



MEMORANDUM

DATE: November 28, 2005

TO: ALL STATE AGENCIES, EMPLOYEE ORGANIZATIONS AND MEMBERS OF THE GOVERNOR'S CABINET

FROM: State Personnel Board
Executive Office

SUBJECT: Governor's Executive Order S-04-05

Attached is Governor Schwarzenegger's Executive Order S-04-05 requiring all state agencies to utilize best efforts in recruiting, hiring and promoting the advancement of persons with disabilities in State Service. This year, the Americans with Disabilities Act celebrated its 15th Anniversary and the Executive Order fittingly commemorates and reinforces the importance of fully including persons with disabilities into our workforce. The Governor promotes this inclusion by requiring all state agencies to utilize the Limited Examination and Appointment Program (LEAP) lists when seeking the best qualified candidates for departmental vacancies.

The State Personnel Board (SPB) will be implementing enhancements to LEAP including offering selected LEAP examinations online. This enhancement will provide candidates with immediate Readiness Examination results and more efficient placement on LEAP lists for utilization by hiring departments. In addition, a special Disability Resources web page has been established under the Office of Civil Rights (OCR) section of the SPB website to assist state departments and agencies with resource information pertaining to the employment and retention of persons with disabilities. OCR staff is also available to assist your staff with employment services, individual guidance and group training.

In addition to being statutorily mandated by Government Code Section 19795(b) and the Governor's Executive Order, Disability Advisory Committees (DAC's) are extremely helpful in providing assistance, support and strategies for integrating individuals with disabilities into the workforce. In an effort to provide tools and resources to the departmental DAC's, the State Personnel Board (SPB) will compile a roster of DAC chairpersons for each state agency. To that end, each department must provide the SPB with the contact information (name, title, address, phone number and email

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address) of the DAC chairperson by December 16, 2005. This information may be submitted by email to mchavez@spb.ca.gov or by calling Marisela Chavez at (916) 651-3090.

The SPB looks forward to working with you and your staff to fulfill the intent and spirit of Executive Order S-04-05. If you have any questions, please contact Matilda Aidam, Manager of the Office of Civil Rights at (916) 653-1276.

Floyd Shimomura
Executive Officer

Attachment



EXECUTIVE ORDER S-4-05
by the
Governor of the State of California

WHEREAS, the 2000 U.S. Census indicates that there are more than 54 million Americans living with a disability, representing a full 20 percent of the U.S. population; and

WHEREAS, the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973, and the Fair Employment and Housing Act of 1980 require employers to assure that persons with disabilities are given equal employment opportunities and are treated fairly as employees; and

WHEREAS, despite the progress as the result of these laws, the unemployment rate for Americans with disabilities is higher than that of any other group; and

WHEREAS, it is the policy of this state to encourage and enable individuals with a disability to fully participate in the social and economic life of California and to engage in remunerative employment; and

WHEREAS, California is home to approximately 6 million people with disabilities and a viable employment pool of more than two and a half million qualified and skilled persons who have a disability; and

WHEREAS, State Government has an opportunity and a responsibility to lead by example, ensuring individuals with disabilities have an open door to the many opportunities in public service; and

WHEREAS, this Administration is strongly committed to ensuring fairness and non-discrimination in state employment practices and recognizes that equal employment opportunity for all segments of society is not fully realized without vigilance and conscious effort.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this order to become effective immediately:

1. All state agencies, departments, boards and commissions shall utilize best efforts with respect to recruitment, hiring, advancement, and other terms, conditions, and privileges of employment and issue clear, written directives to their managers and supervisors prohibiting discrimination against qualified individuals with disabilities.
2. Each state agency shall comply with existing law and annually review its hiring practices to identify any barriers to employment of individuals with disabilities, and, in consultation with their disability advisory committee, take appropriate action to eliminate any non job-related barriers to the integration of individuals with disabilities into the workforce.
3. All state agencies, departments, boards, and commissions shall utilize the Limited Examination and Appointment Program (LEAP) lists in filling vacancies. LEAP lists provide a ready pool of qualified candidates, who happen to have a disability, for a variety of jobs.
4. The State Personnel Board shall provide statewide leadership, in partnership with the Department of Rehabilitation, to coordinate and provide technical guidance to fulfill the intent of this executive order. **IN WITNESS WHEREOF** I have here unto set my hand and caused the Great Seal of the State of California to be affixed this the twenty-second day of June 2005.



Arnold Schwarzenegger, Governor of California