



2014 REPORT TO THE LEGISLATURE

COMPLIANCE REVIEW AND SPECIAL INVESTIGATION ACTIVITIES

Prepared by

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BACKGROUND

Effective July 1, 2012, the Governor's Reorganization Plan #1 (GRP1) of 2011 consolidated all of the functions of the Department of Personnel Administration and the merit-related transactional functions of the State Personnel Board (SPB) into the Department of Human Resources (CalHR). Specifically, SPB programs related to appointments consultation, career executive assignment (CEA) allocations, test development, recruitment, examinations, psychological and medical screening, training, and the Office of Civil Rights transferred to CalHR along with the associated staff and funding. In addition, all of SPB's accounting, budget, business services, human resources, information technology, legislative affairs, and public information office resources were transferred to CalHR. CalHR staff is now charged with providing these services to SPB.

GRP1 recognized and preserved SPB's exclusive constitutional authority to administer the merit system. As a result, in addition to retaining the Appeals Division, GRP1 created both a Policy Unit and Compliance Review Unit (CRU) at SPB to establish merit-related policy and conduct reviews of departmental merit-related practices to ensure compliance with laws, rules, and board policy. The CRU performs cyclical standard reviews of four major areas: examinations, appointments, equal employment opportunity (EEO), and personal services contracts (PSCs). CRU also conducts special investigations of certain agencies' personnel practices as determined by the board. Special investigations may be initiated in response to a specific request or when SPB obtains information suggesting a potential merit-related violation.

Government Code section 18662, subdivision (e) provides, "On or before October 1, 2014, and every October 1 thereafter, the board shall report to the Chairperson of the Joint Legislative Budget Committee the audit and special investigation activities of the board pursuant to this article from the preceding fiscal year. The board shall include in the report the following information:

- (1) A summary of each audit and special investigation, including findings.
- (2) The number and total cost of audits and special investigations, by department."

This first report, which is due October 1, 2014, describes the baseline compliance reviews and special investigation activities of CRU from July 1, 2012 to June 30, 2014. The report summarizes the baseline compliance review and special investigation findings by state agency and includes the numbers and total cost of baseline compliance reviews and special investigations by state agency in compliance with the statute cited above.

SUMMARY OF COMPLIANCE REVIEW ISSUES

From July 1, 2012 to June 30, 2014, in addition to establishing the infrastructure of the new CRU, the CRU completed baseline reviews of 97 of California's 150 state agencies. It should be noted that these first baseline reviews were a small sampling of most agencies' examinations and appointments. Not all agencies conducted examinations or appointments during the review period and, therefore, the number of reviewed agencies for each area will not total 97. The goal was to gauge the quality of the State's human resource transactions and gain information to help CRU prioritize the full compliance reviews that began in the 2013-14 fiscal year. The EEO reviews, however, were completed for most of the 97 agencies. The review of PSCs during this initial period was very limited.

The following 18 agencies' baseline compliance reviews were not completed due to unit start up activities, special investigations, and other time and workload constraints during the reporting period:

- California Conservation Corps
- California Department of Boating and Waterways
- California Department of Conservation
- California Department of Corrections and Rehabilitation
- California Department of Fair Employment and Housing
- California Department of General Services
- California Department of Human Resources
- California Department of Parks and Recreation
- California Department of Public Health
- California Department of Social Services
- California Department of State Hospitals
- California Department of Transportation
- California Exposition and State Fair
- California Military Department
- California Public Employee's Retirement System
- California Public Utilities Commission
- California State Teachers Retirement System.
- Employment Development Department

In addition, approximately 45 other small agencies staff with 10 or less employees were excluded from the baseline review.

Of the 97 agencies reviewed, 48 or 49% of the agencies had no deficiencies. The examination, appointment and EEO deficiencies found at the other 49 agencies are described beginning on page 7.

A color-coded system is used to identify the severity of the violations as follows:

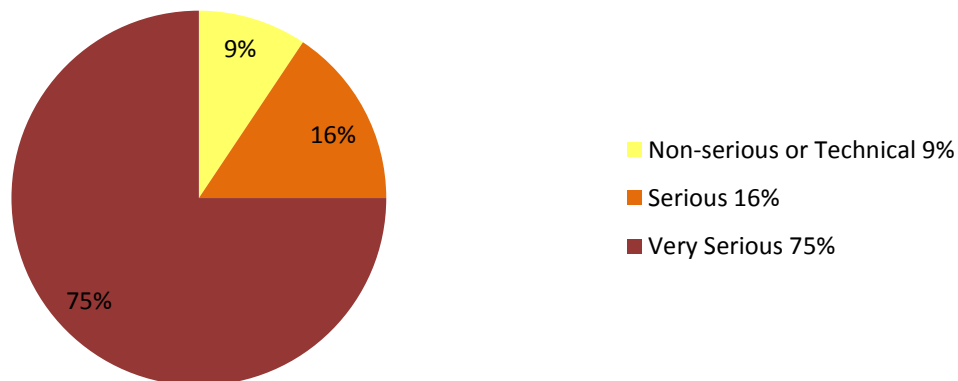
- Red = Very Serious
- Orange = Serious
- Yellow = Non-serious or Technical

In addition the frequency occurrence is classified as follows:

- 1-9% of agencies reviewed = Low
- 10-19% of agencies reviewed = Medium
- 20%+ of agencies reviewed = High

The following chart displays the frequency of violations by severity. These findings are as anticipated given the need for education and oversight of the State's delegated selection process.

Baseline Compliance Review Violations



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The most common violations and corrective actions from the baseline compliance reviews are:

Very Serious Issues:

- The EEO officer did not report directly to the head of the agency
 - Corrective action: EEO officer must report to head of agency on EEO issues
- No Disability Advisory Committee
 - Corrective action: Agencies required to establish a Disability Advisory Committee
- Job analyses were not developed or used for the examination process
 - Corrective action: Abolish active eligible lists and develop Job Analyses before administering examinations

⁶ The special investigations of additional appointment findings are not reflected in this chart.

Serious Issues

- Appointment documentation not kept for the appropriate amount of time
 - Corrective action: Agencies must ensure documentation is retained in the future
- Examinations documentation not kept for the appropriate amount of time
 - Corrective Action: Agencies must ensure documentation is retained in the future

Non-serious or Technical Issues:

- Applications were accepted after the final file date
 - Corrective Action: Agencies must ensure applications are not accepted after the final file date
- Applications were accepted without signatures
 - Corrective Action: Agencies must ensure unsigned applications are not accepted

CRU is currently conducting full compliance reviews with priority order given to the agencies without completed baseline reviews. CRU will continue to post review findings and consult with agencies during reviews in order to educate agencies regarding appropriate personnel practices. CRU will monitor to ensure agencies adopt corrective actions within the period prescribed.

CRU will monitor violations from baseline reviews and compare them to the full compliance reviews to view trends and make further corrective action, if warranted. Agencies found in repeated violation will face severe corrective action which could include mandating training, additional monitoring, voiding examinations or appointments, and revocation or modification of delegated agreements.

Based on the results of the special investigations and compliance reviews, CRU has recommended regulatory changes to the Policy Unit to clarify existing law and to adopt long-standing best practices into regulation. Examples of proposed changes include, clarifying competitive recruitment and selection procedures, posting requirements, and documentation and records retention requirements.

In addition, CRU will periodically report violation trends to human resource forums. CRU will also post best practices and tools on its webpage to aid agencies in appropriately carrying out their personnel transactions.

VERY SERIOUS ISSUES

Issue 1: The EEO Officers did not report directly to the heads of the agencies.

Criteria: 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.) In a state agency with less than 500 employees, the EEO officer may be the personnel officer. (*Ibid.*)

Severity: Very Serious. The EEO Officers did not have direct access to the head of the organization, diminishing the significance of the EEO program.

Frequency: High. 19 out of 74 agencies or 26%.

Cause: In a few cases, the EEO Officer of one agency served as the EEO Officer for other agencies as well, creating some confusion in reporting relationships. In other cases, the agency heads had delegated the direct reporting relationship down to other managers in the organization.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that their EEO Officers report directly to the head of each agency.

Issue 2: No disability advisory committees.

Criteria: 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).)

Severity: Very Serious. The agency head did not have direct information on issues of concern to employees or other persons with disabilities and input to correct any underrepresentation. The lack of a disability advisory committee may limit an agency's ability to recruit and retain a qualified workforce, impact productivity, and subject the agency to liability.

Frequency: Medium. 14 out of 74 agencies or 19%.

Cause: The agencies failed to establish disability advisory committees.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that the agencies establish disability advisory committees.

Issue 3: Job analyses were not developed or used for the examination process.

Criteria: The Merit Selection Manual (MSM), which is incorporated in California Code of Regulations (CCR), title 2, section 50, mandates the development and use of a job analysis for the examination process. A "job analysis shall serve as the primary basis for demonstrating and documenting the job-relatedness of examination processes conducted for the establishment of eligible lists within the State's civil service." (MSM (Oct. 2003), § 2200, p. 2.) The MSM requires that job analyses adhere to the legal and professional standards outlined in the job analysis section of the MSM and that certain elements must be included in the job analysis studies. (*Ibid.*) Those requirements include the following: (1) that the job analysis be performed for the job for which the subsequent selection procedure is developed and used; (2) the methodology utilized be described and documented; (3) the job analytic data be collected from a variety of current sources; (4) job tasks be specified in terms of importance or criticality, and their frequency of performance; (5) and job tasks be sufficiently detailed to derive the requisite knowledge, skills, abilities (KSAs), and personal characteristics that are required to perform the essential tasks and functions of the job classification. (MSM, § 2200, pp. 2-3.)

Severity: Very Serious. The examinations may not have been job-related or legally defensible.

Frequency: Medium. 10 out of 86 agencies or 12%.

Cause: Job analyses are complex and labor intensive. Agencies cited the lack of resources, training, policies, and procedures as factors related to their failure to develop or use job analyses for the examination process.

Action: Eligible lists from examinations without a job analysis were abolished and the agencies were required to submit corrective action plans to CRU to ensure that, in the future, job analyses will be developed and used for the examination process.

Issue 4: Disability advisory committees did not advise the heads of the agencies.

Criteria: 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).)

Severity: Very Serious. The agency head did not have direct information on issues of concern to employees or other persons with disabilities and input to correct any underrepresentation. The lack of a disability advisory committee may limit the agency's ability to recruit and retain a qualified workforce, impact productivity, and subject the agency to liability.

Frequency: Medium. 9 out of 74 agencies or 12%.

Cause: Lack of policies and procedures.

Action: The agency was required to submit a corrective action plan to CRU to ensure that the disability advisory committee advises the head of each agency on issues of concern to employees or other persons with disabilities.

Issue 5: EEO Questionnaires were not separated from applications.

Criteria: Government Code section 19704 makes it unlawful for a hiring department to require or permit any notation or entry to be made on any application indicating or in any way suggesting or pertaining to any protected category listed in Government Code section 12940, subdivision (a) (e.g., a person's race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status). Applicants for employment in state civil service are asked to provide voluntarily ethnic data about themselves where such data is determined by CalHR to be necessary to an assessment of the ethnic and sex fairness of the selection process and to the planning and monitoring of affirmative action efforts. (Gov. Code, § 19705.) The EEO questionnaire of the state application form (STD 678) states, "This questionnaire will be separated from the application prior to the examination and will not be used in any employment decisions."

Cause: Lack of policies and procedures related to the proper processing of EEO information.

Severity: Very Serious. The applicants' protected classes were visible to the hiring manager, subjecting the agency to potential liability.

Frequency: Low. 7 out of 86 agencies or 8%.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that, in the future, all EEO questionnaires will be separated from applications.

Issue 6: Complainants were not notified of the reasons for delays in decisions within the prescribed time period.

Criteria: The appointing power must issue a written decision to the complainant within 90 days of the complaint being filed. (Cal. Code Regs., tit. 2, § 64.4, subd. (a).) If the appointing power is unable to issue its decision within the prescribed time period, the appointing power must inform the complainant in writing of the reasons for the delay. (*Ibid.*)

Severity: Very Serious. Employees were not informed of the reasons for delays in decision for complaints. Employees may feel their concerns are not being taken seriously, which can leave the agency open to liability and low employee morale.

Frequency: Low. 4 out of 74 agencies or 5%.

Cause: Lack of policies and procedures.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that complainants are notified of the reasons for delays in decisions within the prescribed time period.

Issue 7: EEO Officers did not monitor the composition of oral panels in department exams.

Criteria: The EEO officer at each department must monitor the composition of oral panels in departmental examinations (Gov. Code, § 19795, subd. (a)).

Severity: Very Serious. Requiring the EEO Officer to monitor oral panels is intended to ensure protection against discrimination in the hiring process.

Frequency: Low. 3 out of 74 agencies or 4%.

Cause: Lack of policies, procedures, training and deficiencies in duty statements. There is also limited guidance for agencies concerning the composition of oral panels.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that the EEO Officer monitors the composition of oral panels in departmental exams. Better guidance should be developed to assist agencies in complying with this requirement.

Issue 8: No written internal discrimination complaint processes.

Criteria: Each appointing power must establish a written internal discrimination complaint process that provides a complainant review of and a written response to his or her allegations of discrimination. (Cal. Code Regs., tit. 2, § 64.3, subd. (a).)

Severity: Very Serious. Employees may not have been aware of the agency's procedures for resolution of internal discrimination complaints. Without a written internal discrimination complaint process, agencies cannot ensure a discrimination-free work environment, resulting in low productivity and subjecting the agency to liability.

Frequency: Low. 2 out of 74 agencies or 3%.

Cause: Lack of policies and procedures.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that the agencies establish a written internal discrimination complaint process.

Issue 9: An applicant with a failing score was placed on the eligible list.

Criteria: Examinations must be administered according to the examination announcement, and scored and rated accurately. (Gov. Code, § 18936 and Cal. Code Regs., tit. 2, § 185.)

Severity: Very Serious. Placing an individual with a failing score on the eligible list could have resulted in the agency making an illegal appointment.

Frequency: Low. 1 out of 86 agencies or 1%.

Cause: Staff made an error by placing an applicant with a failing score on the eligible list.

Action: The agency was required to submit a corrective action plan to CRU to ensure that, in the future, applicants with a failing score are not placed on the eligible list.

Issue 10: Job opportunities were not advertised.

Criteria: Departments are required to have recruitment strategies designed to be “as broad and inclusive as necessary to ensure the identification of an appropriate candidate group.” (Merit Selection Manual [MSM], § 1100, p. 1100.2 (Oct. 2003); Cal. Code Reg., tit. 2, § 50.) Generally, the typical steps a department takes after determining that approval to fill a vacant position has been secured include: determining whether there is an eligible list for the classification in which the vacancy exists; determining whether an eligible list is necessary to fill the vacancy; advertise the vacancy, which may include certifying the eligible list; receive applications, and if no applications are received, re-advertise the position with increased recruitment efforts; screen applications to determine which candidates meet minimum qualification requirements and are eligible for appointment; and conduct hiring interviews. (MSM, § 1200, pp. 1200.7-1200.8; Cal. Code Reg., tit. 2, § 50.)

Severity: Very Serious. All interested individuals were not provided the opportunity to apply. By failing to advertise, the agency cannot be certain that it has hired the most qualified workforce.

Frequency: Low. 1 out of 91 agencies or 1%.

Cause: The agency had an internal policy which included a provision to allow exceptions for advertising some job opportunities. However, there was no basis for the provision and failing to advertise violated merit rules.

Action: The agency has removed the advertising exemption provision from their advertising policy.

Issue 11: Lack of agency-specific EEO policy and discrimination complaint procedures.

Criteria: 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 equal employment opportunity; issue procedures for filing, processing, and resolving discrimination complaints; issue procedures for providing equal upward mobility and promotional opportunities; and cooperate with CalHR by providing access to all required files, documents and data. (*Ibid.*)

Severity: Very Serious. Employees may not have been aware of the agency’s commitment to EEO and the procedures for resolution of

discrimination complaints. Without an effective EEO policy and discrimination complaint process, agencies cannot ensure a discrimination-free work environment, resulting in low productivity and subjecting the agencies to liability.

Frequency: Low. 1 out of 74 agencies or 1%.

Cause: The agency was relying upon the State's EEO policy rather than adopting agency-specific EEO policies and procedures.

Action: The agency was required to submit a corrective action plan to CRU to ensure that it would develop an agency-specific EEO policy and discrimination complaint procedure. The agency was also required to report compliance by a certain date.

Issue 12: The EEO Officer was not at the managerial level.

Criteria: 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.) In a state agency with less than 500 employees, the EEO officer may be the personnel officer. (*Ibid.*)

Severity: Very Serious. An EEO Officer not at the appropriate level to carry out his or her responsibilities results in an ineffective EEO program.

Frequency: Low. 1 out of 74 agencies or 1%.

Cause: The agency failed to appoint an EEO Officer at the managerial level.

Action: The agency was required to submit a corrective action plan to CRU to ensure that its EEO Officer position is at the managerial level.

SERIOUS ISSUES

Issue 13: Appointment documentation was not kept for the appropriate amount of time.

Criteria: In relevant part, civil service laws require that the employment procedures of each state agency shall conform to the federal and state laws governing employment practices. (Gov. Code, § 18720.) State agencies are required to maintain and preserve any and all applications, personnel, membership, or employment referral records and files for a minimum period of two years after the records and files are initially created or received. (Gov. Code, § 12946.) State agencies are also required to retain personnel files of applicants or terminated employees for a minimum period of two years after the date the employment action is taken. (*Ibid.*)

Severity: Serious. Without documentation, CRU could not verify if the appointments were legal.

Frequency: Low. 8 out of 91 agencies or 9%.

Cause: Lack of policies and procedures or failure to remind staff of existing policies and procedures.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that, in the future, appointment documentation is retained for the appropriate period of time.

Issue 14: Examination documentation was not kept for the appropriate amount of time.

Criteria: In relevant part, civil service laws require that the employment procedures of each state agency shall conform to the federal and state laws governing employment practices. (Gov. Code, § 18720.) State agencies are required to maintain and preserve any and all applications, personnel, membership, or employment referral records and files for a minimum period of two years after the records and files are initially created or received. (Gov. Code, § 12946.) State agencies are also required to retain personnel files of applicants or terminated employees for a minimum period of two years after the date the employment action is taken. (*Ibid.*) In addition, all applications for a state civil service position must be maintained and preserved on file for at least two years. (Cal. Code Reg., tit. 2, §174.)

The appointing power must maintain a CEA examination file for a period of three years that includes, but is not limited to, the specific job-related evaluation criteria and selection procedures that were

used in the examination; documentation on how those criteria were applied to the candidates and the competitiveness of the candidates' qualifications relative to each other; and the appointing power's rationale for selecting the successful candidate. (Cal. Code Regs., tit. 2, § 548.40 [Rule 548.40].)

Severity: Serious. Without documentation, CRU cannot verify if examinations were properly conducted.

Frequency: Low. 2 out of 86 agencies or 2%.

Cause: Lack of policies and procedures to ensure that examination records are retained for the appropriate periods of time.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that, in the future, all employment documentation is retained for the appropriate amount of time.

Issue 15: A qualified veteran was not permitted to take a promotional examination.

Criteria: Government Code section 18991 provides that persons honorably discharged from active military duty shall be eligible to apply for promotional civil service examinations, including examinations for career executive assignments, for which he or she meets the minimum qualifications as prescribed by the class specification.

Severity: Serious. Not permitting the qualified veteran to take a promotional examination was a violation of his or her rights.

Frequency: Low. 1 out of 86 agencies or 1%.

Cause: Lack of policies and procedures related to qualified veterans' rights to take promotional examinations.

Action: The agency was required to update its policies related to qualified veterans' eligibility for promotional civil service examinations and to provide this individual the opportunity to participate in future examinations.

Issue 16: An applicant was allowed to take an examination prior to the end of the waiting period.

Criteria: Examinations must be administered according to the examination announcement, and scored and rated accurately. (Gov. Code, § 18936 and Cal. Code Regs., tit. 2, § 185.) The examination bulletin stated "Once you have taken the examination, you may not reapply for twelve (12) months."

Severity: Serious. Waiting periods are established to ensure that applicants are not able to repeatedly retake the same examination until they gain a passing score.

Frequency: Low. 1 out of 86 agencies or 1%.

Cause: The agency did not generate a “too soon” report to identify individuals who were not yet eligible to retake the test.

Action: The agency was required to submit a corrective action plan to CRU to ensure that, in the future, applicants are not allowed to apply prior to the waiting period listed on the examination bulletin.

Issue 17: Appointment of applicant to an incorrect time base.

Criteria: California Code of Regulation, title 2, section 254 (Rule 254) mandates that the appointing power can only fill a vacancy by someone in the highest three ranks under the condition of employment specified. Using a certification of eligibility for a full-time position to fill a limited-term vacancy violates Rule 254. CRU found that one agency had used an incorrect time-base certification to appoint an applicant.

Severity: Serious. The applicant can change his/her time base preference on his/her application. While this particular applicant would have been eligible if the preference had been timely changed, there’s no guarantee that the same result would apply to a different applicant. Had the applicant not been eligible under the appropriate time-base, the appointment would have been unlawful.

Frequency: Low. 1 out of 91 agencies or 1%.

Cause: The agency failed to write in the time base preference change.

Action: The agency was required to submit a corrective action plan to CRU to ensure that, in the future, time-base preference changes are documented and hires will be made from appropriate certifications.

Issue 18: Hiring individuals below rank three was not documented.

Criteria: California Code of Regulations, title 2, §254 (Rule 254) mandates that each vacancy for a class in which the certification of eligibles is under Government Code § 19057, the department shall fill a vacancy by eligibles in the three highest names certified. Governmental Code section 19057 refers to promotional employment lists. Rule 254 additionally mandates that each vacancy for a class in which the certification of eligibles is under Government Code § 19057.1, 19057.2 and 19057.3, the

department shall fill a vacancy by eligibles in the three highest ranks certified. Government Code § 19057.1, 19057.2 and 19057.3 refers to professional, scientific, administrative and management classifications.

Severity: Serious. Without documentation establishing the basis for hiring below the top three ranks, CRU could not verify whether the appointments were legal.

Frequency: Low. 1 out of 91 agencies or 1%.

Cause: The agency's records retention policies and procedures have not been followed.

Action: The agency has sent out a reminder to staff including the policies and procedures

Issue 19: No preference was given for CALWORKS recipients applying for seasonal clerk vacancy.

Criteria: Any person receiving state public assistance under the CalWORKs program (Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code) who meets the minimum qualifications for any civil service position as a seasonal or an entry level nontesting classification that does not require an examination shall be given priority consideration. (Gov. Code, § 19063.) "Priority consideration" means "that after consideration has been made for all conditions," as specified in Government Code section 19063, the hiring department "shall hire all qualified job applicants who are receiving state public assistance before hiring any other applicant." (*Ibid.*)

Severity: Serious. The CalWORKs recipients' priority consideration provides persons receiving public assistance an opportunity to transition from welfare to work. Providing CalWORKS recipients priority consideration for certain state jobs reduces reliance on government assistance and provides them the opportunity to become productive members of their community. Not providing CalWORKs recipients priority consideration for seasonal and entry level non-testing jobs is a violation of the law.

Frequency: Low. 1 out of 91 agencies or 1%.

Cause: Lack of policies and procedures to ensure CalWORKs preference is provided.

Action: The agency was required to submit a corrective action plan to CRU to ensure that, in the future, CalWORKs preference is provided.

NON-SERIOUS OR TECHNICAL ISSUES

Issue 20:	Applications were accepted after the final filing date.
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Criteria: CCR, title 2, section 174 (Rule 174) requires timely filing of applications: All applications must be filed at the place, within the time, in the manner, and on the form specified in the examination announcement....

Filing an application 'within the time' shall mean postmarked by the postal service or date stamped at one of the SPB offices (or the appropriate office of the agency administering the examination) by the date specified.

An application that is not postmarked or date stamped by the specified date shall be accepted, if one of the following conditions as detailed in Rule 174 apply: (1) the application was delayed due to a verified error; (2) the application was submitted in error to the wrong state agency and is either postmarked or date stamped on or before the specified date; (3) the employing agency verifies examination announcement distribution problems that prevented timely notification to an employee of a promotional examination; or (4) the employing agency verifies that the applicant failed to receive timely notice of a promotional examination. (Cal. Code Reg., tit. 2, § 174, subs. (a), (b), (c) & (d).)

Severity: Non-serious or Technical. Final filing dates are established to ensure all applicants are given the same amount of time in which to apply for an examination and to set a deadline for the recruitment phase of the examination. Therefore, although the acceptance of applications after the final filing date may give some applicants more time to prepare their application than other applicants who meet the final filing date, the acceptance of late applications will not impact the results of the examination.

Frequency: Low. 3 out of 86 agencies or 4%.

Cause: Lack of policies and procedures in place to ensure that applications were not accepted after the final filing date.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that, in the future, applications are not accepted after the final filing date.

Issue 21: Applications were accepted without signatures.

Criteria: Applicants for examination are required to file and submit a formal signed application to the examining department within a reasonable length of time before the date of examination. (Gov. Code, § 18934.)

Severity: Non-serious or Technical. Although requiring signatures is meant to ensure that the applicant has certified that the information on his or her application is true and complete to the best of his or her knowledge, the acceptance of unsigned applications will not impact the results of the examination. Furthermore, agencies can cure the deficiency by having the applicant sign the application prior to administration of the examination.

Frequency: Low. 3 out of 86 agencies or 4%.

Cause: Lack of policies and procedures to timely verify that applications were signed.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that, in the future, unsigned applications are not accepted.

Issue 22: The qualifications appraisal team members did not sign rating sheets.

Criteria: California Code of Regulations, title 2, section 199 (Rule 199) mandates that panel members rate each applicant on forms prescribed by the Board's executive officer. The panel members are also required to sign the forms. (*Ibid.*)

Severity: Non-serious or Technical. The regulation was established to ensure the accountability of panel members. Technical compliance is not essential to preserve the integrity of the examination process.

Frequency: Low. 2 out of 86 agencies or 2%.

Cause: In one case, the panel members wrote their names on the sheets but failed to sign them. In the other case, the signed sheets were not filed properly in the official examination file.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that, in the future, the qualifications appraisal panel members sign the forms.

Issue 23: The same qualifications appraisal team members were not utilized for an examination.

Criteria: California Code of Regulations, title 2, section 195, requires that qualifications appraisal interviews for an examination shall be conducted by the same interviewer or qualifications appraisal panel, except that if the executive officer finds that the needs of the state service require or it is necessary in order to fill urgent and immediate vacancies in the state service the executive officer may appoint more than one interviewer or qualifications appraisal panel to conduct interviews simultaneously or in different locations.

Severity: Non-serious or Technical The regulation was established to maintain scoring consistency during qualification appraisal examinations. However, a trained chairperson is always present, which ensures consistency in scoring practices.

Frequency: Low. 1 out of 86 agencies or 1%.

Cause: The same panel members were unavailable to interview for several consecutive days due to scheduling conflicts.

Action: The agency was required to submit a corrective action plan to CRU to ensure that, in the future, qualifications appraisal interviews for an examination shall be conducted by the same interviewer or qualifications appraisal panel.

SUMMARY OF SPECIAL INVESTIGATIONS

SPECIAL INVESTIGATION OF ADDITIONAL APPOINTMENTS

The CRU conducted special investigations of 11 agencies' personnel policies and practices related to supervisorial and/or managerial employees who held an additional appointment in a rank-and-file position on January 11, 2013.

Issue 1: Additional appointment job opportunities were not advertised.

Criteria: Departments are required to have recruitment strategies designed to be "as broad and inclusive as necessary to ensure the identification of an appropriate candidate group." (Merit Selection Manual [MSM], § 1100, p. 1100.2 (Oct. 2003); Cal. Code Reg., tit. 2, § 50.) Generally, the typical steps a department takes after determining that approval to fill a vacant position has been secured include: determining whether there is an eligible list for the classification in which the vacancy exists; determining whether an eligible list is necessary to fill the vacancy; advertise the vacancy, which may include certifying the eligible list; receive applications, and if no applications are received, re-advertise the position with increased recruitment efforts; screen applications to determine which candidates meet minimum qualification requirements and are eligible for appointment; and conduct hiring interviews. (MSM, § 1200, pp. 1200.7-1200.8; Cal. Code Reg., tit. 2, § 50.)

Severity: Very Serious. All interested individuals were not provided the opportunity to apply. By failing to advertise, the agency cannot be certain that it has hired the most qualified workforce.

Frequency: High. 9 out of 11 agencies or 82%.

Cause: The agencies did not believe that they needed to advertise to fill additional positions that were funded out of the temporary help blanket.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that all job opportunities are advertised.

Issue 2: Individuals were not selected for additional appointments through a competitive process.

Criteria: SPB rules also require appointments to positions in state civil service by way of transfer or reinstatement must be made on the "basis of merit and fitness, defined exclusively as the consideration of each individual's job-related qualifications for a position...as determined by candidate performance in selection procedures,

including, but not limited to, hiring interviews, reference checks, background checks, and/or any other procedures, which assess job-related qualifications” (Cal. Code Reg., tit. 2, § 250, subd. (a).)

Severity: Very Serious. Applicants for additional appointments were not screened, interviewed, or otherwise assessed to determine their job-related qualifications. By failing to have a competitive process, the agency cannot be certain that it has hired the most qualified workforce.

Frequency: High. 9 out of 11 agencies or 82%.

Cause: The agencies did not believe that they needed to assess applicants’ job-related qualifications in order to appoint individuals to additional positions that were funded out of the temporary help blanket.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that all appointments are made on a competitive basis.

Issue 3: Appointment documentation was not kept for the appropriate amount of time.

Criteria: In relevant part, civil service laws require that the employment procedures of each state agency shall conform to the federal and state laws governing employment practices. (Gov. Code, § 18720.) State agencies are required to maintain and preserve any and all applications, personnel, membership, or employment referral records and files for a minimum period of two years after the records and files are initially created or received. (Gov. Code, § 12946.) State agencies are also required to retain personnel files of applicants or terminated employees for a minimum period of two years after the date the employment action is taken. (*Ibid.*)

Severity: Serious. Without documentation, CRU could not verify if the appointments were legal.

Frequency: High. 6 out of 11 agencies or 55%.

Cause: Lack of policies and procedures or failure to remind staff of existing policies and procedures.

Action: The agencies were required to submit a corrective action plan to CRU to ensure that, in the future, appointment documentation is retained for the appropriate period of time.

SPECIAL INVESTIGATION OF IMPROPER HIRING PRACTICES

In addition to the special investigations of additional appointments, CRU investigated the Department of Consumer Affairs and the Department of General Services based on complaints of improper hiring practices. No deficiencies were found at either agency.

COMPLIANCE REVIEW UNIT COSTS

The CRU completed 97 baseline compliance reviews and 13 special investigations from July 1, 2012 to June 30, 2014. The total cost of the combined completed reviews is \$1,458,000. The total only includes completed reviews and special investigations and does not include full compliance reviews or special investigations currently in process. A per agency breakdown of costs for each review and special investigation is listed in the Index of Compliance Review Costs on page 45.

INDEX OF REVIEWED AREAS BY AGENCY FOR BASELINE COMPIANCE REVIEWS

#	<u>Agency</u>	<u>Exam</u>	<u>Appt</u>	<u>EEO</u>	<u>PSC</u>
1	Board of Chiropractic Examiners	✓	✓	✓	X
2	Bureau of Legislative Counsel ⁷	✓	✓	X	X
3	Bureau of Private Postsecondary Education	X	✓	✓	X
4	California Agricultural Labor Relations Board	✓	✓	✓	X
5	California Air Resources Board	✓	✓	✓	X
6	California Arts Council	✓	✓	✓	X
7	California Board of State and Community Corrections	✓	✓	✓	✓
8	California Bureau of Real Estate	✓	✓	X	X
9	California Bureau of Real Estate Appraisers	✓	✓	✓	X
10	California Coastal Commission	✓	✓	✓	✓
11	California Commission on Teacher Credentialing	✓	✓	✓	X
12	California Community Colleges Chancellor's Office	✓	X	✓	X
13	California Debt and Investment Advisory Commission	✓	✓	✓	✓
14	California Department of Aging	✓	✓	✓	X
15	California Department of Alcohol Beverage Control	✓	✓	✓	X
16	California Department of Child Support Services	✓	✓	✓	X
17	California Department of Community Services and Development	✓	✓	✓	X
18	California Department of Consumer Affairs' Boards	✓	✓	✓	X
19	California Department of Consumer Affairs' Bureaus	✓	✓	✓	X
20	California Department of Education	✓	✓	X	✓
21	California Department of Finance	✓	✓	✓	✓
22	California Department of Fish and Wildlife	✓	✓	✓	X
23	California Department of Food and Agriculture	X	✓	✓	X
24	California Department of Forestry and Fire Protection	X	✓	✓	X
25	California Department of Health Care Services	✓	✓	X	X
26	California Department of Housing and Community Development	✓	✓	✓	X
27	California Department of Industrial Relations	✓	✓	X	X
28	California Department of Insurance	✓	✓	✓	✓

Key: ✓ Signifies that a review of the area was conducted

X Signifies that a review of the area was not conducted

⁷ Currently Office of Legislative Counsel

#	<u>Agency</u>	<u>Exam</u>	<u>Appt</u>	<u>EEO</u>	<u>PSC</u>
29	California Department of Justice	✓	✓	✓	X
30	California Department of Managed Health Care	✓	✓	X	X
31	California Department of Motor Vehicles	X	✓	✓	X
32	California Department of Pesticide Regulation	✓	✓	✓	X
33	California Department of Rehabilitation	✓	✓	✓	X
34	California Department of Resources Recycling and Recovery	✓	✓	✓	X
35	California Department of Social Services	✓	✓	X	X
36	California Department of Technology	✓	✓	✓	X
37	California Department of Toxic Substances Control	✓	✓	X	X
38	California Department of Veterans Affairs	✓	✓	✓	X
39	California Department of Water Resources	✓	X	X	X
40	California Emergency Medical Services Authority	✓	✓	✓	X
41	California Energy Commission	✓	✓	X	X
42	California Environmental Protection Agency	✓	✓	✓	X
43	California Fair Political Practices Commission	✓	✓	✓	X
44	California Gambling Control Commission	✓	✓	✓	X
45	California Governor's Office of Emergency Services	✓	✓	✓	X
46	California Health and Human Services Agency	✓	✓	X	X
47	California Health Facilities Financing Authority	✓	✓	✓	✓
48	California High Speed Rail Authority	✓	X	✓	X
49	California Highway Patrol	X	✓	✓	X
50	California Horse Racing Board	✓	✓	✓	✓
51	California Housing Finance Agency	✓	✓	✓	X
52	California Labor and Workforce Development Agency	✓	✓	✓	X
53	California Lottery Commission	✓	✓	X	X
54	California Natural Resource Agency	✓	✓	✓	X
55	California Office of Statewide Health Planning and Development	✓	✓	✓	X
56	California Office of Systems Integration	✓	✓	✓	✓
57	California Office of Traffic Safety	X	✓	✓	X
58	California Pollution Control Financing Authority	✓	✓	✓	✓
59	California Prison Industry Authority	✓	✓	✓	X
60	California Public Employment Relations Board	✓	✓	X	X
61	California Science Center	✓	✓	✓	X
62	California Secretary of State	✓	✓	X	X
63	California State Auditor	✓	X	X	X

Key: ✓ Signifies that a review of the area was conducted
X Signifies that a review of the area was not conducted

#	<u>Agency</u>	<u>Exam</u>	<u>Appt</u>	<u>EEO</u>	<u>PSC</u>
64	California State Board of Equalization	✓	X	X	X
65	California State Coastal Conservancy	✓	X	✓	X
66	California State Controller's Office	✓	✓	✓	✓
67	California State Council on Developmental Disabilities	✓	✓	✓	X
68	California State Lands Commission	✓	✓	X	X
69	California State Library	✓	✓	✓	X
70	California State Transportation Agency	✓	✓	✓	X
71	California State Treasurer's Office	✓	✓	✓	X
72	California Student Aid Commission	✓	✓	✓	✓
73	California Tahoe Conservancy	✓	✓	✓	X
74	California Tax Credit Allocation Committee	✓	✓	✓	✓
75	California Transportation Commission	X	✓	✓	X
76	California Victim Compensation and Government Claims Board	✓	✓	X	X
77	California Wildlife Conservation Board	✓	✓	X	X
78	California Workforce Investment Board	✓	✓	X	X
79	Colorado River Board of California	X	✓	✓	X
80	Commission on Peace Officers Standards and Training	✓	✓	X	X
81	Commission on State Mandates	X	✓	✓	X
82	Delta Stewardship Council	✓	✓	✓	X
83	Department of Corporations ⁸	✓	✓	✓	X
84	Department of Financial Institutions ⁹	✓	✓	✓	X
85	Financial Information Systems for California	✓	✓	✓	X
86	Franchise Tax Board	✓	✓	X	X
87	Managed Risk Medical Insurance Board	✓	✓	✓	✓
88	Mental Health Services Oversight and Accountability Commission	✓	✓	✓	X
89	Office of Administrative Law	✓	✓	✓	X
90	Office of Environmental Health Hazard Assessment	✓	✓	✓	X
91	Office of Inspector General	✓	✓	✓	✓
92	Office of the State Public Defender	✓	✓	✓	X
93	San Francisco Bay Conservation and Development Commission	✓	✓	✓	X
94	Scholarshare Investment Board	✓	✓	✓	✓

Key: ✓ Signifies that a review of the area was conducted

X Signifies that a review of the area was not conducted

⁸ Department of Corporations merged with Department of Financial Institutions to become the California Department of Business Oversight

⁹ Department of Financial Institutions merged with Department of Corporations to become the California Department of Business Oversight

#	<u>Agency</u>	<u>Exam</u>	<u>Appt</u>	<u>EEO</u>	<u>PSC</u>
95	Sierra Nevada Conservancy	X	✓	✓	X
96	State Compensation Insurance Fund	X	✓	X	X
97	State Water Resources Control Board	✓	✓	✓	✓
	Total	86	91	74	17

Key: ✓ Signifies that a review of the area was conducted
X Signifies that a review of the area was not conducted

INDEX OF FINDINGS BY AGENCY FOR BASELINE COMPLIANCE REVIEWS

Board of Chiropractic Examiners

- No deficiencies.

Bureau of Legislative Counsel

- No deficiencies.

Bureau of Private Postsecondary Education

- No deficiencies.

California Agricultural Labor Relations Board

- No disability advisory committee.

California Air Resources Board

- No deficiencies.

California Arts Council

- EEO questionnaires were not separated from applications.
- No disability advisory committee.

California Board of State and Community Corrections

- No deficiencies.

California Bureau of Real Estate

- No deficiencies.

California Bureau of Real Estate Appraisers

- No deficiencies.

California Coastal Commission

- No deficiencies.

California Commission on Teacher Credentialing

- Examination documentation was not kept for the appropriate amount of time.

California Community Colleges Chancellor's Office

- Job analyses were not developed or used for the examination process.
- Applications were accepted without signatures.
- The EEO Officer was not at the managerial level.
- The EEO Officer did not report directly to the head of the agency.
- No disability advisory committee.
- No written internal discrimination complaint process.

California Debt and Investment Advisory Commission

- The EEO Officer did not report directly to the head of the agency.
- Disability advisory committee did not advise the head of the agency.

California Department of Aging

- Appointment documentation was not kept for the appropriate amount of time.
- No disability advisory committee.

California Department of Alcohol Beverage Control

- Job analyses were not developed or used for the examination process.
- Appointment documentation was not kept for the appropriate amount of time.

California Department of Child Support Services

- EEO Officer did not monitor the composition of oral panels in department exams.

California Department of Community Services and Development

- No preference was given for CALWORKS recipients applying for seasonal clerk vacancy.

California Department of Consumer Affairs' Boards

- No deficiencies.

California Department of Consumer Affairs' Bureaus

- No deficiencies.

California Department of Education

- No deficiencies.

California Department of Finance

- No deficiencies.

California Department of Fish and Wildlife

- Applications were accepted after the final filing date.
- Appointment documentation was not kept for the appropriate amount of time.
- The EEO Officer did not report directly to the head of the agency.
- Discrimination complainants were not notified of the reasons for delays in decisions within the prescribed time period.

California Department of Food and Agriculture

- Job opportunities were not advertised.
- Appointment documentation was not kept for the appropriate amount of time.
- The EEO Officer did not report directly to the head of the agency.
- Discrimination complainants were not notified of the reasons for delays in decisions within the prescribed time period.

California Department of Forestry and Fire Protection

- EEO Questionnaires were not separated from applications.
- Appointment documentation was not kept for the appropriate amount of time.

California Department of Health Care Services

- No deficiencies.

California Department of Housing and Community Development

- The EEO Officer did not report directly to the head of the agency.

California Department of Industrial Relations

- Job analyses were not developed or used for the examination process.

California Department of Insurance

- No deficiencies.

California Department of Justice

- No deficiencies.

California Department of Managed Health Care

- No deficiencies.

California Department of Motor Vehicles

- EEO questionnaires were not separated from applications.
- Appointment documentation was not kept for the appropriate amount of time.

California Department of Pesticide Regulation

- No deficiencies.

California Department of Rehabilitation

- EEO questionnaires were not separated from applications.

California Department of Resources Recycling and Recovery

- Appointment documentation was not kept for the appropriate amount of time.

California Department of Social Services

- No deficiencies.

California Department of Technology

- The EEO Officer did not report directly to the head of the agency.

California Department of Toxic Substances Control

- No deficiencies.

California Department of Veterans Affairs

- An applicant with a failing score was placed on the eligible list. Applications were accepted after the final filing date.
- Applications were accepted without signatures.
- An applicant was allowed to take an examination prior to the end of the waiting period.
- Discrimination complainants were not notified of the reasons for delays in decision within the prescribed time period.

California Department of Water Resources

- No deficiencies.

California Emergency Medical Services Authority

- The EEO Officer did not report directly to the head of the agency.

California Energy Commission

- No deficiencies.

California Environmental Protection Agency

- EEO questionnaires were not separated from applications.
- Disability advisory committee did not advise the head of the agency.

California Fair Political Practices Commission

- Job analyses were not developed or used for the examination process.
- The EEO Officer did not report directly to the head of the agency.

California Gambling Control Commission

- The EEO Officer did not report directly to the head of the agency.

California Governor's Office of Emergency Services

- No disability advisory committee.

California Health and Human Services Agency

- No deficiencies.

California Health Facilities Financing Authority

- The EEO Officer did not report directly to the head of the agency.
- No disability advisory committee.

California High Speed Rail Authority

- No deficiencies.

California Highway Patrol

- EEO questionnaires were not separated from applications.
- Hiring individuals below rank three was not documented.
- Appointment documentation was not kept for the appropriate amount of time.

California Horse Racing Board

- No deficiencies.

California Housing Finance Agency

- A qualified veteran was not permitted to take a promotional examination.
- Discrimination complainants were not notified of the reasons for delays in decisions within the prescribed time period.
- No disability advisory committee.

California Labor and Workforce Development Agency

- No deficiencies.

California Lottery Commission

- No deficiencies.

California Natural Resource Agency

- No disability advisory committee.
- EEO Officer did not monitor the composition of oral panels in department exams.

California Office of Statewide Health Planning and Development

- No deficiencies.

California Office of Systems Integration

- No deficiencies.

California Office of Traffic Safety

- No deficiencies.

California Pollution Control Financing Authority

- The EEO Officer did not report directly to the head of the agency.
- Disability advisory committee did not advise the head of the agency.

California Prison Industry Authority

- Job analyses were not developed or used for the examination process.
- The qualifications appraisal team members did not sign rating sheets.
- Appointment documentation was not kept for the appropriate amount of time.
- Disability advisory committee did not advise the head of the agency.
- EEO Officer did not monitor the composition of oral panels in department exams.

California Public Employment Relations Board

- Job analyses were not developed or used for the examination process.

California Science Center

- The EEO Officer did not report directly to the head of the agency.
- No disability advisory committee.

California Secretary of State

- No deficiencies.

California State Auditor

- Job analyses were not developed or used for the examination process.

California State Board of Equalization

- No deficiencies.

California State Coastal Conservancy

- The EEO Officer did not report directly to the head of the agency.

California State Controller's Office

- No deficiencies.

California State Council on Developmental Disabilities

- Job analyses were not developed or used for the examination process.
- The same qualifications appraisal team members were not utilized for an examination.
- The qualifications appraisal team members did not sign rating sheets.
- No disability advisory committee.

California State Lands Commission

- No deficiencies.

California State Library

- The EEO Officer did not report directly to the head of the agency.

California State Transportation Agency

- The EEO Officer did not report directly to the head of the agency.
- Disability advisory committee did not advise the head of the agency.

California State Treasurer's Office

- No deficiencies.

California Student Aid Commission

- EEO questionnaires were not separated from applications.
- Applications were accepted after the final filing date.
- The EEO Officer did not report directly to the head of the agency.
- Disability advisory committee did not advise the head of the agency.

California Tahoe Conservancy

- No deficiencies.

California Tax Credit Allocation Committee

- The EEO Officer did not report directly to the head of the agency.
- Disability advisory committee did not advise the head of the agency.

California Transportation Commission

- The EEO Officer did not report directly to the head of the agency.
- No written internal discrimination complaint process.

California Victim Compensation and Government Claims Board

- No deficiencies.

California Wildlife Conservation Board

- Applications were accepted without signatures.

California Workforce Investment Board

- Appointment of applicant to an incorrect time base.

Colorado River Board of California

- No deficiencies.

Commission on Peace Officers Standards and Training

- Job analyses were not developed or used for the examination process.

Commission on State Mandates

- No disability advisory committee.

Delta Stewardship Council

- No deficiencies.

Department of Corporations

- No deficiencies.

Department of Financial Institutions

- No deficiencies.

Financial Information Systems for California

- No disability advisory committee.

Franchise Tax Board

- No deficiencies.

Managed Risk Medical Insurance Board

- No deficiencies.

Mental Health Services Oversight and Accountability Commission

- No disability advisory committee.

Office of Administrative Law

- No deficiencies.

Office of Environmental Health Hazard Assessment

- No deficiencies.

Office of Inspector General

- No deficiencies.

Office of the State Public Defender

- Job analyses were not developed or used for the examination process.
- Lack of agency-specific EEO policy.
- No disability advisory committee.
- No written internal discrimination complaint process.

San Francisco Bay Conservation and Development Commission

- No disability advisory committee.

Scholarshare Investment Board

- The EEO Officer did not report directly to the head of the agency.
- Disability advisory committee did not advise the head of the agency.

Sierra Nevada Conservancy

- No deficiencies.

State Compensation Insurance Fund

- No deficiencies.

State Water Resources Control Board

- No deficiencies.

INDEX OF FINDINGS BY AGENCY FOR SPECIAL INVESTIGATIONS

SPECIAL INVESTIGATIONS OF ADDITIONAL APPOINTMENTS

California Department of Consumer Affairs

- No deficiencies.

California Department of Corrections and Rehabilitation

- Additional appointment job opportunities were not advertised.
- Individuals were not selected for additional appointments through a competitive process.
- Appointment documentation was not kept for the appropriate amount of time.

California Department of Education

- No deficiencies.

California Department of Food and Agriculture

- Appointment documentation was not kept for the appropriate amount of time.

California Department of Forestry and Fire Protection

- Additional appointment job opportunities were not advertised.
- Individuals were not selected for additional appointments through a competitive process.

California Department of Social Services

- Additional appointment job opportunities were not advertised.
- Individuals were not selected for additional appointments through a competitive process.
- Appointment documentation was not kept for the appropriate amount of time.

California Department of State Hospitals

- Additional appointment job opportunities were not advertised.
- Individuals were not selected for additional appointments through a competitive process.
- Appointment documentation was not kept for the appropriate amount of time.

California Department of Veterans Affairs

- Additional appointment job opportunities were not advertised.
- Individuals were not selected for additional appointments through a competitive process.

California Public Employees Retirement System

- Additional appointment job opportunities were not advertised.
- Individuals were not selected for additional appointments through a competitive process.

California Department of Motor Vehicles

- Additional appointment job opportunities were not advertised.
- Individuals were not selected for additional appointments through a competitive process.
- Appointment documentation was not kept for the appropriate amount of time.

Employment Development Department

- Additional appointment job opportunities were not advertised.
- Individuals were not selected for additional appointments through a competitive process.
- Appointment documentation was not kept for the appropriate amount of time.

SPECIAL INVESTIGATIONS OF IMPROPER HIRING PRACTICES**California Department of Consumer Affairs**

- No deficiencies.

California Department of General Services

- No deficiencies.

INDEX OF COMPLETED REVIEWS AND SPECIAL INVESTIGATIONS COSTS BY AGENCY

Agency	Baseline Compliance Review Completed	Special Investigation Completed	Total Cost
Board of Chiropractic Examiners	Yes	No	\$4,937.50
Bureau of Legislative Counsel	Yes	No	\$7,906.25
Bureau of Private Postsecondary Education	Yes	No	\$6,875.00
California Agricultural Labor Relations Board	Yes	No	\$7,706.25
California Air Resources Board	Yes	No	\$16,468.75
California Arts Council	Yes	No	\$9,593.75
California Board of State and Community Corrections	Yes	No	\$8,656.25
California Bureau of Real Estate	Yes	No	\$21,550.00
California Bureau of Real Estate Appraisers	Yes	No	\$3,368.75
California Coastal Commission	Yes	No	\$8,000.00
California Commission on Teacher Credentialing	Yes	No	\$10,900.00
California Community Colleges Chancellor's Office	Yes	No	\$13,593.75
California Debt and Investment Advisory Commission	Yes	No	\$4,656.25
California Department of Aging	Yes	No	\$13,343.75
California Department of Alcohol Beverage Control	Yes	No	\$16,812.50
California Department of Child Support Services	Yes	No	\$9,312.50
California Department of Community Services and Development	Yes	No	\$11,031.25
California Department of Consumer Affairs' Boards	Yes	Yes	\$20,875.00
California Department of Consumer Affairs' Bureaus	Yes	No	\$15,968.75
California Department of Corrections and Rehabilitation	No	Yes	\$52,250.00
California Department of Education	Yes	Yes	\$27,062.50
California Department of Finance	Yes	No	\$8,187.50
California Department of Fish and Wildlife	Yes	No	\$27,500.00
California Department of Food and Agriculture	Yes	Yes	\$21,937.50
California Department of Forestry and Fire Protection	Yes	Yes	\$49,906.25
California Department of General Services	No	Yes	\$13,437.50
California Department of Health Care Services	Yes	No	\$31,718.75
California Department of Housing and Community Development	Yes	No	\$15,618.75
California Department of Industrial Relations	Yes	No	\$23,593.75
California Department of Insurance	Yes	No	\$13,187.50
California Department of Justice	Yes	No	\$21,531.25

Agency	Baseline Compliance Review Completed	Special Investigation Completed	Total Cost
California Department of Managed Health Care	Yes	No	\$8,750.00
California Department of Motor Vehicles	Yes	Yes	\$49,656.25
California Department of Pesticide Regulation	Yes	No	\$13,250.00
California Department of Rehabilitation	Yes	No	\$15,093.75
California Department of Resources Recycling and Recovery	Yes	No	\$23,656.25
California Department of Social Services	Yes	Yes	\$44,706.25
California Department of State Hospitals	No	Yes	\$34,500.00
California Department of Technology	Yes	No	\$15,875.00
California Department of Toxic Substances Control	Yes	No	\$15,968.75
California Department of Veterans Affairs	Yes	Yes	\$26,750.00
California Department of Water Resources	Yes	No	\$18,843.75
California Emergency Medical Services Authority	Yes	No	\$8,125.00
California Energy Commission	Yes	No	\$12,531.25
California Environmental Protection Agency	Yes	No	\$8,437.50
California Fair Political Practices Commission	Yes	No	\$11,187.50
California Gambling Control Commission	Yes	No	\$5,250.00
California Governor's Office of Emergency Services	Yes	No	\$13,406.25
California Health and Human Services Agency	Yes	No	\$6,656.25
California Health Facilities Financing Authority	Yes	No	\$4,625.00
California High Speed Rail Authority	Yes	No	\$5,937.50
California Highway Patrol	Yes	No	\$38,531.25
California Horse Racing Board	Yes	No	\$11,562.50
California Housing Finance Agency	Yes	No	\$11,312.50
California Labor and Workforce Development Agency	Yes	No	\$5,612.50
California Lottery Commission	Yes	No	\$10,531.25
California Natural Resource Agency	Yes	No	\$10,468.75
California Office of Statewide Health Planning and Development	Yes	No	\$13,312.50
California Office of Systems Integration	Yes	No	\$7,562.50
California Office of Traffic Safety	Yes	No	\$5,343.75
California Pollution Control Financing Authority	Yes	No	\$3,937.50
California Prison Industry Authority	Yes	No	\$14,875.00
California Public Employees Retirement System	No	Yes	\$19,656.25
California Public Employment Relations Board	Yes	No	\$8,843.75
California Science Center	Yes	No	\$13,968.75
California Secretary of State	Yes	No	\$15,312.50
California State Auditor	Yes	No	\$14,156.25
California State Board of Equalization	Yes	No	\$25,468.75
California State Coastal Conservancy	Yes	No	\$6,156.25
California State Controller's Office	Yes	No	\$12,468.75

Agency	Baseline Compliance Review Completed	Special Investigation Completed	Total Cost
California State Council on Developmental Disabilities	Yes	No	\$10,468.75
California State Lands Commission	Yes	No	\$12,125.00
California State Library	Yes	No	\$12,181.25
California State Transportation Agency	Yes	No	\$12,875.00
California State Treasurer's Office	Yes	No	\$8,718.75
California Student Aid Commission	Yes	No	\$15,656.25
California Tahoe Conservancy	Yes	No	\$4,375.00
California Tax Credit Allocation Committee	Yes	No	\$5,031.25
California Transportation Commission	Yes	No	\$6,218.75
California Victim Compensation and Government Claims Board	Yes	No	\$13,500.00
California Wildlife Conservation Board	Yes	No	\$6,781.25
California Workforce Investment Board	Yes	No	\$4,562.50
Colorado River Board of California	Yes	No	\$4,031.25
Commission on Peace Officers Standards and Training	Yes	No	\$27,375.00
Commission on State Mandates	Yes	No	\$4,468.75
Delta Stewardship Council	Yes	No	\$5,062.50
Department of Corporations	Yes	No	\$13,468.75
Department of Financial Institutions	Yes	No	\$11,500.00
Employment Development Department	No	Yes	\$21,718.75
Financial Information Systems for California	Yes	No	\$13,087.50
Franchise Tax Board	Yes	No	\$20,206.25
Managed Risk Medical Insurance Board	Yes	No	\$9,125.00
Mental Health Services Oversight and Accountability Commission	Yes	No	\$6,437.50
Office of Administrative Law	Yes	No	\$4,906.25
Office of Environmental Health Hazard Assessment	Yes	No	\$14,062.50
Office of Inspector General	Yes	No	\$8,343.75
Office of the State Public Defender	Yes	No	\$24,093.75
San Francisco Bay Conservation and Development Commission	Yes	No	\$6,875.00
Scholarshare Investment Board	Yes	No	\$4,000.00
Sierra Nevada Conservancy	Yes	No	\$10,062.50
State Compensation Insurance Fund	Yes	No	\$24,593.75
State Water Resources Control Board	Yes	No	\$2,437.50
Total			\$1,458,125.00

The costs only include completed reviews and special investigations from July 1, 2012 to June 30, 2014 and does not include reviews and special investigations currently in progress.