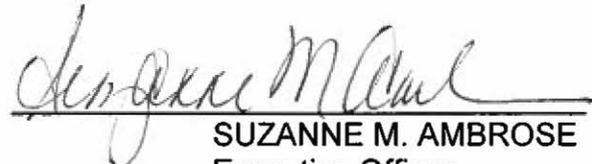


**BOARD RESOLUTION ADOPTING THE COMPLIANCE REVIEW REPORT AND
FINDINGS BY THE SPB COMPLIANCE REVIEW UNIT OF
THE CALIFORNIA HIGHWAY PATROL**

WHEREAS, the State Personnel Board (SPB or Board) at its duly noticed meeting of March 3, 2014, carefully reviewed and considered the attached Compliance Review Report of the California Highway Patrol submitted by SPB's Compliance Review Unit.

WHEREAS, the Report was prepared following a baseline review of the California Highway Patrol's personnel practices. It details the background, scope, and methodology of the review, and the findings and recommendations.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby adopts the Report, including all findings and recommendations contained therein. A true copy of the Report shall be attached to this Board Resolution and the adoption of the Board Resolution shall be reflected in the record of the meeting and the Board's minutes.


SUZANNE M. AMBROSE
Executive Officer

COMPLIANCE REVIEW REPORT CALIFORNIA HIGHWAY PATROL FINDINGS AND RECOMMENDATIONS MARCH 3, 2014

Appointments

During the period under review, May 1, 2011 through October 31 2012, the California Highway Patrol (CHP) made 2909 appointments. The SPB reviewed 150 of those appointments, which are listed below:

Classification	Appointment Type	Number of Appointments
Assistant Chief, California Highway Patrol	Certification List	14
Assistant Information Systems Analyst	Certification List	1
Associate Business Management Analyst	Certification List	1
Automotive Technician II	Certification List	13
Cook Specialist I	Certification List	1
Cook Specialist II	Certification List	1
Custodian	Certification List	3
Data Processing Manager II	Certification List	3
Director, Television Communications Center (Supervisor)	Certification List	1
Executive Secretary I	Certification List	4
Lieutenant, California Highway Patrol	Certification List	15
Motor Carrier Specialist I, California Highway Patrol	Certification List	2
Office Services Supervisor II (General)	Certification List	5
Office Technician (Typing)	Certification List	6
Public Safety Dispatch Supervisor II, California Highway Patrol	Certification List	3
Senior Accounting Officer (Specialist)	Certification List	1
Senior Management Auditor	Certification List	1
Sergeant, California Highway Patrol	Certification List	18
Staff Information Systems Analyst (Specialist)	Certification List	1

Classification	Appointment Type	Number of Appointments
Staff Services Analyst (General)	Certification List	2
Systems Software Specialist I (Technical)	Certification List	2
Telecommunications Systems Manager I (Supervisor)	Certification List	1
Lieutenant, California Highway Patrol	Compelling Management Needs	2
Accounting Administrator III	Mandatory Reinstatement	1
Public Safety Operator, California Highway Patrol	Mandatory Reinstatement	1
Commercial Vehicle Inspection Specialist	Permissive Reinstatement	5
Office Technician (Typing)	Permissive Reinstatement	1
Public Safety Dispatch Supervisor I, California Highway Patrol	Permissive Reinstatement	1
Staff Management Auditor	Permissive Reinstatement	1
Custodian	Temporary Authorized (TAU)	1
Painter I	Training and Development (T&D)	1
Assistant Information Systems Analyst	Transfer	3
Automotive Technician II	Transfer	4
Commercial Vehicle Inspection Specialist	Transfer	3
Information Systems Technician	Transfer	1
Office Assistant (General)	Transfer	1
Office Assistant (Typing)	Transfer	2
Office Services Supervisor I (Typing)	Transfer	7
Office Technician (Typing)	Transfer	6
Personnel Specialist	Transfer	1
Property Controller II	Transfer	1
Public Safety Dispatch Supervisor I, California Highway Patrol	Transfer	1
Public Safety Dispatcher, California Highway Patrol	Transfer	2
Staff Services Analyst (General)	Transfer	4
Staff Services Manager I	Transfer	1

FINDING NO. 1 – CHP Did Not Retain Applications for All Reviewed Appointments

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.)

CHP failed to maintain applications for 10 of the 150 appointments for the minimum two year period. It is therefore recommended that within 60 days of the Board’s Resolution adopting these findings and recommendations CHP submit to the Board a written corrective action plan that addresses the corrections the department will implement to ensure conformity with the record retention requirements of Government Code section 12946. Copies of any relevant documents should be attached to the plan.

FINDING NO. 2 – CHP Did Not Separate Equal Employment Opportunity Forms from Applications

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, age, or sexual orientation). Applicants for employment in state civil service are asked to voluntarily provide ethnic data about themselves where such data is determined by the California Department of Human Resources (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.”

In 55 instances, EEO questionnaires were not separated from the STD 678 employment application. It is therefore recommended that within 60 days of the Board’s Resolution adopting these findings and recommendations CHP submit to the Board a written corrective action plan that addresses the changes the department will implement to

ensure the EEO questionnaire is properly separated from the state applications. Copies of any relevant documents should be included with the report.

FINDING NO. 3 – CHP Did Not Provide Documentation on Appointing Eligibles in Ranks Lower Than Rank Three

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.

CHP did not provide sufficient documentation to SPB to show how they cleared ranks one through three (reemployment, State Restriction of Appointments (SROA), etc.) of certification lists prior to making 12 appointments in ranks four and beyond on promotional lists under Government Code § 19057.

CHP did not provide sufficient documentation to SPB to show how they cleared ranks one through three (reemployment, State Restriction of Appointments (SROA), etc.) of certification lists prior to making eight appointments in ranks four and beyond on open lists under Government Code § 19057.1 and Government Code § 19057.2.

It is therefore recommended that within 60 days of the Board's Resolution adopting these findings and recommendations CHP submit to the Board a written corrective action plan that addresses the changes the department will implement to ensure conformity with the requirements of Rule 254 in future appointments.

Equal Employment Opportunity

The SPB reviewed CHP's EEO policies, procedures, and programs in effect during the compliance review period. In addition, the SPB interviewed appropriate CHP staff.

FINDING NO. 4 – CHP’s EEO Program Complies with Civil Service Laws and Board Rules

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 committing 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.) 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.)

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).)

The SPB reviewed CHP’s EEO program that was in effect during the compliance review period. After reviewing the policies, procedures, and programs necessary for compliance with the EEO program’s role and responsibilities according statutory and regulatory guidelines, the SPB determined that the EEO program provided employees with information and guidance on the EEO process, including instructions on how to file discrimination claims. In addition, the EEO program outlines the roles and responsibilities of the EEO officer, as well as supervisors and managers. The EEO officer reports to the director on EEO issues. CHP provided evidence of its efforts to promote equal employment opportunity in its hiring and employment practices, to increase its hiring of persons with disabilities, and to offer upward mobility opportunities for its entry-level staff. CHP also has an active disability advisory committee that advises the Commissioner on issues of concern to employees with disabilities.

DEPARTMENTAL RESPONSE

CHP agrees with the findings and has already taken steps to ensure compliance in future reviews. (Attachment 1)

SPB REPLY

Based upon CHP's written response, CHP will improve its documentation records retention and EEO form separation processes. SPB thanks the CHP for the accommodations and steps CHP has already taken to ensure compliance in future reviews.

It is recommended that CHP comply with the afore-stated recommendations within 60 days of the Board's Resolution and submit to the SPB a written report of compliance.

The SPB appreciates the professionalism and cooperation of CHP during this compliance review.

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

P. O. Box 942898
Sacramento, CA 94298-0001
(916) 843-3001
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



December 17, 2013

Attachment 1

File No.: 001.9486.A14635.010

Mr. James Murray, Division Chief
State Personnel Board
801 Capitol Mall
Sacramento, CA 95742

Dear Mr. Murray:

I am writing in response to the State Personnel Board (SPB) report entitled, "Compliance Review Report California Highway Patrol." The SPB report presented four findings. Three of four findings require the California Highway Patrol (CHP) to provide corrective action for each of the findings. The fourth finding regarding the CHP's Equal Employment Opportunity (EEO) Program, "CHP's EEO Program Complies with Civil Service Laws and Board Rules," does not require a response.

Listed below are the findings from the SPB report and the corresponding corrective action:

Finding 1: "CHP Did Not Retain Applications for All the Appointments that were Reviewed"

Response: The CHP currently has policy outlined in Highway Patrol Manual (HPM) 10.3, Personnel Transactions Manual, Chapter 2, Nonuniformed Hiring and Appointments, relating to the "Retention of Hiring Records." Appropriate departmental staff will continue to provide a reminder to all commands of the retention policy, via electronic mail (e-mail), when requesting the appropriate documents for a hiring package. A copy of the policy and an example of an e-mail message are enclosed.

Finding 2: "CHP Did Not Separate EEO Forms from Applications"

Response: In response to this finding, the Department drafted Management Memorandum (MM) No. 13-049, STD 678, Examination/Employment Application Processing, dated August 12, 2013, directing commands to remove the EEO questionnaire, Page 5, and place it in a confidential destruct container. Additionally, all commands were directed that this page is only to be included if the applicant is applying to take an examination. Updated policy will be incorporated into HPM 10.3, Chapter 2. A copy of MM 13-049 is enclosed.



Additionally, a Communications Network (Comm-Net) message was sent on July 17, 2013, directing commands to remove the EEO questionnaire and place it in a confidential destruct container. A copy of the Comm-Net message is enclosed.

Finding 3: "CHP Did Not Provide Documentation on Appointing Eligibles in Ranks Lower Than Rank Three"

Response: In response to this finding, the CHP has reviewed all current practices relating to promotional appointments and will take the steps necessary to ensure compliance with the Government Code (GC) and State Personnel Board rules. Specific attention will be paid to promotions occurring relating to California Code of Regulations, Title 2, Rule 254, wherein the rule mandates that each vacancy for a class in which the certification of eligibles is under GC 19057, the Department shall fill a vacancy by eligibles in the three highest names certified. Documentation will be maintained outlining all eligibles who elect to waive job offers. This will ensure the appropriate documentation for clearance from the certification list. Certification lists will be updated appropriately to indicate selections by rank as required in the California Department of Human Resources State Examination Certification System. Desk procedures will also be revised outlining the criteria required to ensure accurate recordkeeping relating to the documentation for all appointments.

During the Compliance Review, it was brought to our attention that the code for candidates who did not respond to Employment Inquiry letters was not being monitored, as required on the certification lists. In response to this finding, an e-mail message was sent to all appropriate departmental staff on May 10, 2013, outlining the process required.

Finding 4: "CHP's EEO Program Complies with Civil Service Laws and Board Rules"

Response: CHP is compliant and no response is required.

I appreciate the opportunity to provide a response to this audit report. If you have any questions or require further information, please contact Inspector General Roger Ikemoto at (916) 843-3160.

Sincerely,



J. A. FARROW
Commissioner

Enclosures

cc: Ms. Suzanne Ambrose, Executive Officer, State Personnel Board

**Template language used to remind a command of the retention
policy**

Template language used to remind a command of the retention requirement.

Good Afternoon,

The CHP 128 to appoint (((Employee, ID #))), to (((Job Classification))), (((Position Number))), is approved effective (((Date))).

Transactions: This employee is an (((Transaction – ie...A02 Transfer))). Please forward the appropriate paperwork to the Command.

NOTE: Submit your request by e-mail to 'IDCaRDS' if/when an ID Card is required.

Retention Reminder Note: Per Highway Patrol Manual 10.3, Chapter 2, Page 2-20, please keep all applications, screening information, interview questions and notes, and any other pertinent hiring documents used in the selection of the appointee for each vacancy together as one package, for a period of two years.

Please feel free to contact me directly if you have any questions or concerns regarding this hire.

Thank you,

(((Employee Name))), Personnel Specialist
077/CHP/HRS/Classification & Hiring
P.O. Box 942898, Sacramento, CA 94298-0001
916-843-38XX-Direct, 843-3820-Unit, 322-3149-Fax

cc: Personnel Specialist
Personnel Supervisor I
Hiring Analyst

Enclosure Three

Management Memorandum No. 13-049

STD. 678, Examination/Employment Application, Processing

Management Memorandum

No. 13-049 (Expires: May 12, 2014)

August 12, 2013

TO: All Commands

STD. 678, EXAMINATION/EMPLOYMENT APPLICATION, PROCESSING

The purpose of this Management Memorandum (MM) is to advise commands of a new procedure for processing the STD. 678, Examination/Employment Application.

Effective immediately, upon receipt of the STD. 678, please ensure the following steps are taken:

- The STD. 678 must be date stamped with the date received on the front side of the application.
- Remove the Equal Employment Opportunity questionnaire, Page 5, and place it in a confidential destruct container. This page is only to be included with the application if the applicant is applying to take an examination.

The new policy and procedures for processing the STD. 678 will be incorporated in the next revision to Highway Patrol Manual 10.3, Personnel Transactions Manual, Chapter 2, Nonuniformed Hiring and Appointments.

Questions regarding this MM may be directed to Human Resources Section, Selection Standards and Examination Unit, at (916) 843-3820.

OFFICE OF THE COMMISSIONER

OPI: 077

**Communication Network message sent on July 17, 2013 directing
commands to remove the Equal Employment Opportunity
questionnaire**

From: "Martinez, Vanessa L@CHP" <VaMartinez@chp.ca.gov>
To: comd@mss.chp.ca.gov; AIMS_ALL@chp.ca.gov
Date: 7/17/2013 4:34 PM
Subject: Action Required -- Subject: STD. 678, Examination/EmploymentApplication, Processing

To: All Commands

Reference: Action Required

Subject: STD. 678, Examination/Employment Application, Processing

The purpose of this Communications Network (Comm-Net) message is to advise commands of a new procedure for processing the STD. 678, Examination/Employment Application.

Effective immediately, upon receipt of the STD. 678, please ensure the following steps are taken:

- . The STD 678 must be date stamped with the date received on the front side of the application.
- . Remove the Equal Employment Opportunity questionnaire, Page 5, and place it in a confidential destruct container. This page is only to be included with the application if the applicant is applying to take an examination.

The new policy and procedures for processing the STD. 678 will be incorporated in the next revision to Highway Patrol Manual 10.3, Personnel Transactions Manual, Chapter 2, Nonuniformed Hiring and Appointments.

Questions regarding this Comm-Net may be directed to your Classification and Hiring analyst in Human Resources Section, Selection Standards and Examinations Unit, at (916) 843-3820.

CHP Headquarters/Office of the Commissioner/077/A08822

Enclosure One

**Highway Patrol Manual 10.3, Personnel Transaction Manual
Chapter 2, Nonuniform Hiring and Appointments**

CHAPTER 2

NONUNIFORMED HIRING AND APPOINTMENTS

REVISED MARCH 2013

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CHAPTER 2
NONUNIFORMED HIRING AND APPOINTMENTS

1. RESPONSIBILITIES.

a. Classification and Hiring. Classification and Hiring (CH), assigned to Human Resources Section (HRS), Selection Standards and Examinations Unit, is responsible for the Department's nonuniformed hiring process and procedures (including transfers and promotions). The CH will coordinate and assist commands during the hiring process.

b. Personnel Transactions Unit. Personnel Transactions Unit (PTU), assigned to HRS, is responsible for processing all appointment documentation (including transfers and promotions).

2. PROCEDURES FOR FILLING POSITIONS. The following procedures shall be followed when filling nonuniformed positions:

a. CHP 127, Request for Position Action. A CHP 127 (refer to Annex A) shall be submitted via electronic mail (e-mail) through channels (refer to b. [2] below) to the appropriate Commissioner. Each e-mail submission shall contain the following separate file attachments: the CHP 127, with appropriate signatures, **as a scanned PDF file**; a CHP 129, Duty Statement, for the position, **as an Adobe Acrobat PDF file**; a current organization chart, signed and dated by the commander or designee, **as a scanned PDF file**; and a proposed Job Opportunity Communications Network (Comm-Net) message, **as a Word document**. (Refer to Chapter 33, State's Personnel Classification Plan.) A CHP 127 package may be submitted via e-mail up to, but not exceeding, 90 days in advance of an anticipated position vacancy. The earliest date a position may be filled is:

(1) The effective date as approved by CH; and/or

(2) The expiration of the prior employee's accumulated leave credits.

EXCEPTION: Approval to fill or overlap a position prior to the last date covered by the prior employee's accumulated leave credits must be obtained from the appropriate Commissioner through the CHP 127 process.

b. Approval Authority. The level of final approval required on the CHP 127 is contingent upon the following:

(1) Command Delegated Approval. Communications Center commanders have delegated authority to approve the filling of Public Safety Operator/Dispatcher (PSO/PSD) positions. Commands shall forward the approved CHP 127 directly to their CH analyst. The CHP 127s requesting refill of dispatch supervisory positions require Commissioner approval.

(2) Commissioner Approval. The appropriate Commissioner's approval is required when refilling **any** vacant position other than PSO or PSD, and for **all** requests to reclassify, transfer, overlap, or fill a newly budgeted position. Commands shall e-mail the CHP 127 through their Division to the appropriate Commissioner for approval.

(a) All nonuniformed CHP 127 packages from offices reporting to the Commissioner must be e-mailed to the administrative lieutenant in the Commissioner's Office.

(b) All nonuniformed CHP 127 packages from commands reporting to Assistant Commissioner, Field, must be e-mailed to ACF_CHP127.

(c) All nonuniformed CHP 127 packages from commands reporting to Assistant Commissioner, Staff, must be e-mailed to ACS_CHP127.

(3) If approved, the appropriate Commissioner will e-mail the CHP 127 to CH for final review and approval.

(4) Upon approval, CH will forward a copy of the approved CHP 127 to the command.

c. Recruitment and Selection Process. Upon receipt of the necessary approval(s) to fill a position, the following procedures shall be followed. **Exceptions to the following procedures are provided in paragraph 3 for filling PSO/PSD positions.**

(1) Commands shall contact their CH analyst to determine if clearance of a reemployment list, State Restriction of Appointment (SROA), and/or surplus employees is required. (Refer to paragraph 6.)

(2) Commands shall refer to the respective bargaining unit contract and General Order (GO) 10.6, Field and Headquarters Assignments and Transfers - Nonuniformed Employees, for transfer information before advertising the vacancy.

NOTE: To fill Bargaining Unit 12 positions, the command shall first follow the Post and Bid process outlined in the collective bargaining unit contract. If the

vacancy cannot be filled through the Post and Bid process, the command shall utilize the normal hiring process as outlined in this section.

(3) Advertising Vacancies. Commands shall advertise vacancies for a minimum of ten working days. The advertisement is valid for 120 days from the posted date. In all cases, if a conditional offer of employment has not been made within that time frame, the vacant position shall be re-advertised.

(a) Commands shall advertise the vacancy by sending a Comm-Net message statewide. Advertising statewide provides employment opportunities for all qualified potential applicants including persons with disabilities. This will comply with the Department's Equal Employment Opportunity objectives.

(b) The Comm-Net message is to be developed and distributed in accordance with the instructions in Annex B. Commands shall electronically submit a proposed copy of the Comm-Net message with the CHP 127 package. Their CH analyst will ensure the vacancy is posted on the California Department of Human Resources' (CalHR) Vacant Positions Database (VPOS).

(4) If appropriate, the CH analyst will order a certification list. A certification list is a list of names established as a result of a competitive examination. (Refer to paragraph 7.)

(5) Once an applicant pool has been determined, commands should conduct preemployment interviews. (Refer to paragraph 8.)

(6) Once an applicant has been selected, commands shall verify that the selected applicant is eligible for appointment/transfer/promotion by contacting their CH analyst.

(7) Once the selected applicant's eligibility is verified, commands shall provide the applicant with the documents needed to initiate the appropriate applicant investigation. An applicant investigation, including fingerprints, shall be conducted prior to making a conditional offer of employment. The applicant investigation is required when hiring a new employee, a transfer from another department, a transfer from a nonsensitive classification to sensitive classification, or a permissive reinstatement after a permanent separation from state service of more than one year. (Refer to Highway Patrol Manual [HPM] 10.1, Applicant Investigations Manual, Chapter 8, Applicant Investigation Process: Nonuniformed Classifications.)

(8) Upon successful completion of the applicant investigation, the applicant selected shall be given a conditional offer of employment to continue in the selection process, and be provided with the appropriate documents for medical screening. (Refer to paragraphs 10 and 11.)

(9) After the medical approvals are received, commands shall complete a CHP 128, Request for Personnel Action (refer to Annex C). The CHP 128 is used to document the selection of an applicant for appointment.

(10) The CHP 128 and any required documentation shall be submitted to Division for approval and forwarded to CH.

(11) The appointment is contingent upon final approval by CH. Upon approval of the CHP 128, CH will notify the command of approval and forward it and any necessary documentation to PTU for processing of the appointment.

(12) The CH will notify PTU to forward a new appointment package to the command containing required material for completion of the appointment and employee orientation.

(a) All newly appointed nonuniformed employees shall have an orientation, during which time they shall be provided with information regarding the Department's mission, policies and procedures, working conditions and regulations, and employee rights and responsibilities.

(13) Required documents shall be returned promptly to PTU to avoid omission of the employee's name from the payroll and late receipt of the salary warrant. Once these documents have been processed, a Notice of Personnel Action confirming the appointment will be sent to the employee for review and signature.

(14) The CH will send a copy of the approved CHP 128 to the hiring command.

(15) Upon receipt of the approved copy of the CHP 128 from CH, commands shall forward the applicant investigation package and driver license inquiry to Administrative Services Division, HRS, Personnel Files.

3. PUBLIC SAFETY OPERATOR/DISPATCHER VACANCIES.

a. Public Safety Operator/Dispatcher Positions Filled through the Transfer Process. To fill PSO/PSD positions through the transfer process, the following procedures shall be followed:

(1) The Communications Center shall contact the CH analyst to determine if there are transfers on file. If there are transfers on file, the command shall select the most senior employee.

(2) If there are no transfers on file, the command shall advertise the vacant position to allow employees to submit a request to transfer. The command shall select the most senior employee.

(3) The Communications Center shall complete a CHP 128 and any required documentation. The CHP 128 shall be submitted to Division for approval and forwarded to CH.

(4) Upon approval of the CHP 128, CH will forward the documentation to PTU for processing.

b. Expedited Hiring of New Public Safety Operators/Public Safety Dispatchers. To expedite the hiring of new PSO/PSDs (including reinstatements, etc.), the procedures below shall be followed:

(1) Commands shall request an appointment package from PTU. It is suggested that commands maintain a supply of these appointment packages.

(2) After the applicant investigation and medical approvals are received, the following appointment documentation shall be faxed by Division to CH:

CHP 128, Request for Personnel Action
STD. 678, Examination and/or Employment Application
Form I-9, Employment Eligibility Verification
Form SSA-1945, Statement Concerning Employment in a Job Not Covered by Social Security
CHP 446D, Authorization to Release Medical Information
STD. 686, Employee Action Request
CalHR 131, State Employee Disability Questionnaire
CalHR 1070, State Employee Race/Ethnicity Questionnaire
STD. 689, Oath of Allegiance
Typing Certificate

NOTE: Commands shall ensure that the original appointment documents are forwarded in a timely manner and shall pay special attention to appointments made just prior to payroll cut-off (normally from the 18th to the 20th of the month). Commands shall contact PTU via telephone or e-mail with appointment information if there is a concern that the appointment documents will not reach PTU prior to cut-off to ensure the employee receives a salary warrant.

c. Mandatory Training for Public Safety Operators/Public Safety Dispatchers.

(1) Prospective PSO/PSDs should be advised that they will be required to attend a Phase I training class immediately upon hire. Reporting instructions will be provided to commanders by the Communications Centers Support Section, Communications Training Program staff. Commanders shall, in turn, ensure that a copy of the reporting instructions is provided to each new employee as soon as a conditional offer of employment has been made.

(2) Hiring and reporting dates must coincide with scheduled Phase I training dates. Commanders may hire outside of scheduled training dates and assign employees directly into the Communications Center only when justified by critical need and approved by the appropriate Division chief. Employees hired under such conditions shall then be scheduled for, and must attend, the next available Phase I training class.

4. CATEGORIES OF ELIGIBLES TO BE CONSIDERED. An appointment to a position may be made from the following eligibility categories:

a. Reasonable Accommodation/Alternate Job Placement. Under the Americans with Disabilities Act (ADA), the Department must make every effort to ensure the continued productive employment of employees who become temporarily or permanently disabled because of illness or injury. Alternate job placement is considered a reasonable accommodation under the ADA. If an employee needs to be placed into an existing vacant position as a result of reasonable accommodation, the hiring command will be notified by the Return-to-Work Coordinator.

b. General Reemployment Certification List. Reemployment is a method to assist terminated or demoted employees in returning to their former classification. An employee who is laid off or elects to demote in lieu of layoff from a classification and has held either permanent or probationary status in the classification, will be placed on the appropriate reemployment list for that classification. In addition, appropriate reemployment list eligibility will generally be provided for all classifications through which the employee was given demotional rights during layoff. Employees appear in seniority order on all general reemployment lists.

c. State Restriction of Appointments/Surplus Program. The SROA/surplus program is an alternative to laying off state employees that gives CalHR the authority to restrict the methods of appointment available to appointing powers in order to give employees in jeopardy of layoff an opportunity to retain state employment. "Surplus" designates a classification in which a department expects to lay off some or all of its employees in a designated area. Designations of surplus or SROA entitle the employee to equal hiring preference when applying for a vacancy. The only distinction is that an employee on an SROA list may be notified by departments filling

a vacancy, whereas employees with surplus status need to seek out and apply for vacancies in classifications they feel qualified for and are eligible to transfer to.

d. Promotional Certification List. A promotional certification list is established from an examination held on a promotional basis for classifications where the most logical competition exists within state service. The name of an eligible certified from a promotional certification list shall remain on the list regardless of the number of times the eligible declines job inquiries.

e. Open Certification List. An open certification list is established from an examination held on an open basis for classifications typically at entry levels for which there is no clearly identifiable group of promotional competitors within state service. Eligibles on an open certification list may decline up to three job inquiries before their name is removed from the list.

f. Limited Examination and Appointment Program. A Limited Examination and Appointment Program (LEAP) certification list consists of eligibles whose disability meets LEAP standards. A LEAP list will automatically issue if the classification has LEAP eligibles. The LEAP list shall be utilized to fill vacancies as an alternative to the traditional civil service examination and appointment process.

g. Transfer. Vacancies may be filled through the transfer process as follows:

(1) Transfer of an employee in the same classification from within the CHP or another state department.

(2) Under California Code of Regulations (CCR) Sections 430-433, employees may transfer from one job classification to another if the level of duties, responsibilities, and salaries of the two classifications are substantially the same and the classifications are not in the same series. In most situations, it is not necessary that the applicant meet the education and experience requirements, but the applicant must have any required license, certificate, credential, etc. Additionally, the transfer must not constitute a promotion. Commands shall contact their CH analyst to determine transferability of the applicant.

(3) Transfers to the following classifications will require the applicant to meet specific education and experience requirements:

Accounting series
Auditor series
Research Analyst series

h. Training and Development Assignment. A Training and Development (T&D) assignment is a voluntary, temporary assignment for up to two years for the purpose

of training. It must involve the performance of duties in a classification other than the employee's appointment classification, and may be made within or between departments. (Refer to Chapter 34, Training and Development Assignments.)

i. Permissive Reinstatement. A permissive reinstatement is an appointment of an applicant who had permanent or probationary status in the classification (or substantially the same or higher classification) of the position being filled, who has, since appointment, separated without cause from state service. (Refer to Chapter 3, Reinstatements.)

j. Voluntary Demotion. A voluntary demotion is when an employee voluntarily elects to demote to a lower classification; for example, PSO/PSD to Office Assistant.

k. Limited Term. A Limited Term (LT) appointment is an appointment authorized for up to one year with an additional one-year extension. An applicant shall be reachable on a certification list, or be eligible to transfer, demote or reinstate into the classification. No civil service employment rights are obtained from an LT appointment. (Refer to paragraph 12.)

l. Appropriate Certification List. An appropriate certification list is a list for a different classification within the Department, or the same or different classification from another department. When utilizing an appropriate list of a different classification, the knowledges, skills, and abilities should be closely related, and at substantially the same salary level as the classification of the position. Use of an appropriate certification list may be utilized:

- (1) When no certification list exists for the classification of the position; or
- (2) When there are fewer than three names on an open certification list for the classification and no other certification list is available for the classification; or
- (3) When the certification list is exhausted.

5. EQUAL EMPLOYMENT OPPORTUNITY OPTIONS.

a. When a command anticipates a vacancy or potential vacancy, the following steps shall be taken:

- (1) Consider a LEAP hire. For additional information regarding LEAP, refer to HPM 10.12, Equal Employment Opportunity Manual, Chapter 4, Persons with Disabilities Program.
- (2) Consider permissive reinstatement requests.
- (3) Consider utilizing a T&D assignment as described in Chapter 34.

(4) Consider accepting transfers between classification series when the salaries are substantially the same (refer to paragraph 4.g.).

(5) Consider temporarily downgrading the position.

b. Equal Employment Opportunity Documentation Requirement.

(1) A CHP 440A, Applicant Flow Data Chart (refer to Annex D), shall be completed to note ethnicity and gender, as well as any disability among the applicant group considered for appointment. The information noted on the CHP 440A is to be acquired through visual observation during the interview process. If no interviews were conducted, the CHP 440A is still required; however, the CHP 440A does not need to be submitted until the employee's ethnicity and gender is known (e.g., once the employee reports to the new command). Specific instructions are provided on the back of the CHP 440A.

(2) The CHP 440A shall be completed in all cases where vacant positions are advertised, including initial appointment, promotion, voluntary demotion, different prior classification, departmental and outside agency transfers (including CHP 220), SROA/Surplus, T&D assignment, reinstatement, LEAP, and Post and Bid.

NOTE: A CHP 440A does not need to be completed for Bargaining Unit (BU) 7 positions filled via transfers during open filing periods; however, when a BU 7 position is advertised outside the open filing period, a CHP 440A shall be completed.

(3) Division commanders shall have final review of the completed CHP 440A to determine whether equal employment opportunity requirements have been satisfied. If not, the request should be denied and the documents returned to the originating office. The approved CHP 440A, along with a copy of the Comm-Net message, shall be forwarded by the Division to the Office of Equal Employment Opportunity (OEEO). All other completed employment documents shall be forwarded to CH.

(4) The OEEO commander or designee will monitor the hiring efforts by reviewing the completed CHP 440A to ensure equal employment efforts have been demonstrated.

6. CLEARING GENERAL REEMPLOYMENT CERTIFICATION LISTS AND STATE RESTRICTION OF APPOINTMENTS/SURPLUS EMPLOYEES.

a. Clearance of General Reemployment Lists. The Department must hire one of the top three names on the list. If there are less than three names, the Department can add names from the next list (for example, SROA or a promotional list).

b. Clearance of the State Restriction of Appointments List. Clearing an SROA list is required whenever a vacancy will be filled through any of the following:

- (1) Hire from an open certification list.
- (2) Permissive reinstatement. (Refer to Chapters 3 and 6.)
- (3) State employee from outside the Department.
- (4) Hire from a promotional certification list (does not include promotions in place).

c. When Clearance of the State Restriction of Appointments/Surplus is **NOT** Required. The SROA/surplus is not a consideration when a position is filled by a departmental employee through any of the following:

- (1) Transfers (same or different classifications).
- (2) Voluntary demotions.
- (3) T&D assignments.
- (4) Promotions in place (must meet CalHR criteria).

d. Procedures for Clearing General Reemployment and State Restriction of Appointments/Surplus.

(1) All eligibles on the general reemployment and SROA certification lists shall be contacted to determine interest in the position.

(2) Because eligibles on SROA certification lists are not ranked, hiring interviews must be conducted for all eligibles on SROA certification lists who are interested in the position and for all surplus employees who respond to the VPOS. The command shall contact its CH analyst to verify that an applicant is an identified surplus employee. If the applicant is an identified surplus employee, the command may:

- (a) Hire the applicant; or

- (b) Obtain an exemption to bypass the applicant (see [6] below).
- (3) If the applicant is not specifically identified as surplus, the command is not obligated to select the individual.
- (4) A surplus employee need only be considered if the employee possesses personal skill and experience in the occupational area encompassed by the classification. The skill and experience may have been obtained either inside or outside state service.
- (5) An SROA/surplus employee need not be considered if the employee's performance was documented as less than satisfactory in the employee's current classification, upon which the SROA/surplus eligibility is based. This performance documentation includes:
 - (a) A performance report during the last 12-month period with an overall rating of "Improvement Needed" or "Unsatisfactory"; or
 - (b) A performance report during the last 12-month period with a rating of "Improvement Needed" or "Unsatisfactory" in a factor that is critical to success in the position to be filled; for example, an employee on the SROA certification list for a supervisory classification whose supervisory skills were rated "Improvement Needed" or "Unsatisfactory"; or
 - (c) A rejection during probation within the last three-year period in the SROA classification; or
 - (d) A formal adverse action during the last three-year period, if the cause of the action was related to performance of the duties of the position; or
 - (e) Letters of correction from supervisors.
- (6) The CalHR must approve any exemptions to bypass SROA/surplus employees who respond as being interested prior to a conditional offer of employment being made to a non-SROA/surplus applicant.
- (7) To clear general reemployment and SROA/surplus, the following steps shall be documented:
 - (a) A waiver is received from all general reemployment and SROA employees whose names appear on the certification list.
 - (b) The command shall certify by sending an e-mail message to its CH analyst that no response was received to the VPOS, or those surplus employees that did respond are not interested in the position.

(c) The SROA/surplus employee is disqualified under one of the factors stated in (4) and (5) above and CalHR has granted an exception to bypass the employee.

7. CONTACTING ELIGIBLES ON A CERTIFICATION LIST.

a. STD. 628, Employment Inquiry. A STD. 628 is used by CH to contact eligibles on a certification list to determine interest in the position. There may be circumstances where a STD. 628 would not be sent as indicated in b. below. The CH analyst will coordinate with the command to make that determination.

(1) The STD. 628 will be sent out by CH instructing the eligibles to return the completed form to the CH analyst.

(2) **The STD. 628 is valid for 120 days from the contact date.** If a conditional offer of employment has not been made in that time frame, the eligibles shall be recontacted.

b. Expedited Contact of Eligibles. If the need to fill the position is urgent, commands may contact eligibles verbally, by telephone, or by telegram in lieu of sending the STD. 628.

(1) With the approval of the commander, the command may send telegrams to contact eligibles. Each telegram shall include as a minimum the Department's name; the position classification, salary, tenure, time base, and location; any special conditions of employment; name, address, and telephone number of the person to contact; and the date by which a reply must be received (no less than three days after the date the telegram is sent).

(2) Verbal or telephone contacts may be used to determine interest in the position. The same information that would be included in a telegram, (1) above, shall be provided verbally. A CHP 451, Confirmation Notice Regarding Eligibility For Appointment, shall be sent to each eligible contacted to confirm the response provided by verbal or telephone contact.

NOTE: A message left on a telephone recorder is not acceptable as a contact. If direct contact is not made, the command shall send a CHP 451.

c. Minimum Response Time Frames. When establishing the date by which an eligible's reply must be returned, the following minimum time frames shall apply:

(1) Verbal/Telephone: Two days response time following the initial contact, for any eligible contacted verbally or by telephone.

(2) Telegram: Three days, exclusive of Saturdays, Sundays, and legal holidays, after the date the telegram is sent.

(3) Mail (in town): Four days, exclusive of Saturdays, Sundays, and legal holidays, after the date the CHP 451 is sent.

(4) Mail (out-of-town): Six days, exclusive of Saturdays, Sundays, and legal holidays, after the date the CHP 451 is sent.

d. Soliciting Waivers is Illegal. Government Code Section 19681(c) prohibits any person "to use any unfair means to cause or attempt to cause any eligible to waive any rights..." Waivers are not to be solicited, and care should be taken to avoid making any statements which would be construed as asking or instructing an eligible to waive a position or to place the eligible's name on the inactive list.

e. CHP 451, Confirmation Notice Regarding Eligibility for Appointment. A CHP 451 is used to document the verbal or telephone response of an eligible on a certification list.

(1) The command shall send each eligible contacted the original CHP 451 and a copy shall be sent to its CH analyst.

(2) No response is required from the eligible.

8. CONDUCTING THE PREEMPLOYMENT INTERVIEW.

a. Definition of Preemployment. "Preemployment," as it is used in this section, is defined as meaning prior to the employer's determination to hire the applicant and to the applicant being informed of the decision.

b. Guide for Conducting Preemployment Interviews. Refer to Annex E for a guide to be used when conducting preemployment interviews. This guide is not intended to be an exhaustive compilation of all acceptable and unacceptable inquiries; however, the examples listed are representative of questions frequently asked.

c. Documents to be Completed by Applicants. Prior to the interview of a non-CHP applicant, the following documents need to be completed by the applicant:

(1) CHP 101, Appropriate Use of Automated Information & Systems Statement. As part of the interview process, the command shall ensure that the applicant is aware that reading and signing the CHP 101 is a condition of employment. (Refer to HPM 40.4, Information Security and Administration Manual.)

(2) CHP 420, Applicant Drug History Questionnaire - Nonuniformed. The CHP 420 provides information regarding the applicant's last use, if any, of illegal drugs or illegally used prescribed drugs. The command shall review the information provided on the CHP 420 to determine if the applicant meets the drug criteria established for the classification as follows:

(a) An applicant who discloses illegal drug use or illegal use of prescribed drugs within a two-year period of submitting an employment application shall be disqualified from employment consideration. Outside of that time period, each applicant will be evaluated on a case-by-case basis.

(b) For sensitive classifications (refer to paragraph 11.c.[2]), in addition to the above criteria, any illegal use of hard drugs such as heroin, cocaine, or methamphetamines, within a five-year period of submitting an employment application, should be viewed as a significant concern in assessing an applicant's suitability for hire. These time periods parallel the CalHR's policy regarding the recency of drug use relative to suitability for state employment.

(c) Inquiries. The ADA protects citizens who are, or have been, addicted to drugs or alcohol provided the individual is undergoing, or has undergone, some sort of rehabilitative treatment and whose addiction restricts the individual from performing a major life activity; for example, walking, running, or driving.

1 Inquiries regarding duration and frequency of drug use is prohibited prior to the applicant investigation.

2 Information concerning an applicant's last drug use, however, may legally be obtained by the command prior to the applicant investigation. By restricting drug inquiries to last use only, the Department is not at risk of violating ADA as the inquiries do not entail delving into habitual use. Additionally, knowledge of last use is all that a command would need in assessing an applicant's suitability for employment relative to the above drug use guidelines.

d. Prohibited Interview Questions/Inquiries. In addition to the interview guidelines provided in Annex E and those already provided, commands shall be aware of the following information regarding applicant questions/inquiries:

(1) The California Fair Employment and Housing Act prohibits any inquiry that is not job-related, either verbal or through the use of an application form, which directly or indirectly limits a person's employment opportunities because of race, color, religion, national origin, ancestry, medical condition (cancer related or genetic characteristics), disability (including AIDS), marital status, sex (including

pregnancy), age (40+), or exercise of family care leave or leave for an employee's own serious health condition.

(2) Consistent with federal discrimination regulations and state laws, departmental policy prohibits preemployment inquiries regarding disabilities. For the purpose of compliance with this policy, a disabled person is defined as "Anyone who has a physical or mental impairment which substantially limits one or more of that person's major life activities; has a record of such impairment; or is regarded as having such impairment." (Refer to HPM 10.12, Chapter 6, for examples.)

(3) Fair Employment and Housing Commission guidelines prohibit persons who actually hire or make a recommendation to hire from having an applicant's ethnic identification available at the time of an employment interview. To this end, commands shall ensure that page 5 of the STD. 678 regarding equal employment opportunity be immediately detached and destroyed if it is returned as part of an application package.

(4) Departmental policy prohibits questions regarding union affiliation during the preemployment interview. No reference is to be made to membership in, or attitude towards, any union during the interview.

(5) Labor Code Section 432.7 prohibits asking an applicant for employment to disclose information concerning an arrest which did not result in a conviction. It also prohibits employers from obtaining such information from any source or utilizing it in a determination for hiring the applicant unless an arrest for which a trial is pending is involved. This Labor Code Section does not apply to persons seeking employment as peace officers or other positions with access to criminal offender record information. Questions regarding convictions are permitted for any applicant.

e. Retention of Hiring Records. Government Code (GC) Section 12946 and regulations of the Fair Employment and Housing Commission require the maintenance of all records of employment practices including, but not limited to, applications and interview notes of applicants who are not hired and materials used in the selection of the appointee, for a two-year period of time. This two-year period is from the initial creation of receipt of these records. However, upon notice that a verified complaint has been filed related to a specific hiring decision, the command shall maintain and preserve any and all of these records and files until the complaint is fully and finally disposed of and all appeals and related proceedings are completed.

9. NONUNIFORMED APPLICANT INVESTIGATION PROCESS. An applicant investigation, including fingerprints, shall be conducted prior to making a conditional offer of employment. The applicant investigation is required when hiring a new employee, a transfer from another department, a transfer from a nonsensitive classification to sensitive classification, or a permissive reinstatement after a permanent separation from state service of more than one year. (Refer to HPM 10.1, Applicant Investigation Manual, Chapter 8, Applicant Investigation Process: Nonuniformed Classifications.)

10. CONDITIONAL OFFER OF EMPLOYMENT.

a. Definition. A conditional offer of employment is a hiring commitment made to an applicant, provided the individual successfully completes the medical screening.

b. CHP 437, Job Commitment Disclosure - Nonuniformed Applicant. The prospective employee shall read and sign the CHP 437 at the time of the conditional offer of employment. The CHP 437 informs the prospective employee that employment with the California Highway Patrol (CHP) is contingent upon the successful clearance of the applicant's medical (including a urinalysis, if applicable) and the applicant investigation. At this point, the command may request any verification needed to support claims made by the prospective employee, such as educational achievements and certifications.

c. Citizenship Requirements. A person considered for appointment to a position is not required to be either a United States (U.S.) citizen or a California resident. Aliens who are authorized to work in the U.S. may be appointed in any nonpeace officer civil service position.

(1) The U.S. Immigration Reform and Control Act of 1986 (IRCA) mandates that every employer shall implement an employment verification system in order to control unauthorized immigration. The IRCA requires that a Form I-9, Employment Eligibility Verification, be completed for every new/reinstated (mandatory or permissive) state employee. Instructions for completion of Form I-9 are on the reverse of the form. Form I-9 is available in the Department's Forms Directory on the I drive.

(2) A photocopy of the document(s) examined as evidence of identity and employment eligibility shall be attached to the completed form. Supervisors and managers are authorized to sign Form I-9 as the verifying departmental representative.

(3) Commands shall attach the original Form I-9, along with the photocopy of the appropriate documents, to the CHP 128.

d. Social Security Administration Requirement. Section 419(c) of Public Law 108-203, the Social Security Act of 2004, requires state employers to provide a statement to employees hired in a job not covered under Social Security. The purpose of this statement is to make individuals aware that accepting employment in a position subject to a retirement plan that excludes participation in Social Security could reduce their Social Security benefits or disqualify them from receiving Social Security benefits in the future.

(1) Individuals hired in the following classifications are required to sign a Form SSA-1945, Statement Concerning Your Employment in a Job Not Covered by Social Security, prior to beginning employment:

Motor Carrier Specialist I
Public Safety Dispatcher
Public Safety Operator
School Pupil Transportation Safety Coordinator

(2) Form SSA-1945 is available at the following website: www.socialsecurity.gov/form1945/. At the top of the form, the employee shall **print** the information required in Section 1, including name and Social Security number. The employee must sign and date the bottom of the form.

(3) Commands shall complete Form SSA-1945 using the employer name, California Highway Patrol, and employer ID, 5000, when completing the form. The original form shall be attached to the CHP 128 and kept in the employee's official personnel file and a copy will be sent to California Public Employees' Retirement System (CalPERS) by CH.

11. MEDICAL CLEARANCE OF APPLICANTS.

a. Medical examinations and health questionnaires shall not be obtained from applicants prior to a conditional offer of employment. The applicant shall be informed that the job offer is contingent upon medical approval and their eligibility for appointment.

b. STD. 910, Essential Functions Health Questionnaire. An approved STD. 910 is required for :

- (1) Initial appointment to all classifications **not listed** in c. (1) and (2) below.
- (2) Any change in classification.
- (3) Any change of duties in the current position.

(4) Any change in command.

c. STD. 610, Health Questionnaire (With Physician's Report). An approved STD. 610 (four-page form) and CHP 446D, Authorization to Release Medical Information, are required prior to appointment for all classifications listed in (1) and (2) below. An approved STD. 610 is valid for 90 days following the date of the medical examination. Should the appointment be delayed beyond the 90-day period, the Department may permit the candidate to certify in writing that there has been no change in medical condition since the date of the examination. A candidate's written certification will extend the validity of the approved STD. 610 an additional 90 days from the date of the examination on a one-time only basis.

(1) Nonsensitive Classifications. For the following classifications, a STD. 610 shall be completed by the applicant and a licensed physician of the applicant's choice or a licensed physician from the Department's approved list of physicians and clinics (refer to Annex F).

Audio Visual Equipment Technician
Automobile Mechanic
Baker I
Building Maintenance Worker
Cook Specialist I & II
Custodian
Food Service Technician I
Groundskeeper
Heavy Truck Driver
Lead Automobile Mechanic
Lead Custodian
Lead Groundskeeper
Lead Motorcycle Mechanic
Mailing Machine Operator I
Maintenance Mechanic
Maintenance Worker, Department of CHP
Mill and Cabinet Worker
Painter I
Physician & Surgeon
Skilled Laborer
Stationary Engineer
Stock Clerk
Supervising Cook I & II
Supervisor of Building Trades
Television Specialist
Warehouse Worker

(2) Sensitive Classifications. For the following classifications, a STD. 610 and a preemployment drug test shall be completed by the applicant and a licensed physician from the Department's approved list of physicians and clinics (refer to Annex F).

Automotive Technician I & II

Commercial Vehicle Inspection Specialist

Gunsmith

Motor Carrier Specialist I, CHP

Motorcycle Mechanic

Public Safety Dispatcher, CHP (**NOTE:** A Pure Tone Audiogram is also required for this classification.)

Public Safety Operator, CHP

School Pupil Transportation Safety Coordinator

Telecommunications Facilities Technician I & II, CHP

(a) Positive drug test results will disqualify applicants.

(b) Current Employee. When making an appointment to one of the above sensitive classifications, the following should be considered:

1 A state employee from another department currently in a sensitive or nonsensitive classification would require a medical examination and a drug test.

2 A current CHP employee, who has previously completed the medical examination and drug testing for employment with CHP and has not had a break in service would not be required to complete another one.

3 A current CHP employee in a nonsensitive classification would require a medical examination and a drug test.

4 A current CHP employee appointed in a sensitive classification prior to September 1996 would require a drug test only.

5 A preemployment drug test shall not be requested for employees on T&D assignments in sensitive classifications. However, before an appointment is made to the classification on a permanent basis, a preemployment drug test shall be required.

d. Fee(s). The Department will pay the fees for a medical examination and an additional examination, such as a drug test, required prior to employment in

accordance with existing rules and regulations contained in the State Administrative Manual (Section 0191). Fees in excess of the amounts below, or fees for examinations not duly authorized by the Department, are at the expense of the applicant.

- (1) Medical Examination: \$70.15
- (2) Urinalysis: \$20.00
- (3) Audiogram: \$42.86

e. Documents Processing. The command shall provide the applicant with the appropriate health questionnaire (STD. 910 or STD. 610), the CHP 446D, and the instructions for completion and return of the forms.

(1) CHP 438, Preemployment Medical Examination Process - Nonuniformed Classifications. The CHP 438 provides the command and applicant with instructions on the STD. 610 medical process. The command shall review the instructions on the CHP 438 with the applicant.

(2) STD. 610.

(a) The command is responsible for completion of the top portion of Page 1 and ensuring that the applicant has signed and dated the form in the required box on Page 2. The hiring agency information shall be completed as follows:

Hiring Agency Name	California Highway Patrol
Agency Address	P.O. Box 942898 Sacramento, CA 94298-0001

Hiring Manager's Name	Command/Location Code
Telephone Number	(916) 843-3820

(b) The command shall provide the applicant with the CHP 446D for completion. The CHP 446D shall be attached to the CHP 128.

(c) Physicians or clinics performing the medical examinations shall send the STD. 610, together with their reports and their bills, directly to CH. To ensure receipt of the STD. 610 from the medical facility, the command shall provide the applicant with a stamped pre-addressed envelope as follows:

California Highway Patrol
Classification and Hiring – 077
P. O. Box 942898
Sacramento, CA 94298-0001

(d) Billing instructions to physicians are on the reverse side of the STD. 610. Two weeks should be allowed for the State Medical Officer to review and approve prior to the proposed appointment date.

(3) Hiring Committee Review. The CHP Hiring Committee reviews, for all departmental open examinations, cases involving applicants who are being considered for employment with the CHP but have specific medical limitations which may prevent them from performing all the essential functions for the position with or without reasonable accommodation.

(4) STD. 910.

(a) The command shall complete and sign the front side of the STD. 910 and attach a copy of the duty statement. The applicant will be required to complete and sign the backside of the STD. 910 certifying the applicant's ability to perform the essential functions of the position with or without reasonable accommodation.

(b) Completed STD. 910s shall be forwarded to the CH analyst for review and approval. The STD. 910 should be sent at least one week prior to the proposed appointment date to allow sufficient time for review and approval.

12. LIMITED TERM APPOINTMENTS.

a. Definition. An LT appointment is an appointment made for a limited duration by a reinstatement, transfer, or certification list. The LT appointments are distinguished from permanent and probationary appointments by the fact that they are not granted civil service employment rights beyond the specified time.

(1) An employee in an LT appointment does not serve a probationary period. Time served in an LT appointment may not be used to complete probation or to otherwise qualify for permanent status.

(2) An LT appointment may be terminated at any time by either the employee or the appointing power.

(3) An appointment made from an LT certification list or by lateral transfer does not guarantee a permanent appointment at the termination or

expiration of the LT appointment. For an LT appointment to become permanent, the individual hired into the position shall be reachable on the **permanent** certification list or have had permanent status in a classification that is transferable under CCR Sections 430-433.

NOTE: If a certification list is abolished prior to a permanent appointment, the employee must participate in a new examination.

(4) An employee who has had a permanent appointment prior to accepting an LT appointment has the right to reinstate to the former permanent position upon the termination of the LT appointment.

b. Conditions Under Which a Limited Term Appointment May be Authorized. An LT appointment may be authorized for up to two years to replace an employee absent on extended sick leave, on leave of absence, or who is on a formal T&D assignment. An LT appointment is appropriate when the work to be performed is for a short duration or a project-type assignment that will be completed in less than two years. Additional information on LT appointments is available by contacting CH.

NOTE: The LT appointments may result in a permanent assignment. (A statement should be included on the LT advertisement advising potential applicants that the position may result in a permanent appointment.)

c. As an alternative to an LT appointment in offices that employ a full-time and a part-time employee in the same classification, the services of the part-time employee may be used on a full-time basis for short periods when approved by the Division commander. In these cases, the hours are reported as overtime on the CHP 71, Attendance Report. Cash payment is made by separate warrant for the additional hours worked. The rate is normally at straight time since a part-time employee is usually scheduled to work less than a 40-hour week.

13. EMPLOYMENT OF RETIRED ANNUITANTS.

a. Pursuant to GC Section 21224, persons retired from CalPERS are permitted to work up to 960 hours in any fiscal year without reinstating from retirement. Retired annuitants may be appointed for the following:

- (1) To cover emergency-related work.
- (2) To conduct a special project of limited duration.
- (3) To cover ongoing workload.

(4) To cover a position that has remained vacant for an extended period of time.

b. Government Code Section 21224 prohibits a retired annuitant from returning to state employment if, during the 12-month period prior to the proposed appointment, the retired annuitant received unemployment insurance payments based on state employment as a retired annuitant. Returning retired annuitants are required to complete the following forms.

(1) CalHR 715, Retired Annuitant Self Certification Form, requires the retired annuitant to certify whether or not the retired annuitant has received unemployment insurance.

(2) DE 1181, Authorization for Release of Unemployment Insurance Records for Retired Annuitant, authorizes the Employment Development Department to release the retired annuitant's records regarding unemployment insurance payments.

c. Pursuant to GC Section 21228, applicants who are CalPERS disability retirees (city, county, state, public school or utility, etc.) may only be permitted to work after the applicant receives clearance from CalPERS. The CalPERS may require a starting date, starting salary, and a copy of the duty statement for the applicant's physician to review and complete a doctor's report. A conditional offer of employment shall not be made to applicants prior to receiving CalPERS' approval and clearance. A copy of the applicant's clearance letter from CalPERS is required and should be attached to the hiring documents.

d. Employment as a retired annuitant is not allowed if the applicant is younger than the normal retirement age unless both of the following conditions are met. This restriction, which is in California retirement law, complies with Internal Revenue Service tax regulations prohibiting in-service distribution of pension benefits.

(1) There is no verbal or written agreement to return to work as a retired annuitant between the employee and the employer before the employee retired.

(2) There is a bona fide break in service of 60 days between the employee's retirement date and the date employment as a retired annuitant will begin.

e. General Information.

(1) Classification. Retired annuitants shall be appointed to a nonuniformed classification in which the person had permanent or probationary status at the

time of retirement or in another classification to which the employee could have permanently transferred, reinstated, or demoted at the time of retirement. Retired annuitants shall be placed into classifications commensurate with the duties being performed (refer to 13.f.).

(2) Funding. Retired Annuitants shall be funded from temporary blanket funds.

(3) Salary. Retired annuitants shall be paid at a rate substantially the same as other employees performing comparable duties. In no case shall the new salary step exceed the salary step the employee was receiving at the time of retirement.

(4) Benefits. Retired annuitants shall be compensated only for actual time worked and shall not earn benefits of any kind; for example, sick leave, vacation, holiday pay, personal holiday, or retirement credits.

(5) Medical Clearance. An approved medical examination or health questionnaire is required prior to hiring a retired annuitant regardless of classification. (Refer to paragraph 11.)

f. Documentation Required. A CHP 127 along with a duty statement and a current organization chart shall be submitted electronically as detailed in paragraph 2.a. through channels to the appropriate Commissioner for approval. The CHP 127 shall contain the following information:

(1) Purpose of the hire and justification; for example, the position is for a limited time and requires specific expertise.

(2) Skills provided by the retired annuitant.

(3) Expected beginning and ending dates, and estimated cost of appointment.

g. Exclusions.

(1) The Department shall not loan retired annuitants to other agencies or departments.

(2) Retired employees who will be providing testimony will not be hired as retired annuitants, but through the use of personal services contracts.

(3) Uniformed classifications shall not be used for retired annuitants.

14. EMPLOYMENT OF STUDENT ASSISTANTS/YOUTH AIDS.

a. The hiring of Student Assistants and Youth Aids for summer employment and at other times of the year is subject to available funding.

b. Student Assistants. Students receive on-the-job instruction and perform work that will provide practical experience related to their field of study and develop familiarity with the laws and programs administered by the State of California. Typical tasks would include computation, programming, analysis of data, assisting in research and analysis, and other related activities in the Department.

c. Youth Aids. Youth Aids perform a variety of tasks considered to be the least difficult for jobs requiring limited or no work experience. The Youth Aid performs routine tasks and assists other state employees in one or more of the following activities: clerical, manual labor, storekeeping, reception and telephone answering, food service and preparation, nonmedical patient care, office equipment operation, and grounds maintenance.

d. Duration of Appointment. An individual may not work more than a total of 1500 hours in any consecutive 12-month period.

e. Documentation Required. A CHP 127 with a duty statement and current organization chart shall be submitted electronically as detailed in paragraph 2.a. through channels to the appropriate Commissioner for approval. The CHP 127 shall contain the following information:

(1) Purpose of hire and justification; for example, the position is for a limited time to assist with a special project.

(2) Expected beginning and ending dates, and estimated cost of appointment.

f. All Student Assistants must provide official transcripts (no copies) and verification of college/university enrollment. At the beginning of each semester/quarter, students will be required to provide proof of college enrollment in order to continue employment with the Department.

g. Youth Aids under 18 years of age must possess an appropriate work permit required by the Education Code.

15. TEMPORARY ASSIGNMENTS.

- a. Temporary assignments or loan of employees can only be permitted if the duties to be performed are within the scope of the employee's current classification. Temporary assignments shall be coordinated with CH.
- b. Temporary assignments or loan of employees within CHP or between departments, such as T&D assignments, may be made for a period not to exceed two years. (Refer to Chapter 34.)
- c. Temporary assignments or loan of employees between jurisdictions may be made for a period not to exceed four years. Requests to fill behind an employee on this type of assignment shall be coordinated with CH.

16. GENERAL INFORMATION.

a. Salary Rates. Appointments of employees new to state service are normally made at the minimum salary rate for the classification involved. Commands requesting an exception to the minimum rate for prospective employees shall provide a written justification to their CH analyst for approval at the time a conditional offer of employment is made. The following are the types of conditions for which a salary rate above the minimum could be requested.

(1) Hire-Above-the-Minimum Salary Rate. A Hire-Above-the-Minimum (HAM) salary rate may be requested when a prospective employee's application/resume exhibits extraordinary qualifications and the classification has recruitment difficulty. To request a HAM salary rate, commands shall send a written justification to their CH analyst.

(a) The justification shall specify the requested salary and extraordinary qualifications (contribution to the work of the Department significantly beyond that which other applicants offer), and explain the recruitment difficulty. However, a request for a HAM cannot be made if all of the aforementioned criteria are not substantiated; for example, if there is no recruitment difficulty for the classification.

(b) Submit all documentation that supports the request (resume, application, etc.) along with copies of a written bona fide salary offer from another employer or the prospective employee's most recent pay history for the past year; for example, the previous year's W-2(s) or income tax(s), or pay stubs for the previous 12 months.

(2) Higher Range Salary Rate. A higher range salary rate may be appropriate when a prospective employee's application/resume exhibits outside

experience to qualify for a higher range in classifications, such as the Office Assistant classification that has ranges A and B. The prospective employee's application/resume, etc., describing the experiences that qualify for a higher salary range, shall be submitted to CH. The CH analyst will determine the appropriate salary range for which the employee is qualified.

(3) Reinstated Employee Salary Rate. A salary rate higher than the minimum rate may be appropriate when a prospective employee has prior state service in the same or substantially the same classification and, upon separation, was earning more than the minimum rate. The CH analyst will determine the appropriate salary rate for which the employee is qualified.

b. Employment of Related Employees.

(1) Policy. It is the Department's policy that no employee shall use personal power or influence to aid or hinder other employees because of a personal relationship by virtue of blood, marriage, or adoption. Accordingly, the Department seeks to avoid employment situations where a supervisory or command relationship exists between related employees assigned to the same command location. **(Bargaining Unit 7 employees should refer to the nepotism policy in their contract.)**

(2) Definition of Related Employee. For purposes of this chapter, persons related by blood, marriage, or adoption are any of the following: husband, wife, father, mother, son, daughter, brother, sister, half-brother, half-sister, grandparent, grandchild, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, uncle, aunt, nephew, niece, and first cousin.

(3) Assignment. To comply with this policy, applicants for employment, employees offered promotional opportunities, employees requesting transfer or reinstatement, and cadets requesting initial assignment preference shall be required to indicate if they are related, as defined in paragraph (2) above, to departmental employees who are supervisors or commanders, or to indicate if the applicant or employee may supervise or command a related employee assigned to the same command location. (For transfer provisions, refer to GO 10.6.)

(a) Normally, all departmental employees, including immediate family members, may be allowed to work together as coworkers or partners in an operational environment. Commanders shall reserve the right to preclude any assignment of employees in the command if, in their judgment, the assignment could cause internal morale or supervisory problems.

(b) Employees who become related after assignment to the same command location and are in a subordinate/supervisory relationship shall notify their commander. Upon notification, the commander will review the current assignments for conformity with departmental policy with consideration given to the needs of the command's operations. Approval of the commander, with the concurrence of the next level of review, is required for continuance of the assignments.

(4) Supervision.

(a) Related employees will not be assigned to the same command when either is the commander.

(b) Direct supervision of a related employee will not be permitted.

ANNEX A

CHP 127, REQUEST FOR POSITION ACTION

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL REQUEST FOR POSITION ACTION CHP 127 (Rev. 9-11) OPI 077		CLICK HERE FOR ADDITIONAL PROCESS INFORMATION	PERSONNEL USE ONLY DATE TO COMMAND: _____ FILE: _____
1. COMMAND INFORMATION			
DIVISION <u>Administrative Services Division</u>	COMMAND/LOCATION CODE <u>Human Resources Section / 077</u>	DATE <u>07/01/2012</u>	
CONTACT PERSON <u>Karen Mooney</u>	TELEPHONE NUMBER (999) 999-9999		
2. POSITION ACTION (HPM 10.3, Chapter 2)			
TYPE OF ACTION <input checked="" type="checkbox"/> Refill existing position (No change in duties) <input type="checkbox"/> Reclassify existing position (HPM 10.3, Chapter 33) <input type="checkbox"/> Refill existing position (Change in duties) <input type="checkbox"/> Hire a Retired Annuitant <input type="checkbox"/> Establish a new budgeted position <input type="checkbox"/> Hire a Student Assistant/Youth Aid <input type="checkbox"/> Transfer position between commands from _____ to _____ <input type="checkbox"/> Overlap a position from _____ to _____ (To be filled out by receiving command.) <input type="checkbox"/> Other			
CURRENT CLASSIFICATION <u>Office Assistant (Typing)</u> <small>(ATTACH CURRENT DUTY STATEMENT AND ORGANIZATION CHART)</small>		PROPOSED CLASSIFICATION (FOR RECLASSIFY OF EXISTING POSITION) <small>(ATTACH PROPOSED DUTY STATEMENT AND ORGANIZATION CHART)</small>	
ORGANIZATION CHARTS MUST BE DATED AND SIGNED BY THE COMMANDER OR DESIGNEE. IDENTIFY AFFECTED POSITION(S) WITH AN ASTERISK.			
CURRENT OR LAST INCUMBENT ID NUMBER <u>Jane E. Doe</u>	POSITION NUMBER <u>388-077-1379-001</u>	PROMOTION IN PLACE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> Designated Position - Conflict of Interest Code
TENURE <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Limited Term _____ Months <input type="checkbox"/> Retired Annuitant Beginning Date _____ Ending Date _____ <input type="checkbox"/> Other		TIME BASE <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time _____ <input type="checkbox"/> Interim/Int (Hourly)	
FUNDING <input checked="" type="checkbox"/> Position Funds <input type="checkbox"/> Temporary Help Funds (Overlap, Student Assistant, Retired Annuitant) Estimated Temporary Help Fund Cost \$ _____			
3. JUSTIFICATION			
DETAILED EXPLANATION TO SUPPORT REQUESTED ACTION (INCLUDE DATES, REASON FOR VACANCY, ETC.) <u>Requesting to refill an Office Assistant (Typing) position due to the resignation of the last incumbent effective 06/01/2012.</u>			
4. APPROVAL SIGNATURES			
COMMANDER (OR DESIGNEE) _____			DATE <u>07/01/2012</u>
DIVISION COMMANDER (OR DESIGNEE) _____			DATE <u>07/01/2012</u>
APPROPRIATE COMMISSIONER (REFER TO HPM 10.3, CHAPTER 2) REQUEST APPROVED IN CONCEPT, CONTINGENT UPON APPROVAL BY HUMAN RESOURCES SECTION _____			
CLASSIFICATION AND HIRING USE ONLY			
REQUESTED ACTION <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		EFFECTIVE DATE _____	<input type="checkbox"/> Division Notified _____ <input type="checkbox"/> Command Notified _____
POSITION NUMBER _____		VACANT DATE _____	
ANALYST _____	DATE _____	COMMANDER (IF REQUESTED) _____	DATE _____
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ANNEX B

ADVERTISING VACANCIES BY COMMUNICATIONS NETWORK MESSAGE

1. WHEN REQUIRED. The Department's electronic mail system shall be utilized to send a Communications Network (Comm-Net) message to advertise all nonuniformed vacancies, at all levels, except as listed below:

2. EXCEPTIONS.

a. California Highway Patrol Transfers. An exception to this policy may be made when it is known that a transfer in the same classification as mandated by an existing collective bargaining agreement will be effected.

b. Promotion in Place. An exception to this policy may be made for a promotion in place as no true vacancy exists.

Note: The CHP 440A, Applicant Flow Data Chart, should document the fact that a Comm-Net message was not utilized and why.

3. LIMITED TERM APPOINTMENTS. When the position is being filled on a limited term basis, and the position may be filled permanently at a later date, commands may put a statement indicating this on the Comm-Net message. The statement may allow commands to hire the present incumbent into the permanent position, without readvertising the position.

4. ADVERTISING AND DISTRIBUTION PROCEDURES.

a. Commands shall develop a Comm-Net message to advertise the vacancy. The Comm-Net message shall be prepared **as a Word document** (include position number in subject line), and submitted electronically as part of the CHP 127 package for approval from the appropriate levels of review.

b. Comm-Net messages advertising all nonuniformed vacancies, at all levels, shall include a statement indicating the expected duration of the selection process. The Comm-Net message shall include the following notification: Although the intent is to fill this vacancy as soon as possible, the exact duration of the selection process can vary and is unknown at this time.

ANNEX B

ADVERTISING VACANCIES BY COMMUNICATIONS NETWORK MESSAGE *(continued)*

c. The CH analyst will ensure the vacancy is advertised on the Vacant Position Database (VPOS). The VPOS can be accessed through the California Department of Human Resources (CalHR) Web site at www.calhr.ca.gov.

d. Commands shall send the Comm-Net message to "All Commands (COMD)" indicating that the Comm-Net message shall be posted in a place that is accessible to all employees for a minimum of ten working days. The advertisement for each vacancy is valid for 120 days. In all cases, if a conditional offer has not been made within that time frame, the vacant position shall be re-advertised.

ANNEX B

**ADVERTISING VACANCIES BY
COMMUNICATIONS NETWORK MESSAGE (*continued*)**

Sample Communications Network Message

To: All Commands

*****This message shall be posted in a place accessible to all employees for a minimum of ten working days.*****

Reference: Job Opportunities and Exams

Subject: Vacancy - Office Assistant (Typing) – Position Number 388-077-1379-001

Human Resources Section has an immediate opening for a permanent/full-time Office Assistant (Typing).

Salary: \$2073 - \$2520 (Range A)
 \$2248 - \$2733 (Range B)

Duties: This position functions as the section's main receptionist and provides clerical support, typing miscellaneous forms, documents, and correspondence. This position is also responsible for the outgoing mail and ordering supplies.

Desirable Qualifications: Must be tactful and maintain a good rapport with employees, peers, and supervisors. Confidentiality is essential in this position.

Who May Apply: Persons currently in the classification eligible to transfer, lateral transfers, voluntary demotions, reinstatements, those eligible for appointment from a certification list, and employees on an SROA list or designated surplus.

How To Apply: Interested individuals should submit a STD. 678, Examination/Employment Application (Rev. 06/10), and the Criminal Record Supplemental Questionnaire to the address below. Please indicate your eligibility in the explanation section of the application. Surplus applicants must attach a copy of their letter. The STD. 678 can be accessed through the CalHR Web site at www.calhr.ca.gov. Please include a copy of this notice with your application.

ANNEX B

ADVERTISING VACANCIES BY COMMUNICATIONS-NETWORK MESSAGE (*continued*)

Although the intent is to fill this vacancy as soon as possible, the exact duration of the selection process can vary and is unknown at this time.

Contact: Interested individuals shall submit a STD. 678, Examination/Employment Application (Rev. 06/10), to:

Jane Doe
CHP/Human Resources Section
P. O. Box 942898
Sacramento, CA 94298-0001

Questions regarding this position may be directed to (916) 843-3820.

Final Filing Date: August 1, 2012.

CHP Headquarters/Administrative Services Division/077/A8822

ANNEX C

CHP 128, REQUEST FOR PERSONNEL ACTION

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL REQUEST FOR PERSONNEL ACTION CHP 128 (Rev. 6-12) OPI 077		PERSONNEL USE ONLY DATE TO COMMAND: _____ FILE: _____
1. COMMAND INFORMATION		
DIVISION Administrative Services Division	COMMAND LOCATION CODE Human Resources Section / 077	DATE 07/01/2012
CONTACT PERSON Karen Mooney		TELEPHONE NUMBER (999) 999-9999
2. POSITION INFORMATION		
CLASSIFICATION Office Assistant (Typing)	POSITION NUMBER 388-077-1379-001	TENURE Permanent
CURRENT OR LAST INCUMBENT Jane E. Doe	BILINGUAL PAY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	TIME BASE Full Time
3. APPOINTMENT ACTION (HPM 10.3, Chapter 2)		
REQUESTED EFFECTIVE DATE 08/01/2012	NAME Kim Rad	
TYPE OF APPOINTMENT (CHOOSE ONE)		
<input checked="" type="checkbox"/> New to State Service <input type="checkbox"/> Promotion <input type="checkbox"/> Voluntary Demotion <input type="checkbox"/> Limited Term to Permanent	<input type="checkbox"/> Transfer From: _____ To: _____ <input type="checkbox"/> Training & Development Assignment <input type="checkbox"/> Reinstatement (Permissive/Mandatory) <input type="checkbox"/> Extending Limited Term (Maximum 24 months)	<input type="checkbox"/> Time Base Change <input type="checkbox"/> Student Assistant <input type="checkbox"/> Retired Annuitant <input type="checkbox"/> Other _____
TENURE <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Limited Term _____ Months <input type="checkbox"/> Retired Annuitant	TIME BASE <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time _____ <input type="checkbox"/> Interim (Hourly)	
NONINFORMED DOCUMENTATION		ATTACHED NOT REQUIRED
<input checked="" type="checkbox"/> STD. 678, Examination and/or Employment Application		<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Applicant Investigation Completed per HPM 10.1, Chapter 3		<input checked="" type="checkbox"/>
<input type="checkbox"/> Valid Driver License (If Required)		<input type="checkbox"/>
<input checked="" type="checkbox"/> Typing Certificate (If Required)		<input checked="" type="checkbox"/>
<input type="checkbox"/> STD. 610, Health Questionnaire (With Physician's Report) (or)		<input type="checkbox"/>
<input checked="" type="checkbox"/> STD. 910, Essential Functions Health Questionnaire		<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> CHP 44BA, Applicant Flow Data Chart Completed per HPM 10.3, Chapter 2		<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Form I-9, Employment Eligibility Verification		<input checked="" type="checkbox"/>
<input type="checkbox"/> Form SSA-1945, Statement Concerning Your Employment in a Job Not Covered by Social Security (If Required)		<input type="checkbox"/>
<input checked="" type="checkbox"/> CHP 101, Appropriate Use of Automated Information & Systems Statement		<input checked="" type="checkbox"/>
<input type="checkbox"/> CHP 446D, Authorization to Release Medical Information (If Required)		<input type="checkbox"/>
UNINFORMED DOCUMENTATION		ATTACHED NOT REQUIRED
<input type="checkbox"/> Position Advertised Date: _____		<input type="checkbox"/>
<input type="checkbox"/> Expenses Authorized <input type="checkbox"/> Yes <input type="checkbox"/> No (Justification Attached)		<input type="checkbox"/>
<input type="checkbox"/> Managerial Relocation <input type="checkbox"/> Yes <input type="checkbox"/> No (Justification Attached)		<input type="checkbox"/>
<input type="checkbox"/> Voluntary Administrative Transfer		<input type="checkbox"/>
<input type="checkbox"/> Mandatory/Involuntary Administrative Transfer (Refer to GO 10.7 and/or HPM 0.1)		<input type="checkbox"/>
4. REMARKS		
Requesting approval of new hire from the certification list for Kim Rad.		
5. APPROVAL SIGNATURES		
COMMANDER (OR DESIGNEE)		DATE 07/01/2012
DIVISION COMMANDER (OR DESIGNEE)		DATE 07/01/2012
CLASSIFICATION AND HIRING USE ONLY		
APPROVED EFFECTIVE DATE	COMMAND NOTIFIED	DATE
CLASSIFICATION AND HIRING		DATE
<small>Uniforms: Original to appropriate Commissioner Nonuniforms: Original to Human Resources Section, cc to appropriate Commissioner Destroy Previous Editions</small>		<small>Chp128_0612.pdf</small>

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ANNEX D

CHP 440A, APPLICANT FLOW DATA CHART

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL CHP 440A (Rev. 8-12) OPI 011		Read Instructions on reverse FORM SHALL BE COMPLETED FOR ALL ADVERTISED VACANCIES		ROUTE TO		INITIAL & DATE	
				1 Division			
				2 OEE0			
1 COMMAND INFORMATION							
DIVISION Administrative Services Division			COMMAND/LOCATION CODE Human Resources Section / 077			DATE 07/01/2012	
CONTACT PERSON Jane E. Doe			TELEPHONE NUMBER (999) 999-9999				
2 POSITION INFORMATION							
CLASSIFICATION Office Assistant (Typing)						POSITION NUMBER 388-077-1379-001	
3 APPLICANTS INTERVIEWED (HPM 10.12, Chapter 12)							
GROUP	MALE	FEMALE	TOTAL	GROUP	MALE	FEMALE	TOTAL
White		7	7	American Indian			
Hispanic		3	3	Pacific Islander			
Black/African American		4	4	Other			
Asian		1	1	Total Interviewed		15	15
Filipino				Disabled		1	1
No interview conducted. (Submit ethnicity/gender information for applicant once known.)							
4 APPOINTMENT ACTION							
ETHNICITY OF SELECTED APPLICANT Hispanic		GENDER F <input checked="" type="checkbox"/>	DISABILITY (IF ANY) <input type="checkbox"/> Visual <input type="checkbox"/> Physical <input type="checkbox"/> Hearing <input type="checkbox"/> Speech <input type="checkbox"/> Developmental				
SPECIAL ACCOMMODATION REQUIRED FOR DISABILITY (USE SEPARATE SHEET IF NECESSARY)							
TYPE OF APPOINTMENT (CHOOSE ONE)							
<input type="checkbox"/> New to State Service		<input type="checkbox"/> CHP Transfer			<input type="checkbox"/> Training & Development Assignment		
<input type="checkbox"/> Promotion		<input type="checkbox"/> CHP 220 Transfer			<input type="checkbox"/> Reinstatement (Permanent/Mandatory)		
<input type="checkbox"/> Voluntary Demotion		<input checked="" type="checkbox"/> Outside Transfer (from another state agency)			<input type="checkbox"/> LEAP		
<input type="checkbox"/> Different Prior Classification		<input type="checkbox"/> SROA/Surplus			<input type="checkbox"/> Post and Bid		
TENURE <input checked="" type="checkbox"/> Permanent				TIME BASE <input checked="" type="checkbox"/> Full time			
<input type="checkbox"/> Retired Annuitant				<input type="checkbox"/> Part time			
<input type="checkbox"/> Limited term _____ Months				<input type="checkbox"/> Intermittent (Hourly)			
<input type="checkbox"/> Student Assistant							
5 ADVERTISING							
METHOD				EXPLAIN RESULTS			
<input checked="" type="checkbox"/> MIS Comm-Net (Attach copy)				NUMBER OF APPLICATIONS RECEIVED: 3		NUMBER OF ELIGIBLE APPLICANTS: 3	
				NARRATIVE EXPLANATION Three offered interviews.			
<input checked="" type="checkbox"/> VPOS				NUMBER OF APPLICATIONS RECEIVED: 12		NUMBER OF ELIGIBLE APPLICANTS: 9	
				NARRATIVE EXPLANATION Three not eligible - no transfer or list eligibility. Seven of the eligibles were offered interviews. No Surplus/SROA received. Candidate selected.			
<input checked="" type="checkbox"/> Other: Certification List				NUMBER OF APPLICATIONS RECEIVED: 6		NUMBER OF ELIGIBLE APPLICANTS: 6	
				NARRATIVE EXPLANATION Six offered interviews, one did not appear. No General Reemployment or SROA received.			
6 APPROVAL SIGNATURES							
INTERVIEWER'S SIGNATURE							
COMMANDER'S SIGNATURE							
DIVISION CHIEF'S SIGNATURE						DATE 07/12/2012	
EEO REVIEW AND SIGNATURE						DATE 07/12/2012	
In order to comply with state and federal laws, the Department must maintain records of the employee selection process. This information will not be part of any permanent personnel files and will be used for statistical reporting purposes only.							
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ANNEX D

CHP 440A, APPLICANT FLOW DATA CHART (*continued*)

CHP 440A (Rev 5-12) OPI 011 (*Back*)

INSTRUCTIONS

(Refer to HPM 10.3, Chapter 2, Section 5.)

Attach a copy of the Comm-Net for the position filled to the CHP 440A.

DO NOT RECORD NAMES OR IDENTIFY INDIVIDUALS ON THIS FORM.

1. Command Information. Identify the Division, Command/Location Code, date the form is completed, and include a contact person and telephone number for any questions arising from information provided in the CHP 440A.
2. Position Information. The classification, position number, and tenure of the advertised position.
3. Applicants Interviewed. Ethnicity and gender of the applicants interviewed. This is accomplished through visual observation during the interview process using the following definitions. Persons with disabilities will be entered twice; under the appropriate ethnic group and under "Disabled." In accordance with State Personnel Board Regulations 547.80, a description of the ethnic categories from page one are described below:

White: (*not of Hispanic descent*) Includes all people whose origin is Caucasoid.

Hispanic: Includes all people whose origin is Mexico, Puerto Rico, Cuba, Spain, or the Spanish-speaking countries of Central or South America. It does not include persons of Portuguese or Brazilian origin, or person who acquire a Spanish surname.

Black/African American: (*not of Hispanic descent*) Includes all people whose origin is any of the Black racial groups of Africa.

Asian. Includes all people whose origin is the Far East, Southeast Asia, or the Indian subcontinent and includes, for example, China, Japan, and Korea.

Filipino: Includes all people whose origin is the Philippine Islands.

American Indian/Native American: Includes all people who are a member of an American Indian Tribe or band recognized by the Federal Bureau of Indian Affairs, generally one-quarter or more American Indian and indigenous to the United States or Canada.

Pacific Islander: Includes all people whose origin is in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Other: When applicant identifies (*or is identified*) as a member of an ethnic group not covered by the above categories, please specify the group.

NOTE: If no interviews conducted, the CHP 440A still needs to be completed; however, the CHP 440A does not need to be submitted until the employee's ethnicity and gender is known (e.g., once the employee reports to the new command).

4. Appointment Action. Identify the ethnicity, and gender of the applicant chosen to fill the vacant position noting disabilities (if any) and any special accommodations required for the disability. Under Type of Appointment, choose one of the appointment types (e.g., New to State Service, CHP Transfer), tenure, and time base of the advertised position.
5. Advertising. Identify the methods used in advertising, number of applications received and number of eligible applicants; and, narrative explanation of the difference between the number of applicants received and number of eligible applicants.
6. Approval Signatures. The CHP 440A includes signatures for the interviewer, commander, and OEEO.

The Division chief is to review and approve the completed form, and forward both the CHP 440A and Comm-Net to the Office of Equal Employment Opportunity.

ANNEX E

GUIDE FOR CONDUCTING PREEMPLOYMENT INTERVIEWS

SUBJECT	QUESTION	
	ACCEPTABLE	UNACCEPTABLE
NAME		Maiden name.
RESIDENCE	Statement by employer that hire is subject to a residency requirement.	"Do you own or rent your home?"
AGE	Statement by employer that hire is subject to an age requirement. Statement by employer that hire may require a work permit if applicant is a minor.	Age. Birth date. Dates of attendance or completion of elementary or high school.
BIRTHPLACE, CITIZENSHIP	Statement by employer that completion of the Form I-9, Employment Eligibility Verification, is a requirement of the hire.	Birthplace of applicant, applicant's parents, spouse, or other relatives. "Are you a U. S. Citizen?" OR Citizenship of applicant, applicant's parents, spouse, or other relatives. Requirement that applicant produce naturalization, first papers, or alien card prior to employment.
	Statement by employer that the ability to speak and/or write a specific language(s) other than English is relevant to the job for which applicant is applying.	Questions as to nationality, lineage, ancestry, national origin, descent, or parentage of applicant, applicant's parents or spouse. "What is your mother tongue?" OR Language commonly used by applicant. How applicant acquired ability to read, write, or speak a foreign language.
SEX, MARITAL STATUS, FAMILY	Statement of employer's policy regarding work assignment of employees who are related.	Questions which indicate applicant's sex. Questions which indicate applicant's marital status. Number and/or ages of children or dependents. Provisions for child care. Questions regarding pregnancy, child bearing or birth control. Name or address of relative, spouse, or children of adult applicant.

ANNEX E

GUIDE FOR CONDUCTING PREEMPLOYMENT INTERVIEWS *(continued)*

SUBJECT	QUESTION	
	ACCEPTABLE	UNACCEPTABLE
		With whom do you reside?" OR "Do you live with your parents?"
RACE, COLOR		Questions as to applicant's race or color. Questions regarding applicant's complexion or color of skin, eyes, or hair.
PHYSICAL DESCRIPTION, PHOTOGRAPH	Statement by employer that a photograph will be required after employment.	Questions as to applicant's height and weight. Require applicant to affix a photograph to an application. Request applicant to submit a photograph. Require a photograph after interview but before employment. Videotaping interviews.
PHYSICAL OR MENTAL DISABILITY	Statement by employer that hire may be contingent on applicant passing a job-related physical examination. Statement by employer that there are physical or mental requirements of the job (e.g., requires that you lift up to a maximum of 60 pounds; requires that you possess a valid Class A driver license issued by the Department of Motor Vehicles.)	Questions regarding applicant's general medical condition, state of health or illness. Questions regarding receipt of Workers' Compensation. "Do you have any physical or mental disabilities or handicaps?"
BONDING	Statement by employer that bonding is a condition of hire.	Questions regarding refusal or cancellation of bonding.
RELIGION	Statement by employer of regular days, hours or shifts to be worked.	Questions regarding applicant's religion. Religious days observed. OR "Does your religion prevent you from working weekends or holidays?"

ANNEX E

GUIDE FOR CONDUCTING PREEMPLOYMENT INTERVIEWS *(continued)*

SUBJECT	QUESTION	
	ACCEPTABLE	UNACCEPTABLE
CREDIT REPORT		Any report which would indicate information which is otherwise illegal to ask (e.g., marital status, age, or residency).
MILITARY SERVICE	Questions regarding job-related skills acquired during applicant's U.S. military service.	General questions regarding military service such as dates and type of discharge. Questions regarding service in a foreign military.
ECONOMIC STATUS		Questions regarding applicant's current or past assets, liabilities, or credit rating, including bankruptcy or garnishment.
ORGANIZATIONS, ACTIVITIES	"Please list job-related organizations, clubs, professional societies, or other associations to which you belong--you may omit those which indicate your race, religious creed, color, disability, marital status, national origin, ancestry, sex, or age."	"List all organizations, clubs, societies, and lodges to which you belong."
REFERENCES		Questions of applicant's former employers or acquaintances which elicit information specifying the applicant's race, color, religious creed, national origin, ancestry, physical or mental disability, medical condition, marital status, age, or sex.
NOTICE IN CASE OF EMERGENCY		Name and address of relative to be notified in case of accident or emergency.
MISCELLANEOUS	Notice to applicant that any job-related misstatements or omissions of material facts on the applicant's application may be cause for dismissal.	

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ANNEX F

PHYSICIANS AND CLINICS FOR PREEMPLOYMENT MEDICAL EXAMINATIONS NONUNIFORMED SENSITIVE CLASSIFICATIONS

101 - NORTHERN DIVISION

Hilltop Medical Clinic

1093 Hilltop Drive
Redding, CA 96003
Phone: (530) 221-1565
Fax: (530) 221-3912

(Hearing Test)

Phil Putnam

1109 Heartnell Avenue, Suite 4
Redding, CA 96002
Phone: (530) 222-1330
Fax: (530) 223-4406

Ukiah Valley Medical Center

Job Care Department

232B Hospital Drive
Ukiah, CA 95482
Phone: (707) 467-4994
Fax: (707) 467-3728

201 - VALLEY DIVISION

St. Joseph's Medical Plaza

1801 East March Lane
Suite 480
Stockton, CA 95219
Phone: (209) 954-3200
Fax: (209) 954-3250

***H & H Occupational Medical Associates**

7600 Hospital Drive, Suite F-2
Sacramento, CA 95823
Phone: (916) 525-1554
Fax: (916) 525-1537

201 - VALLEY DIVISION (CONT.)

Tahoe Forest Health Services

10956 Donner Pass Road
Suite 230
Truckee, CA 96161
Phone: (530) 582-3277 ext. 10
Fax: (530) 550-0544

301 - GOLDEN GATE DIVISION

Pacific Occupational Health Clinic

3 South Linden Avenue
South San Francisco, CA 94080
Phone: (650) 589-2647
Fax: (650) 583-5549

401 - CENTRAL DIVISION

Concentra Medical

9500 Stockdale Highway
Suite 100
Bakersfield, CA 93311
Phone: (661) 882-4899
Fax: (661) 322-9501

Noble Industrial Medical Clinic

394 East Yosemite Avenue
Suite 200
Merced, CA 95340
Phone: (209) 383-3990
Fax: (209) 383-2082

501 - SOUTHERN DIVISION

Glendale Adventist

Occupational Medical Center

600 South Glendale Avenue
Glendale, CA 91205
Phone: (818) 502-2050
Fax: (818) 241-3575

501 - SOUTHERN DIVISION (CONT.)

Orthopedic Medical Center Urgent Care

2400 South Flower Street
Los Angeles, CA 90007
Phone: (213) 742-1162
Fax: (213) 742-1512

***Warner Medical Center**

6325 Topanga Canyon
Boulevard, Suite 501
Woodland Hills, CA 91367
Phone: (818) 346-1440
Fax: (818) 346-9356

601 - BORDER DIVISION

Sharp Rees-Stealy Medical Group

Occupational Medicine

2020 Genesee Avenue, Second
floor
San Diego, CA 92123
Phone: (858) 616-8400
Fax: (858) 292-7189

2001 4th Avenue
San Diego, CA 92101
Phone: (619) 446-1524
Fax: (619) 234-9160

525 3rd Avenue
Chula Vista, CA 91910
Phone: (619) 585-4050
Fax: (619) 585-4054

*Medical facility also used for Cadet examinations. Please ensure that nonuniformed job applicants are provided the CHP 438 and appropriate documents for nonuniformed sensitive medical examinations (STD. 610 and CHP 446D).

ANNEX F

PHYSICIANS AND CLINICS FOR PREEMPLOYMENT MEDICAL EXAMINATIONS NONUNIFORMED SENSITIVE CLASSIFICATIONS

601 - BORDER DIVISION (CONT.)

Sharp Rees-Stealy Medical Group—Additional Locations

5525 Grossmont Center Drive
La Mesa, CA 91942
Phone:(619) 644-6600 Fax:
(619) 644-6631

8901 Activity Road
San Diego, CA 92126
Phone:(858) 653-6150
Fax:(858) 653-6153

16950 Via Tazon
San Diego, CA 92127
Phone:(858) 521-2350 Fax:
(858) 521-2354

East Edinger Medical Center

1619 East Edinger
Santa Ana, CA 92705
Phone:(714) 542-8904
Fax:(714) 541-5313

Tustin/Irvine Medical Group

800 North Tustin Avenue, #A
Santa Ana, CA 92705
Phone:(714) 245-0800
Fax:(714) 285-0400

15751 Rockfield Blvd.
Irvine, CA 92618
Phone:(949) 206-9100
FAX:(949) 206-1648

601 - BORDER DIVISION (CONT.)

Desert Medical Group, Inc. Occupational Medicine Department

275 North El Cielo
Palm Springs, CA 92262
Phone:(760) 320-8814, ext.
1270
Fax:(760) 320-3228

701 - COASTAL DIVISION

Monterey Bay Urgent Care

245 Washington Street
Monterey, CA 93940
Phone:(831) 372-2273
Fax:(831) 643-0103

Med Plus

877 Oak Park Blvd
Pismo Beach, CA 93449
Phone:(805) 474-8450
Fax:(805) 372-2295

Family Industrial Medical Center

47 Santa Rosa
San Luis Obispo, CA 93405
Phone:(805) 542-9596
FAX:(805) 542-9354

801 - INLAND DIVISION

Central Medical Clinic

11760 Central Avenue, Suite
100
Chino, CA 91710
Phone:(909) 591-6575
Fax:(909) 591-8986

801 - INLAND DIVISION (CONT.)

Sunrise Multispecialist Medical Center

867 South Tustin Avenue
Orange, CA 92866
Phone:(714) 771-1420
Fax:(714) 771-6918

Windy City Medical Clinic

525 Melissa Avenue
Barstow, CA 92311
Phone:(760) 255-2400
Fax:(760) 255-4646

Jessica Basa, MD

705 East Virginia Way, Suite F
Barstow, CA 92311
Phone:(760) 256-1226
Fax:(760) 256-1239

Fox Occupational Medical Center

1375 Camino Real, Suite 130
San Bernardino, CA 92408
Phone:(909) 884-1500
Fax:(909) 383-0025

Family Health Center

686 West Line Street
Bishop, CA 93514
Phone:(760) 872-4311
Fax:(760) 872-4130

(Drug Screening)

Northern Inyo Hospital

150 Pioneer Lane
Bishop, CA 93514
Phone:(760) 873-5811

*Medical facility also used for Cadet examinations. Please ensure that nonuniformed job applicants are provided the CHP 438 and appropriate documents for nonuniformed sensitive medical examinations (STD. 610 and CHP 446D).

