program that was in effect during the compliance review period, June 1, 2023, through May 30, 2025. The Caltrans' tribal consultations training was found to be in compliance, while the Caltrans' ethics training, supervisory training, and sexual harassment prevention training were found to be out of compliance.

FINDING NO. 6	ETHICS TRAINING WAS NOT PROVIDED FOR ALL FILERS¹⁰
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Summary: The Caltrans provided ethics training to 2,324 of the existing filers. However, the Caltrans did not provide ethics training timely to 67 of 804 new filers within 6 months of their appointment.

⁹ 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).)

¹⁰ Repeat finding; see reports dated April 18, 2024, and April 17, 2020.

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. 7	SUPERVISORY TRAINING WAS NOT PROVIDED FOR ALL SUPERVISORS, MANAGERS, AND CEAs¹¹
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Summary: The Caltrans did not provide basic supervisory training to 26 of 67 new supervisors within 12 months of appointment, and an additional 7 received the training late. The Caltrans did not provide manager training to 60 of 102 new managers within 12 months of appointment, and an additional 12 were provided training late. Further the Caltrans did not provide CEA training to 5 of 17 new CEAs within 12 months of appointment, and an additional 6 were provided the training late.

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. 8	SEXUAL HARASSMENT PREVENTION TRAINING WAS NOT PROVIDED FOR ALL EMPLOYEES¹²
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Summary: The Caltrans did not provide sexual harassment prevention training to 178 of 793 new supervisors within 6 months of their appointment, and additional 149 were provided training late. In addition, the Caltrans did not provide sexual harassment prevention training to

¹¹ Repeat finding; see reports dated April 18, 2024, and April 17, 2020.

¹² Repeat finding; see reports dated April 18, 2024, and April 17, 2020.

404 of 2,989 existing supervisors every 2 years, and an additional 349 were provided training late.

The Caltrans did not provide sexual harassment prevention training to 4 of 100 existing non-supervisors every 2 years, and an additional 13 were provided training late.

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

Salary Determination

The pay plan for state civil service consists of salary ranges and steps established by CalHR. (Cal. Code Regs., tit. 2, § 599.666.) Several salary rules dictate how departments calculate and determine an employee's salary rate¹³ 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, June 1, 2024, through November 30, 2024, the Caltrans made 2,998 appointments. The CRD reviewed 20 of these appointments to determine if the Caltrans applied salary regulations accurately and correctly processed employees' compensation.

FINDING NO. 9	SALARY DETERMINATIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES
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¹³ "Rate" is any one of the salary rates in the resolution by CalHR which establishes the salary ranges and steps of the Pay Plan (Cal. Code Regs., tit. 2, section 599.666).

The CRD found no deficiencies in the salary determinations that were reviewed. The Caltrans 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, June 1, 2024, through November 30, 2024, the Caltrans employees made 282 alternate range movements within a classification. The CRD reviewed 15 of these alternate range movements to determine if the Caltrans applied salary regulations accurately and correctly processed each employee's compensation, which are listed below:

Classification	Prior Range	Current Range	Salary (Monthly Rate)
Environmental Scientist	B	C	\$6,566
Heavy Equipment Mechanic Apprentice, Caltrans	A	B	\$3,727
Heavy Equipment Mechanic Apprentice, Caltrans	E	F	\$4,579
Information Technology Specialist I	B	C	\$9,785
Landscape Associate, Caltrans	B	C	\$8,637
Right Of Way Agent	A	B	\$5,918
Staff Services Analyst	A	B	\$4,374
Staff Services Analyst	A	B	\$4,098

Classification	Prior Range	Current Range	Salary (Monthly Rate)
Transportation Engineer (Civil)	A	B	\$7,212
Transportation Engineer (Civil)	A	B	\$7,212
Transportation Engineer (Civil)	B	C	\$8,637
Transportation Engineer (Civil)	B	C	\$8,637
Transportation Engineer (Civil)	B	C	\$8,637
Transportation Engineer (Civil)	B	D	\$9,429
Transportation Engineer, (Electrical)	A	B	\$7,212

FINDING NO. 10	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 Caltrans 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, June 1, 2024, through November 30, 2024, the Caltrans issued bilingual pay to 20 employees. The CRD reviewed eight 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	3
Associate Right Of Way Agent	3
Caltrans Equipment Operator II	1
Caltrans Maintenance Supervisor	1

FINDING NO. 11	BILINGUAL PAY AUTHORIZATIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES
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The CRD found that the bilingual pay authorized to employees during the compliance review period, satisfied civil service laws, Board rules and CalHR policies and guidelines.

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, June 1, 2024, through November 30, 2024, the Caltrans authorized 3,516 pay differentials¹⁴. 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
Caltrans Maintenance Supervisor	261	5%
Information Officer I (Specialist)	35	\$250
Principal Transportation Engineer Caltrans	433	5.50%
Senior Transportation Engineer, Caltrans	433	3%
Senior Transportation Engineer, Caltrans (6 positions)	433	5.50%
Supervising Transportation Engineer, Caltrans	261	5.50%
Supervising Transportation Engineer, Caltrans	433	5.50%
Transportation Engineer (Civil)	261	3%
Transportation Engineer (Civil)	271	5.50%
Transportation Engineer (Civil)	433	4%
Transportation Engineer (Civil) (4 positions)	433	5.50%
Transportation Engineer (Electrical) (2 positions)	261	\$300
Transportation Engineer (Electrical)	433	\$300
Transportation Engineering Technician	271	\$474
Transportation Engineering Technician	271	\$686
Transportation Surveyor (Caltrans)	271	\$300

FINDING NO. 12	PAY DIFFERENTIAL AUTHORIZATIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES
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¹⁴ For the purposes of CRD's review, only monthly pay differentials were selected for review at this time.

The CRD found no deficiencies in the pay differentials that the Caltrans 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 excluded¹⁵ 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, June 1, 2024, through November 30, 2024, the Caltrans issued OOC pay to 140 employees. The CRD reviewed 10 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
Associate Transportation Planner	R01	Senior Transportation Planner	06/01/2024 - 08/21/2024

¹⁵ “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.

Classification	Collective Bargaining Identifier	Out-of-Class Classification	Time Frame
Caltrans Equipment Operator II	R12	Caltrans Highway Maintenance Leadworker	11/03/2024 - 03/03/2024
Caltrans Equipment Operator II	R12	Caltrans Highway Maintenance Leadworker	11/23/2024 – 03/22/2025
Caltrans Equipment Operator II	R12	Caltrans Highway Maintenance Leadworker	06/15/2024 – 06/30/2024
Caltrans Highway Maintenance Leadworker	R12	Caltrans Maintenance Supervisor	11/06/2024 - 12/18/2025
Caltrans Highway Maintenance Leadworker	R12	Caltrans Maintenance Supervisor	05/13/2024 – 06/17/2024
Equipment Material Manager II	E48	Associate Governmental Program Analyst	06/17/224 - 06/11/2025
Equipment Material Specialist	R12	Equipment Material Manager III	07/15/2024 - 03/01/2025
Heavy Equipment Bodyworker/Painter	R12	Lead Heavy Equipment Body Worker	04/15/2024 - 06/07/2024
Office Technician (Typing)	R04	Staff Services Analyst	05/12/2024 - 08/16/2024

FINDING NO. 13	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 Caltrans 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 days¹⁶ worked and paid absences¹⁷, 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 Caltrans had 334 positive paid employees whose hours were tracked. The CRD reviewed 19 of these positive paid appointments to ensure compliance with applicable laws, regulations, policies and guidelines, which are listed below:

¹⁶ For example, two hours or ten hours count as one day.

¹⁷ For example, vacation, sick leave, compensating time off, etc.

Classification	Tenure	Time Frame	Time Worked
Caltrans Equipment Operator II	Retired Annuitant	07/01/2024 - 06/30/2025	535.5 Hours
Caltrans Equipment Operator II	Retired Annuitant	07/01/2024 - 06/30/2025	251 Hours
Caltrans Equipment Operator II	Retired Annuitant	07/01/2024 - 06/30/2025	108.5 Hours
Engineer Geologist	Retired Annuitant	07/01/2024 - 06/30/2025	402.5 Hours
Research Data Analyst II	Retired Annuitant	07/01/2024 - 06/30/2025	565 Hours
Senior Environmental Planner	Retired Annuitant	07/01/2024 - 06/30/2025	164 Hours
Senior Transportation Engineer, Caltrans	Retired Annuitant	07/01/2024 - 06/30/2025	844.75 Hours
Senior Transportation Engineer, Caltrans	Retired Annuitant	07/01/2024 - 06/30/2025	879 Hours
Senior Transportation Engineer, Caltrans	Retired Annuitant	07/01/2024 - 06/30/2025	28 Hours
Senior Transportation Engineer, Caltrans	Retired Annuitant	07/01/2024 - 06/30/2025	708 Hours
Senior Transportation Engineer, Caltrans	Retired Annuitant	07/01/2024 - 06/30/2025	659.1 Hours
Transportation Engineer (Civil)	Retired Annuitant	07/01/2024 - 06/30/2025	535 Hours
Transportation Engineer (Civil)	Retired Annuitant	07/01/2024 - 06/30/2025	72 Hours
Transportation Engineer (Civil)	Retired Annuitant	07/01/2024 - 06/30/2025	357.25 Hours
Transportation Engineer (Civil)	Retired Annuitant	07/01/2024 - 06/30/2025	406.3 Hours
Transportation Engineer Technician	Retired Annuitant	07/01/2024 - 06/30/2025	947 Hours
Transportation Engineer Technician	Retired Annuitant	07/01/2024 - 06/30/2025	1023.5 Hours
Transportation Surveyor (Caltrans)	Retired Annuitant	07/01/2024 - 06/30/2025	368 Hours
Transportation Surveyor (Caltrans)	Retired Annuitant	07/01/2024 - 06/30/2025	808.5 Hours

FINDING NO. 14	POSITIVE PAID TEMPORARY EMPLOYEES' TRACKED HOURS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND/OR CALHR POLICIES AND GUIDELINES WITH ONE EXCEPTION
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Summary: The Caltrans did not consistently track and monitor one retired annuitant’s total hours worked, allowing the employee to work over the 960-hour limitation in any fiscal year.

Criteria: According to Government Code Section 21224, retired annuitant appointments shall not exceed a maximum of 960 hours in any fiscal year (July-June) for all state employers without reinstatement or loss or interruption of benefits.

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, March 1, 2024, through February 28, 2025, the Caltrans authorized 2,580 ATO transactions. The CRD reviewed 25 of these ATO transactions to ensure compliance with applicable laws, regulations, and CalHR policy and guidelines.

FINDING NO. 15	ADMINISTRATIVE TIME OFF WAS NOT PROPERLY DOCUMENTED¹⁸
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Summary: The Caltrans did not grant ATO in conformity with the established policies and procedures. Of the 25 ATO authorizations reviewed by the CRD, 12 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

¹⁸ Repeat finding; see reports dated April 18, 2024, and April 17, 2020.

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, December 1, 2024, through February 28, 2025, the Caltrans reported 594 units. The CRD reviewed 30 units within 3 pay periods to ensure compliance with applicable laws, regulations and CalHR policy and guidelines.

FINDING NO. 16	DEPARTMENT HAS NOT IMPLEMENTED A MONTHLY INTERNAL AUDIT PROCESS TO VERIFY ALL LEAVE INPUT IS KEYED ACCURATELY AND TIMELY
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Summary: The Caltrans failed to implement a monthly internal audit process to verify all timesheets were keyed accurately and timely and to certify

that all leave records have been reviewed and corrected if necessary.

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.¹⁹ (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.

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

¹⁹ 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.

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 employees²⁰ 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, December 1, 2024, through May 31, 2025, the Caltrans had 69 employees with qualifying and non-qualifying pay period transactions. The CRD reviewed 20 transactions to ensure compliance with applicable laws, regulations and CalHR policy and guidelines.

FINDING NO. 17	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 Caltrans 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

²⁰ 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.

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. 18	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 Caltrans’ commitment to the state policy of hiring, transferring, and promoting employees on the basis of merit. Additionally, the Caltrans’ 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.*)

In this case, the Caltrans did not employ volunteers during the compliance review period.

FINDING NO. 19	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 Caltrans 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 Caltrans 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 50 permanent Caltrans 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. 20	PERFORMANCE APPRAISALS WERE NOT PROVIDED TO ALL EMPLOYEES²¹
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Summary: The Caltrans did not provide annual performance appraisals to 26 of 50 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.)

²¹ Repeat finding; see reports dated April 18, 2024, and April 17, 2020.

DEPARTMENTAL RESPONSE

The Caltrans' 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.

California Department of Transportation

DIVISION OF HUMAN RESOURCES
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February 20, 2026

Ms. Suzanne M. Ambrose
Executive Officer
State Personnel Board
801 Capitol Mall, Suite 1200
Sacramento, CA 95814

Dear Ms. Ambrose:

The California Department of Transportation (Caltrans) submits this letter in response to the State Personnel Board (SPB) Compliance Review Division's (CRD) recent compliance review. As requested, Caltrans acknowledges the findings and provides the cause for each of the CRD's findings as follows.

FINDING NO. 3: PROBATIONARY EVALUATIONS WERE NOT PROVIDED FOR ALL APPOINTMENTS REVIEWED

CRD Summary:

The Caltrans did not provide 49 of the 103 probationary reports of performance reviewed by the CRD.

Caltrans Cause/Response:

The Division of Human Resources has not yet been able to find a suitable electronic solution to solve the issue related to probation reports and the collection of those from all of our supervisors and managers since our last SPB Audit. Our current process involves sending a report each month to our various Districts and Headquarters Programs to alert supervisors/managers of the probation dates for their employees so that they complete the reports as required. After our last SPB Audit findings, we had tested a temporary electronic solution that would notify supervisors of their employee's probation dates and send them Outlook calendar invites that would remind them of the dates to complete probation reports. This temporary solution still needed refinement after it was tested, and ultimately it was determined that the various Districts and Programs wanted to try and develop their own dashboarding solutions to manage their own processes related to probation reports. In terms of a more long-term fix, we recently implemented a new HR Solution at Caltrans that utilizes the ServiceNow platform. While the system's current capabilities do not yet notify about probation reports, we hope to expand the system's features to include this, as well as document management, in the future so that it makes the process easier for our supervisors and ensure we do not have documents missing from OPFs due to staffing instability.

FINDING NO. 6: ETHICS TRAINING WAS NOT PROVIDED FOR ALL FILERS

CRD Summary:

The Caltrans provided ethics training to 2,324 of the existing filers. However, the Caltrans did not provide ethics training timely to 67 of 804 new filers within 6 months of their appointment.

Caltrans Cause/Response:

Ethics Training is an online course completed through the Attorney General's Office website. Caltrans utilizes an electronic modality to track our Form 700/Ethics Training called eDisclosure Docs, which has drastically improved our department's ability to track and notify eligible employees about the requirements surrounding Form 700/Ethics training. Employees are sent both an initial email notification, as well as reminder email notifications of the required Ethics training when it is due. For employees who are newly appointed to a designated filing position, the employee is given an initial appointment email notification when their position and job information is entered into the eDisclosure database. Due to the training being "employee driven" where employees are notified and held accountable for their training requirements, some employees missed the deadline of completing trainings by specific time periods. Caltrans has identified Form 700 Coordinators in each District or Division to assist with tracking compliance.

Caltrans currently provides initial emails to employees with instructions and a link to the Attorney General's Office to take the course. We have recently implemented two new notifications to help ensure compliance, and the most significant change is that we will send a reminder every 30 days once a training is past due to help ensure training is completed. The notifications that are sent via eDisclosure are:

- Initial appointment notice
- 30 days prior to due date
- 10 days prior to due date
- 1 day past due date
- 30 days past due date
- Every 30 days that the training is past due, a reminder will go out until the training is completed and no longer pending.

We also have an employee who monitors employee compliance related to Ethics Training requirements to try and ensure we have our employees in compliance.

FINDING NO. 7: SUPERVISORY TRAINING WAS NOT PROVIDED FOR ALL SUPERVISORS, MANAGERS, AND CEAS

CRD Summary:

The Caltrans did not provide basic supervisory training to 26 of 67 new supervisors within 12 months of appointment; and an additional 7 received the training late. The Caltrans did not

provide manager training to 60 of 102 new managers within 12 months of appointment, and an additional 12 were provided training late. Further the Caltrans did not provide CEA training to 5 of 17 new CEAs within 12 months of appointment, and an additional 6 were provided the training late.

Caltrans Cause/Response:

Caltrans acknowledges the SPB Audit 2026 findings, indicating our failure to meet the statutory training requirements for new supervisors, managers, and Career Executive Assignments (CEAs) as mandated by Government Code, Section 19995.4. We take this matter seriously and are committed to ensuring that all our leaders receive the necessary training to fulfill their roles effectively.

Several factors contributed to this oversight, which we outline below:

1. System transition and policy-driven reporting changes

Caltrans began procurement and development of a new Learning Management System (LMS) in late 2023. During this transition period, Caltrans also needed to realign its tracking and reporting approach to reflect changes associated with CalHR Policy 2801 (Leadership Training and Development Requirements), including the 2019 shift requiring appointment training for CEAs and M-designated employees to be completed through CalHR. The combination of a new LMS build-out and revised statewide policy requirements contributed to gaps in timely identification, assignment, and reporting for newly appointed supervisors, managers, and CEAs during the audit period.

2. Correction of training record logic to differentiate legacy vs. current requirements

Caltrans' training records and tracking logic have since been updated and coded to correctly distinguish: (1) employees who satisfied requirements under prior policy and previously completed qualifying training, and (2) newly appointed employees who must complete CalHR-mandated appointment training. This correction was necessary to ensure accurate identification of training obligations and to prevent misclassification of employees' compliance status.

3. Implementation of automated notifications and statewide compliance visibility

To strengthen compliance going forward, Caltrans has implemented a notification process that informs employees and their supervisors of mandated training requirements and timelines. Caltrans has also developed compliance reports and dashboard tools for statewide administrative partners to support proactive monitoring, escalation, and timely completion within the statutory 12-month requirement.

FINDING NO. 8: SEXUAL HARASSMENT PREVENTION TRAINING WAS NOT PROVIDED FOR ALL EMPLOYEES

CRD Summary:

The Caltrans did not provide sexual harassment prevention training to 178 of 793 new supervisors within 6 months of their appointment, and additional 149 were provided training late. In addition, the Caltrans did not provide sexual harassment prevention training to 404 of 2,989 existing supervisors every 2 years, and an additional 349 were provided training late.

The Caltrans did not provide sexual harassment prevention training to 4 of 100 existing non-supervisors every 2 years, and an additional 13 were provided training late.

Caltrans Cause/Response:

During the period reviewed of January 1, 2023, and January 1, 2025, Caltrans encountered challenges in fully meeting the State Personnel Board (SPB) Sexual Harassment Prevention Training (SHPT) audit standards. A primary barrier to compliance was the nature of Caltrans' field workforce. A significant portion of employees work in field-based classifications without consistent access to computers, limiting their ability to complete required Sexual Harassment Prevention Training (SHPT) online. These employees often must coordinate shared access to limited workstations and schedule dedicated time away from operational duties, resulting in delays in training completion and overall compliance.

An additional contributing factor was the department's transition to CTLeads, Caltrans' Learning Management System (LMS). The implementation required time to orient employees and supervisors to the new platform, including course navigation and completion procedures. This transition period temporarily slowed progress toward meeting audit requirements.

To address these challenges, Caltrans has discontinued use of the legacy LMS for SHPT course registration and centralized registration within CTLeads to streamline and simplify the process. The department is also working collaboratively with field maintenance staff to identify practical solutions that support timely completion of mandatory training. Efforts include evaluating alternative delivery methods and adjusting scheduling strategies to better accommodate field operations.

These corrective actions are intended to remove access barriers, promote equitable training opportunities, and strengthen compliance with the State Personnel Board (SPB) audit standards. Caltrans remains committed to continuous process improvement and sustained workforce engagement to ensure full compliance moving forward.

FINDING NO. 14: POSITIVE PAID TEMPORARY EMPLOYEES' WORK EXCEEDED TIME LIMITATIONS

CRD Summary:

The Caltrans did not consistently track and monitor one retired annuitant total hours worked, allowing employees to work over the 960-hour limitation in any fiscal year.

Caltrans Cause/Response:

Caltrans acknowledges the findings of the 2026 SPB Audit, in which one positive paid employee exceeded the allotted 960-hour work limitation within a fiscal year. Since our last SPB Audit, we have implemented some new internal policy and protocols to help with the tracking of retired annuitant hours, which has improved our ability to catch issues before they occur in most cases. Caltrans will review these policies and procedures to see where we can potentially improve our role, as well as the role of our partners in the Districts/Programs who monitor hours, to prevent this issue in the future.

FINDING NO. 15: ADMINISTRATIVE TIME OFF WAS NOT PROPERLY DOCUMENTED

CRD Summary:

The Caltrans did not grant ATO in conformity with the established policies and procedures. Of the 25 ATO authorizations reviewed by the CRD, 12 were found to be out of compliance for failing to document justification for ATO.

Caltrans Cause/Response:

Caltrans utilizes a PeopleSoft system, known as Staff Central, to track and report time/leave for our 22,000 employees. We implemented an interim solution in our Staff Central system to immediately aid in the effort to stop inappropriate use of Administrative Time Off (ATO). This solution required employees to indicate the reason for their ATO usage in the timesheet's comments section when they used the ATO time reporting code. This interim solution required us to rely on the supervisors/managers approving employee timesheets to verify that ATO usage was for an appropriate and approved reason.

The Caltrans Division of Human Resources (DHR) submitted a Change Request (CR) to our IT - Application Development and Support Division (ADSD) requesting that they add a drop-down box in the comments field that would ONLY allow an employee to submit their timesheet when they check-marked one of the approved ATO items. This program update would be able to help ensure only approved ATO time off was submitted so that employees could not erroneously post ATO.

Unfortunately, this CR is delayed, likely in part because this ADSD team has also been the ones to help DHR with implementing the new HR System that we just recently launched as of 2026. We hope that now that the project is winding down that our partners in IT will be able to address the pending ATO CR soon, but there is quite a large backlog of CRs for that small IT ADSD team, so we do not currently have a date for completion of this request.

DHR is continuing in our efforts to ensure that employees, supervisors and managers know when ATO is appropriate/available by sending out Personnel Information Bulletins (PIBS) and Managerial Information Bulletins (MIBS) that share when an Emergency has been declared or to notify them about any approved ATO incidents that may have happened, as well as guide them on the rules to requesting and approving ATO. We will continue to train and advise our

Supervisors and Managers about the importance of ensuring that ATO absences are for approved reasons only.

FINDING NO. 16: DEPARTMENT HAS NOT IMPLEMENTED A MONTHLY INTERNAL AUDIT PROCESS TO VERIFY ALL LEAVE INPUT IS KEYED ACCURATELY AND TIMELY

CRD Summary:

The Caltrans failed to implement a monthly internal audit process to verify all timesheets were keyed accurately and timely and to certify that all leave records have been reviewed and corrected if necessary.

Caltrans Cause/Response:

The Department has a monthly internal audit process used to verify all leave entered and approved in its internal leave accounting system (Staff Central) has interfaced correctly with the State Controller's Office leave accounting system (CLAS). The process is in place to capture late submission or changes to leave and/or attendance in Staff Central to ensure the employees' leave balances are updated and accurate in SCO's CLAS. The Department has instructions and a monthly processing calendar designed to assist staff on when the reports are available and steps that need to be taken to process corrections. Due to staffing instabilities the division has been facing, proper training and knowledge transfer has been a challenge. The Department will ensure that staff are trained, including providing refresher classes, and reminders to complete the process on a timely basis and use the tools available to assist them with this task.

FINDING NO. 20: PERFORMANCE APPRAISALS WERE NOT PROVIDED TO ALL EMPLOYEES

CRD Summary:

The Caltrans did not provide annual performance appraisals to 26 of 50 employees reviewed after the completion of the employee's probationary period.

Caltrans Cause/Response:

As a part of Caltrans' Organizational Excellence Strategic Objective, we continue to strive to find a technological solution to ensure the completion of Annual Performance Review (APR) for all non-probationary employees.

Currently, we have a Change Request (CR) pending with our IT team for an enhancement to our Staff Central timekeeping system; the CR would enable a notification to supervisors to remind them to complete APRs for their employees (the reminder date being the employee's birth date). Due to the large backlog of CRs within the IT queue, we do not yet have a completion date for this request. In the meantime, Caltrans continues to advise and provide statewide training to our supervisors and managers during this time regarding timely completion of performance reviews, as well as explore other avenues to continually remind supervisors/managers about the importance of completing APRs for their employees.

February 20, 2026

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We appreciate the opportunity to provide a response to the compliance report. If you have any questions or require further information, please contact me via email at Ashley.McGuckin@dot.ca.gov or Ashley Courtney, Chief of Staff, Human Resources at Ashley.Courtney@dot.ca.gov.

Sincerely,

Ashley McGuckin

Ashley McGuckin
Division Chief, Human Resources