

CALIFORNIA STATE PERSONNEL BOARD

Date of Issue: October 26, 1990

TO: ALL STATE AGENCIES AND EMPLOYEE ORGANIZATIONS

SUBJECT: Personal Service Contracts for Merit Selection Services

This memo is issued as a reminder to departments of the statutory provisions on personal service contracts, specifically as they pertain to contracting for services relating to merit selection including test construction, validation and administration.

Generally, departments may contract for merit selection services when any of the conditions listed under Government Code Section 19130(b) are met. Of the ten conditions listed, however, the one most frequently encountered is 19130(b) (3) which requires a department to demonstrate that "the services contracted are not available within civil service, cannot be performed satisfactorily by civil service employees, or are of such highly specialized or technical nature that the necessary expert knowledge, experience or ability are not available through the civil service system". In order to demonstrate that this standard is met departments must advise the Board in order to determine if the service can be provided by Board staff through a reimbursable arrangement.

Regardless of these constraints on contracting, departments are able to contract for any merit selection service if it will achieve cost savings under all the conditions specified in Government Code Section 19130(a) and California Code of Regulations, Title 2, Sections 279.1 through 279.4.

Departments planning to contract for any merit selection service should contact their departmental analyst in the Affirmative Action and Merit Oversight Division, or the Test Validation and Construction unit at the Board.

/s/
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