CUSTOMER FOCUS GROUP

REPORT 2010

Customer Focus Group
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A Message from Executive Officer Suzanne Ambrose

The State Personnel Board's (SPB) vision is to provide a highly qualified and diverse state workforce capable of delivering premier public service. SPB has created a Strategic Plan focused on addressing the needs of state departments, employees, and job seekers. I am proud of the progress we have made in improving our programs and services over the last three years. Some of our accomplishments include:

- We have made more exams accessible on-line allowing anyone with access to a personal computer and the Internet to participate in state exams 24 hours a day, 7 days a week. Centralizing these on-line exams eliminates the need for departments to conduct their own examinations. The consortium exams also allow candidates to test once for classifications used by multiple departments.

- We have also increased the number of open on-line exams, enabling both current state employees and individuals that are not currently employed by the state to compete in state exams, expanding the pool of candidates eligible for hire.

- We have significantly reduced or eliminated our backlogs in the Appeals Division.

- I am also pleased with the progress we have made in moving toward a paperless appeals process, with the implementation of the document management system and the e-filing of adverse actions.

- One of our more recent accomplishments is the implementation of the new procedural hearing regulations, which streamline and provide clear explanations of the different legal processes involved in appeals and hearings. These regulations will serve as a road map for everyone involved in a complaint or appeal before the Board.

- In the area of civil rights, SPB, the Department of Rehabilitation, the Department of General Services, the Employment Development Department, the Governor's Committee on Employment of People with Disabilities, and the Association of California State Employees with Disabilities have created the California Model Employer Initiative to improve the current employment process for individuals with disabilities.

- Our Equal Employment Opportunity Academy is another major achievement for SPB.

We still have many issues to address in order to be the streamlined, innovative organization we envision. We will continue to move forward and find ways to make change within existing resources and by partnering with others. We are grateful to the individuals who participated in these focus groups. Their comments provide guidance

as to what is most important to our stakeholders. With stakeholder input, we will continue to work to improve our processes. Special focus will be given to improving www.jobs.ca.gov as a recruitment tool, continuing to work to improve appeals timeframes, and enhancing our civil rights program. We look forward reaching our vision and better serving state departments, employees, and job seekers.

Sincerely,

/s/ SUZANNE M. AMBROSE

SUZANNE M. AMBROSE
Executive Officer

Overview of the State Personnel Board

Established by the State Constitution, the State Personnel Board (SPB) oversees the civil service system in state government, including merit-based selection, employee discipline, and equal employment opportunity (EEO) and non-discrimination within civil service. SPB's responsibilities and activities are described in more detail below.

SPB is charged with overseeing the merit-based, job-related selection process for the hiring of over 200,000 state employees. These employees provide critical services to the citizens of California, such as law enforcement, education, emergency services, and environmental protection, all of which cannot be interrupted. Until recently, most aspects of the state civil service system (examinations and transactions) were decentralized to the departments and operated in accordance with guidance provided by SPB. Through the efforts of SPB and the Department of Personnel Administration, many new on-line exams are given centrally by SPB for numerous departments on a continuous basis. This provides for a greater number of eligible candidates and reduces duplicative testing workload. SPB also provides mandated psychological screening services for peace officers and medical evaluations to ensure individuals can perform the essential functions of their jobs without restriction.

SPB hears, investigates, and makes recommendations on the alleged violations of law or rule which are brought to it by employees, applicants, and members of the public. SPB's Administrative Law Judges hear and render proposed decisions for the Board on evidentiary appeals filed by state employees. These appeals include dismissals, suspensions, demotions, reductions in salary, discretionary transfers, official reprimands, whistleblower retaliation complaints, rejections during probation, medical terminations, discrimination/retaliation complaints, and denial of reasonable accommodation. In addition, staff review and write recommended decisions on a variety of complaints and non-evidentiary appeals or merit appeals, including examination appeals, merit issue complaints, medical/psychological disqualifications, withholds from certification, requests to file charges, voided appointments, issues concerning an applicant's ability to meet minimum qualifications for a civil service position, and failure of pre-employment drug tests.

SPB also provides leadership, coordination, technical guidance, and enforcement of EEO efforts and non-discriminatory employment practices within state civil service. SPB assists state departments in the recruitment, employment, and retention of persons with disabilities. In addition, the Dymally-Alatorre Bilingual Services Act charges SPB with the responsibility for ensuring that departments provide equal access to information and services for limited-English-proficient customers and clients.

SPB provides a wide variety of training classes on a reimbursable basis. Classes offered include the Upward Mobility Series, the Analyst Training Series, the Selection Analyst Training Program, the 80-Hour Supervisory Training Series, the EEO Academy, and various courses related to personnel management and personnel actions.

Developing the Customer Focus Group Report

In 2006, as part of the development of the State Personnel Board's (SPB) Strategic Plan, focus groups were convened. In 2010, SPB again held customer focus groups in order to determine the outcomes of improvement efforts as well as identify new areas for improvement. A total of seven focus groups were held between March 23rd and March 30th, 2010, to discuss the following SPB programs:

- Exam Services
- Recruitment
- Medical and Psychological Screening
- Appeals
- Civil Rights, the Limited Examination and Appointment Program (LEAP), and Bilingual Services
- Statewide Training

In total, 36 departments, 4 employee organizations, and 1 constituent group participated.

Departments:

Air Resources Board
California Conservation Corps
California Prison Health Care Services
Commission on Peace Officer Standards and Training
Department of Child Support Services
Department of Consumer Affairs
Department of Corrections and Rehabilitation
Department of Developmental Services
Department of Finance
Department of Fish and Game
Department of Food and Agriculture
Department of Forestry and Fire Protection
Department of General Services
Department of Health Care Services
Department of Housing and Community Development
Department of Insurance
Department of Justice
Department of Mental Health
Department of Motor Vehicles

Department of Public Health
Department of Social Services
Department of the California Highway Patrol
Department of Toxic Substances Control
Department of Transportation
Department of Veterans Affairs
Department of Water Resources
Employment Development Department
Franchise Tax Board
Health and Human Services Agency
Military Department
Office of Statewide Health Planning and Development
Office of the State Chief Information Officer
Public Employees' Retirement System
State Board of Equalization
State Controller's Office
State Council on Developmental Disabilities

Employee Organizations:
Association of California State Supervisors
California Attorneys, Administrative Law Judges, and Hearing Officers in State Employment
Professional Engineers in California Government
Service Employees International Union, Local 1000

Constituent Group:
Association of California State Employees with Disabilities

Summary of Findings
Participants were pleased to have the opportunity to provide input that they hoped would lead to process improvements in SPB's programs. Participant feedback is summarized below:

Exam Services
Participants were pleased with the on-line availability of many more exams and continuous testing with immediate results. Several departments were participating in the Three Rank Pilot and were pleased its results.

The overall view is that SPB staff providing assistance to departments need to be extensively trained. SPB needs to provide knowledgeable staff, specific training, and detailed materials to departments to help them learn www.jobs.ca.gov. The application and exam process is complicated and frustrating, and is discouraging to applicants. The general feeling is that the new system paints state employment in a negative light. SPB needs to provide departments with clear, concise, and explicit selection rules and processes in order to create consistency among departments. Departments would like to see SPB be more involved in the Exam Supervisor's Forum and more readily available to give answers or make decisions.

Recruitment
The new system is negatively impacting state and non-state candidates and the departments trying to utilize the system. The system is not user friendly, causing frustration and confusion. Departments are learning how to navigate the system through trial and error. They would like training from SPB and a place on the website to share knowledge. Departments want SPB to take the lead in all areas of recruitment and provide tools and resources for the departments to use, including social networking.

Medical and Psychological Screening
The group complimented the services received by the program, in particular, the turnaround time for psychological screening packets and medical evaluations. They were also pleased with the communication from the program.

The group's main would like clear guidelines for rescreening individuals when they are reinstated after coming off of medical and/or psychological leave.

Appeals
Participants applauded the on-line scheduling and case management system, mentioned significant improvements in response time on continuances and motions, and improvements in consistency of rulings across similar cases.

The overall view is that there is poor communication from SPB. There is frustration with the lateness and lack of consistency in receiving notices, responses and decisions, and other documentation. Participants would like to change the strike list process. It was also mentioned that the Administrative Law Judges need to be better prepared regarding the details of the appeal prior to the hearing. There is frustration over the need to provide duplicate documentation. Participants would like more information on the process, including timelines. The major concern is that the process takes too long.

Civil Rights, LEAP, and Bilingual Services
The group was pleased with LEAP customer service and designated information technology support.

Participants cited what they viewed as a general lack of leadership from SPB on civil rights matters. They viewed SPB staff as lacking civil rights experience, and therefore credibility with the state's civil rights and Equal Employment Opportunity (EEO) community. They are unhappy with the amount and level of communication with SPB on civil rights issues.

With respect to the Bilingual Services Program, participants questioned the relevance of the Language Survey in determining how departments are meeting their obligations to the limited-English-proficient population. They feel that SPB staff provides insufficient feedback and follow-up post survey. Some were confused by the differences between the bilingual fluency certification and the interpreter certification, as well as in which cases these individuals should be utilized.

Several participants were unclear as to the relevance and necessity of LEAP. Others perceive that the program is underutilized because departments find it cumbersome and difficult to understand.

Statewide Training
The general consensus of the group was that they would like to see more classes offered, in a variety of ways, at lower or no cost to the departments. With the current budget situation, travel and training funds are limited. The majority of the departments would like to see more use of the Web. They would also like to use an electronic registration and tracking system. The majority would prefer that departments be invoiced for all classes without the $15 invoicing fee being assessed.

No.	Issue Description	Proposed Action
1	There has been a lot of miscommunication and lack of planning related to the implementation of www.jobs.ca.gov. The State Personnel Board (SPB) did not take into account the huge implications to departments and applicants of changing systems.	*SPB implemented www.jobs.ca.gov with a web-based Commercial-Off-The-Shelf (COTS) system in September of 2009. The new system was planned to replace two legacy systems and was intended to automate virtually all aspects of the examination and certification processes, allowing for more expeditious testing to better meet the state's hiring needs and to serve as a Monster.Com for state job seekers. The COTS has been largely customized to meet the state's business and technical needs. Currently the system does not meet expectations of SPB or the departments throughout the state who use this system to conduct their examination and certification processes. The system is experiencing performance issues and missing a significant amount of required functionality.* *SPB has had an independent assessment of the system performed. The independent evaluation recommends that SPB continue with the project and work to improve the system's performance and implement the missing functionality.* *In order to ensure that the system is successfully stabilized, the State and Consumer Services Agency and the Office of the State Chief Information Officer (OSCIO) have committed to providing SPB with the enhanced guidance and support needed to re-evaluate the project and to move forward with this effort. With the OCIO's assistance, SPB assembled a team to work with the new project manager provided by the OSCIO.*
2	SPB should have brought in testers to capture problems with the system before it was rolled out to departments.	*SPB extensively tested the system prior to roll out within SPB's environment. Unfortunately, there is no way to replicate the actual environment and volume of users. As part of the new project structure, SPB has built in a load testing function.*

No.	Issue Description	Proposed Action
3	**SPB needs to utilize department resources and allow departments the opportunity to participate in a solution.**	*As SPB seeks to improve the current system, especially the application component, we will be involving stakeholders.*
4	**Customers are running into major problems with the system. SPB is unable to provide answers.**	*SPB is trying to address customer issues as quickly as possible. SPB is also working to improve the performance and functionality of the system. We have restructured the Exam Services Program in order to provide better customer service for the new system.*
5	**Slow down on the roll out of the new system.**	*SPB's primary focus is on stabilizing the current system. We will not be adding any additional functionality until performance has improved and the core requirements for the system are met.*
6	**Simplify the system and make it more user friendly.**	*SPB is working to improve the system. In addition, we are launching a project to re-engineer the application component of www.jobs.ca.gov to create a more engaging, streamlined, and intuitive environment for job seekers.*
7	**The Jobs website needs to have a class title search feature. For example, you cannot find Associate Programmer Analyst; instead you find the programmer series.**	*Part of the www.jobs.ca.gov application component redesign will focus on improving the search functionality of the system so that it will search by specific classifications. In addition, searches will be able to relate private sector job titles to civil service classes. For example, someone searching for an attorney examination will be able to see staff counsel examinations.*

No.	Issue Description	Proposed Action
8	**The system should use consistent terminology that is understandable to state employees and the public.**	*We will focus on improving terminology in the www.jobs.ca.gov application component redesign for job seekers including those without state experience. For the administrative components, once stability is achieved, we will pursue modifications to achieve more consistency in terminology.*
9	**SPB should offer an on-line flow chart, tutorial, or training for current state employees and the public on how to use www.jobs.ca.gov.**	*SPB's goal is that the redesign of www.jobs.ca.gov application component will make the system simple, intuitive, and more user friendly so that it will not require a tutorial or training.* *SPB will provide an overview of the application component of www.jobs.ca.gov in its How to Get a State Job monthly seminar. Once the system is stabilized, we will identify appropriate training, tools, and documentation to support users. In the interim, SPB will continue to post tools on the bulletin board and address departments' questions through email and telephone calls.*
10	**Those using www.jobs.ca.gov are likely asking the same questions. SPB should post questions and answers (Q&A) or frequently asked questions (FAQ).**	*Exam Services has developed a FAQ on the www.jobs.ca.gov Bulletin Board.*
11	**SPB should create a Q&A or FAQ for candidates describing the difference between the old system and the new system.**	*Once the system is stabilized, we can compare it to the legacy system and provide a FAQ.*

No.	Issue Description	Proposed Action
12	**Certification lists generated from www.jobs.ca.gov are not clear. The information from the old system was more extensive and useful.**	*The certification list format has been changed to provide the information that was displayed in legacy.*
13	**The technicians assigned to departments are sometimes unable to answer questions and have to go to someone else. Departments are left to hope their issues are conveyed correctly. It can take a day or two before questions are answered.**	*SPB assigns a technician to each department in an effort to provide customers a dedicated staff person who will become familiar with their department, staff, and examination and certification issues. SPB also has restructured Exam Services and created a unit dedicated to addressing departments' questions on www.jobs.ca.gov. For examination or certification related questions, the first point of contact is the technician. Many questions can be handled by the technician; however, some of the more complex issues need to be elevated to senior staff. Staff supporting www.jobs.ca.gov also attempt to answer the caller's questions directly; however, they may also need to consult with others, including Information Technology support staff, in order to properly address questions. Because of our limited resources, we allow staff 72 hours to respond to phone calls and emails from departments. However, we strive to respond within 24 hours.*
14	**SPB needs to better train staff to provide direction to departments.**	*SPB strives to train employees providing support to departments as quickly as possible. As new employees gain experience through assisting departments, they become more knowledgeable and are more proficient at providing customer support.*
15	**There needs to be much more person-to-person communication.**	*Exams and www.jobs.ca.gov support staff are available to answer departments' questions and the Service Center provides face-to-face service from 8:00 a.m. to 5:00 p.m. on regular work days. In addition, there is a toll free line for public calls, 1-866-844-8671.*

No.	Issue Description	Proposed Action
16	**The Selection Manual is outdated.**	*SPB has identified an internal team to revise the manual. This project is included in SPB's Strategic Plan.*
17	**SPB should put more information and direction in writing.**	*SPB is working to improve the documentation of its processes and procedures, including job analyses, examination development, and using www.jobs.ca.gov. This information will be shared through SPB's website, the www.jobs.ca.gov Bulletin Board, the updated Selection Manual, and policy memos.*
18	**There is a lack of direction from SPB on selection, resulting in each department interpreting their own way of doing things.**	*SPB is in the process of updating the Selection Manual in an effort to provide departments with updated, accurate, and comprehensive information on selection processes and procedures. SPB also offers selection analyst training to departments on a cost reimbursable basis. In addition, SPB attends the Exam Supervisor's Forum (ESF) and the Ad Hoc Committee on Personnel (Ad Hoc) meetings to assist departments with questions on selection processes and procedures.*
19	**SPB comes to ESF but then leaves soon after the meeting begins. Many times questions are raised and SPB is not there to answer them.**	*In accordance with ESF bylaws, SPB representatives are only advisory members. In this capacity, SPB responds to specific agenda items at the beginning of the meetings and then leaves the forum. This allows ESF members to openly discuss their issues without a control agency present. ESF would have to change their bylaws to make SPB full forum members.*
20	**SPB is sometimes silent when questions are e-mailed to the ESF group.**	*Given SPB's advisory role, SPB responds only to the Chairperson and Co-Chairpersons when specifically asked for input on an issue. SPB will ask the Chairperson for specific direction on this issue.*
21	**Keep lines of communication open through newsletter, email, workgroup, and/or quarterly meetings.**	*In January 2010, SPB began holding quarterly stakeholder meetings. In addition, we are sharing information at Test Talks as well as attending the ESF and Ad Hoc meetings.*

No.	Issue Description	Proposed Action
22	**Several focus groups have been convened over the last ten years. The same things have been said and most issues have not been resolved.**	*SPB is committed to meeting stakeholders' needs. The focus groups held in 2006 provided SPB with valuable information about improvements customers would like. This feedback provided the foundation for SPB's current Strategic Plan. The intent of the 2010 focus groups sessions is to evaluate SPB's progress since 2006 and to incorporate new suggestions for change into SPB's Strategic Plan. The final report from the latest sessions will be made available on SPB's website.*
23	**What is SPB doing to get all departments to participate in the Three Rank Pilot?**	*A three rank eligible list is one in which all applicants who meet the classification's minimum qualifications are placed into one of three ranks upon passing the examination. The resulting list will permit departments to consider a broader pool of eligible candidates than have generally been available for consideration in the past. Departments must continue the competitive assessment of candidates by further evaluating their qualifications, fitness, and relative strengths during the hiring process and probationary period. Departments must apply to participate in the Three Rank Pilot to use three rank eligible lists. To participate in the pilot, examinations must meet certain criteria such as 1) requiring professional licensure, certification, registration, or a specialized advanced degree for all minimum qualification patterns; 2) facilitating the employment of persons with specialized needs not currently represented in the Limited Examination and Appointment Program; or 3) are part of a consortium examination, where multiple departments participate in the administration of the examination. Pilot participation also requires departments to maintain a summary of the hiring process for each appointment, including a discussion of the job-relatedness and structure of the interview process, the interview questions, and a statement of why the individual was selected for appointment. This information is subject to audit by SPB and/or the Human Resource Modernization Project (HR Mod). The pilot has been extended until December 31, 2011 with no new examinations being added unless they were previously approved. At this time, 92 departments are participating in the pilot of 42 examinations.*

No.	Issue Description	Proposed Action
24	**Some stakeholders are not supportive of the Three Rank Pilot.**	*There has been concern that three rank eligible lists with fewer ranks would allow for people to hire their favorites rather than the best candidate. To ensure that this does not occur, departments participating in the pilot are required to document the justification for their selection and complete probationary reports on each pilot hire. HR Mod conducted an audit of the pilot from December 2009 through February 2010 to verify departmental compliance with the documentation requirements and that appointments made from three rank eligible lists were made in accordance with the requirements for the pilot. Registered departments overwhelmingly complied with the documentation requirements. The Board has extended the pilot to December 31, 2011, and will reevaluate it in June 2011.*
25	**Applicants can misinterpret the questions being asked on Training and Experience (T&E) Examinations and not pass the examination. In addition, individuals with outside legal experience are not being scored correctly. This discourages people from applying.**	*T&E examinations require candidates to interpret test items correctly in order to provide an accurate assessment of their qualifications. These examinations are developed with Subject Matter Experts (SMEs), to include conventional terminology and meaning specific to the occupation. In addition, special focus is given to the interpretation of questions to ensure that they are clear.*

No.	Issue Description	Proposed Action
26	**New on-line examinations are released without 511Bs, leaving departments responsible for reviewing minimum qualifications (MQs) without the necessary tools.**	*A Form 511B, Critical Class Requirements, describes the types of experience SMEs have determined meet the MQs of a classification. SPB and other departments are in the process of developing new 511Bs for consortium examinations. The 511Bs will assist the hiring managers in expediting the review process and provide for more consistency from department to department. Once the 511Bs have been developed they will be posted on the www.jobs.ca.gov Bulletin Board. This project is included in SPB's Strategic Plan. For future consortium exams, we will strive to complete the 511Bs prior to exams being released.*
27	**There is a need for a MQing training class. There is a concern that MQing is not done consistently amongst departments.**	*Departments currently receive no formal training on how to conduct an MQ application review. The development of a MQ training class is included in SPB's Strategic Plan. Also, as discussed above, new 511Bs are being developed by multi-department workgroups to produce guidelines for MQ interpretation to increase consistency between departments.*
28	**Reviewing MQs for all on-line eligibles who are to be interviewed is a workload increase for departments**.	*Traditionally, the MQ review process was completed prior to a candidate's acceptance into an examination. The new on-line examinations allow candidates to self-certify their eligibility to participate in an exam. The hiring departments must verify candidates' self-certification of eligibility prior to the hiring process. The change to the MQing process is not a workload increase, but a change in process timing. Departments are only required to MQ individuals they are considering for hire. Departments should be seeing a workload decrease in not having to administer exams that are now on-line and from not having to MQ all applicants.*
29	**Review and change MQs to increase the number of individuals who can apply.**	*Departmental Human Resource staff and SMEs review each class specification along with the job analysis before the administration of each examination. If it is determined that a change to the class specification is needed, the department proceeds with the spec revision process. One of the goals of HR Mod is to simplify the classification structure which will involve changing current class specifications and MQs.*

No.	Issue Description	Proposed Action
30	**The appeal process is the only mechanism employees have for the interpretation of outside experience. The appeals process is taking too long, 18 or more months.**	*Departments will send the candidates a notice if it is determined that the candidate does not meet the MQs. The candidate will then have 7 to 10 days to provide additional information to demonstrate that he/she meets the MQs. If after review of additional information, the department concludes that the candidate still does not meet the MQs, the candidate will be withheld from the examination. If an examination applicant feels he/she possesses the education and experience to be placed in an examination, but his/her application has been rejected for failure to meet the MQs of the classification, he/she may file a MQ appeal within 30 days of the rejection pursuant to California Code of Regulations (CCR), title 2, section 52.4.*
31	**Too much delegation to departments creates inconsistency.**	*With the implementation of HR Mod, SPB has been moving toward centralized testing with consortium exams and class consolidation. However, SPB has implemented the following actions to address decentralized testing inconsistencies.* • *Offering of the Selection Analyst Certification Program, a series of 12 courses focused on the development, standardization, and validation of examination instruments and processes. Each class is provided a minimum of two times every year. These classes are currently being revised with input from exam supervisors.* • *Providing guidance and expertise to departmental exam staff as needed.* • *Referring departments to assessment and selection related guides and standards.* • *Providing test validation services on a reimbursable basis.* • *Providing updates at the ESF on a monthly basis. This forum serves as a discussion group for examination managers/supervisors to address selection-related issues.* • *Conducting Test Talk, a monthly examination development and validation training seminar.*

No.	Issue Description	Proposed Action
32	**Departments are not doing hiring interviews.**	*In the case of the Three Rank Pilot, to participate in the pilot, departments had to agree to maintain a summary of the hiring process for each appointment, including a discussion of the job-relatedness and structure of the interview process and the interview questions and a statement of why the individual was selected for appointment. This information is subject to audit by SPB and/or HR Mod.* *CCR, section 250 (a) states "Appointments to positions in the state civil service made from eligible lists in a manner consistent with provisions of Sections 254, 254.1, and 254.2 as related to the certification of eligibles, by way of transfer, as defined in Government Code (GC) section 18525.3, or by way of reinstatement, as defined in GC section 19140, shall be made on the basis of merit and fitness, defined exclusively as the consideration of each individual's job-related qualifications for a position, including his/her knowledge, skills, abilities, experience, education, training, physical and mental fitness, and any other personal characteristics relative to job requirements, as determined by candidate performance in selection procedures, including, but not limited to, hiring interview, reference checks, background checks, and/or any other procedures, which assess job-related qualifications and are designed and administered to select those individuals who best meet the selection need." Please alert SPB if you are aware of departments not following merit based hiring procedures.*
33	**Departments are not consistently applying alternative range criteria for hires.**	*Departments should be working with the Department of Personnel Administration (DPA) when applying alternate range criteria for hires. SPB will forward this comment to DPA.*

No.	Issue Description	Proposed Action
34	**SPB should be serving both departments and employees, but seems to be more on the side of departments.**	*SPB is charged with overseeing the merit system which includes ensuring that exams are job related and that hiring is fair and competitive. SPB strives to provide departments the tools and guidance they need to conduct merit based selection. The appeals process is in place to provide candidates and employees an opportunity to challenge departments' actions with which they disagree.*
35	**Class specification revisions are being held up at DPA due to salary concerns.**	*SPB will also forward this comment to DPA.*
36	**Provide exams that are accessible to individuals with disabilities, including the announcement, examination, and interview.**	*SPB examination bulletins and on-line exams are accessible, in compliance with GC section 11135 (including the Federal Rehabilitation Act, section 508) and priority 1 and 2 level checkpoints of the Web Content Accessibility Guidelines 1.0. Departments should be providing reasonable accommodations as appropriate in the interview process. Please notify SPB if you know of a department not providing accessibility during the interview process.*
37	**In legacy, you could review candidate distribution by examination and get a list of all exams.**	*In www.jobs.ca.gov, you can find examination results including candidate distribution under the recruitment tab on the closed and ongoing recruitment status board.*

No.	Issue Description	Proposed Action
1	**The new www.jobs.ca.gov is very flawed. The information is inaccurate. This is frustrating for employees and departments.**	*With the assistance of the State and Consumer Services Agency and the Office of the State Chief Information Officer, the State Personnel Board (SPB) has assembled a project team to assess the problems.*
2	**The new website and exam process discourage outside applicants. There is fear that applicants will just give up. Even personnel staff are having trouble using the system.**	*SPB is working to stabilize the system. In addition, we are launching a project to re-engineer the application component of www.jobs.ca.gov to create a more engaging, streamlined, and intuitive environment for job seekers.*
3	**www.jobs.ca.gov looks totally different from SPB's website. The use of red type is bad. Red communicates a problem.**	*The red text has been removed. Part of the re-engineering project will include making the site more attractive and welcoming to applicants.*
4	**The new website is not user-friendly or Americans with Disabilities Act (ADA) compliant.**	*Based on an automatic accessibility validation tool, the www.jobs.ca.gov applicant component is compliant with Government Code section 11135 (including the Federal Rehabilitation Act, section 508) and priority 1 and 2 level checkpoints of the Web Content Accessibility Guidelines 1.0. The re-engineering effort will include increasing accessibility as well as making it more user friendly.*
5	**There should be a tutorial for www.jobs.ca.gov.**	*SPB's goal is that the www.jobs.ca.gov redesign of the applicant component will make the system intuitive and user friendly, negating the need for a tutorial.*

No.	Issue Description	Proposed Action
6	**Don't hit the backspace button!**	*In most cases, hitting the back button will give users an error and will require the user to re-enter the url: www.jobs.ca.gov. Users are encouraged to use the backspace icons noted on the page or the tabs to navigate through the website. SPB will explore ways to mitigate this issue.*
7	**Steps for applying for a job are not available, just steps for applying for an exam.**	*The www.jobs.ca.gov website has two links on the first page to direct users to job vacancies and information on the filing process, "notify me of job vacancies" and "state hiring process." SPB will include a more user-friendly job search function in the redesign.*
8	**The application process refers only to exams; not to applying for jobs.**	*At this time, applications can only be electronically submitted for exams and not for job openings. The application in the system can be used to apply for job openings; however, the applicant must print it out and mail it the address indicated in the vacancy bulletin.*
9	**Tools are needed for non-Information Technology (IT) people.**	*SPB's Service Center offers one-on-one assistance for individuals who need assistance using a personal computer or accessing the website from 8:00 a.m. to 5:00 p.m. on regular work days. Applicants can still apply for exams by mailing in their application rather than electronically submitting it.*
10	**People can't find their scores and have to redo their profile. Candidates go to their Human Resource (HR) Offices for assistance but the HR staff don't know how to use the system and find the candidate's score.**	*If candidates had their exams processed in legacy they will not be able to find their profile in www.jobs.ca.gov. SPB is developing a link that will direct applicants on how to obtain their score from legacy and the new system.*

No.	Issue Description	Proposed Action
11	**There are issues with accessing certification lists. In addition, lists are inaccurate and random.**	*Issues with accessibility and accuracy of certification lists reported to SPB are researched and corrected. SPB is working with the vendor to permanently fix the source of any certification list problems.*
12	**Certification lists are not providing all the information that they used to**	*The certification list format has been changed to provide the information that was displayed in legacy.*
13	**SPB should provide a centralized listing of exams that can be shared.**	*Servicewide exams are accessible to all departments. Departments also have an option to give an exam on a multi-department basis with other departments and share the list or create individual department lists. Departments can use www.jobs.ca.gov to search for existing lists that meet their needs; however, the department must seek approval from the testing department to use its list. Closed and continuous exams can be found in www.jobs.ca.gov under the recruitment tab on the closed and ongoing recruitment status board.*
14	**There is a lack of technical support and tools for www.jobs.ca.gov.**	*SPB also has a unit dedicated to address departments' questions on www.jobs.ca.gov. Because of our limited resources, we allow staff 72 hours to respond to phone calls and emails from departments. However, our goal is to respond within 24 hours. In addition, the Service Center provides face to face service from 8:00 a.m. to 5:00 p.m. on regular workdays and we have a toll free line available for public calls.*
15	**The 800 number is not effective. The hold time is excessive and you can't leave a message.**	*Additional staff have recently been assigned to respond to the 800 number to ensure timely communication with customers. Up to eight people can be in the call system at one time waiting for assistance. If there are more than eight people holding, individuals will be directed to leave a voicemail message. Voicemail messages are checked on an hourly basis.*

No.	Issue Description	Proposed Action
16	**The minimum qualifications (MQ) development process is not uniform across departments. Departments need tools.**	*SPB and other departments are in the process of developing new 511Bs for the consortium exams. A Form 511B, Critical Class Requirements, describes the types of experience Subject Matter Experts have determined meet the MQs of a classification. The 511Bs will assist the hiring managers in expediting the review process and provide for more consistency from department to department. Once the 511Bs have been developed they will be posted on the www.jobs.ca.gov Bulletin Board. This project and the development of a MQ training class are included in SPB's Strategic Plan.*
17	**SPB needs to market the state as an employer of choice.**	*A committee has been formed to begin marketing and branding the state as an employer of choice. This effort will include developing strategies to attract applicants and maintain their interest. This project is included in SPB's Strategic Plan.*
18	**Departments want SPB to be the leader and provide a centralized resource for recruitment.**	*SPB is leading the committee on marketing the state as an employer of choice. The findings and recommendations of this committee will determine SPB's role and the new direction of statewide recruitment efforts.*
19	**SPB needs to use recruitment efforts other than VPOS and recruitment fairs.**	*The marketing committee will explore various means of recruitment and make recommendations on the most effective methods for the state.*

No.	Issue Description	Proposed Action
20	**SPB isn't proactively and systematically doing outreach at job fairs, etc.**	*SPB participates in high school and college career fairs, community events, and ADA events. SPB also makes presentations to Employment Development Department (EDD) customers and conducts lunch time seminars including How to Get a State Job. SPB will develop a plan to network with other departments to coordinate participation in recruitment activities statewide. In addition, SPB will create a website link to a calendar of recruitment activities as a one stop source.*
21	**There should be a centralized stakeholder committee that has authority to make decisions and recommendations regarding recruitment.**	*The stakeholders will be part of the new marketing committee.*
22	**The state needs a recruitment budget to compete against the private sector.**	*The new marketing committee will be identifying options to fund recruitment efforts. In addition, SPB will bring this issue to State Recruiters' Roundtable.*
23	**SPB should be a recruitment advocate with ideas on free or low-cost marketing to outside applicants.**	*The new marketing committee will be exploring marketing options, including identifying the most cost-effective methods.*
24	**Shared costs can yield better results. Ask departments what they want.**	*Stakeholders will be part of the new marketing committee.*

No.	Issue Description	Proposed Action
25	**Leverage IT for better outreach. Use tools like Facebook, Twitter, YouTube, etc. Lead departments in using these new technologies for recruitment.**	*The marketing committee will be identifying recruitment tools, including internet-based tools.*
26	**SPB should more proactively work with the State Recruiters' Roundtable.**	*The State Recruiters' Roundtable is represented by an SPB recruiter. SPB plans to be more actively involved as a lead representative.*
27	**There is need for a recruitment manual or handbook.**	*The Merit Selection Manual, Policy and Practices, Section 3300, addresses recruitment for civil service examinations, including policy, laws, best practices, guidance, and tools. SPB will develop a plan to promote the use of Section 3300. A link currently exists on the main SPB website.*
28	**Recruitment efforts for non-state employees should be streamlined.**	*Re-engineering www.jobs.ca.gov will help capture job seekers' interest. The marketing committee will identify the most effective and efficient methods of recruitment for the state.*
29	**When recruiting non-state employees, SPB needs to keep in mind that outside applicants don't know state lingo, processes, etc.**	*The re-engineering effort of www.jobs.ca.gov will focus on communicating to applicants including those without state experience. In addition, searches will be able to relate private sector job titles to civil service classes. For example, someone searching for "attorney" will be able to see staff counsel examinations.*

No.	Issue Description	Proposed Action
30	**The low pay level of state jobs deters job seekers from applying.**	*Competitive compensation is an issue under the Department of Personnel Administration's (DPA) jurisdiction. This comment will be forwarded to DPA.*
31	**SPB needs to find the sources of people who meet the MQs and then go out to schools, etc. and MQ individuals on site and help them apply**	*SPB has participated in on-the-spot MQ review and testing. We will consider this activity as the need is warranted and based on availability of resources. This effort is also utilized by other state departments for hard to recruit classes.*
32	**SPB needs to be proactive regarding vacancy rates and respond to needs with recruitment and exams.**	*SPB will conduct a survey to determine vacancy rates and hiring needs and schedule servicewide examinations, such as Office Assistant, Office Technician, Staff Services Analyst, etc. accordingly. Efforts will be made to promote participation in these examinations.*
33	**SPB should support departments with succession planning and management.**	*SPB's Technical Training Program offers the Next Steps in Workforce Planning - Exploring Key Challenges Encountered in Implementing a Workforce Plan and the Workforce/Succession Planning - Preparing for Your Future Workforce in a Changing World training courses to assist departments in preparing a plan for their organization.* *Workforce planning is under DPA's jurisdiction. This comment will be forwarded to DPA.*

No.	Issue Description	Proposed Action
34	**Departments don't use the Limited Examination and Appointment Program (LEAP) because it is cumbersome and the process is hard to understand.**	*The California Model Employer Initiative (CMEI) is an effort to improve the current employment process for individuals with disabilities. The initiative is supported by multi-departmental task force, including staff from the Department of General Services, EDD, the Governor's Committee on Employment of People with Disabilities, the Association of California State Employees with Disabilities, SPB and the Department of Rehabilitation. The CMEI has plans to improve the LEAP process. Activities include:* 1. *Automation of the LEAP certification process* 2. *Annual training will be provided to departmental LEAP Coordinators* 3. *SPB's website will be updated to include a prominent, easy to navigate site for LEAP, which will include:* • *The application process* • *Contact information of persons who have gone through the process, such as Disability Advisory Committee members and mentors* • *A resource page in one location providing links to all disability-related employment programs and the contact information for all departmental LEAP Coordinators* • *The steps in the process for LEAP and how to get a job with the state*
35	**SPB should improve the recruiting of and outreach to the disabled, including providing resources and tools to departments.**	*SPB's Executive Officer serves on the Governor's Committee for Employing Persons with Disabilities. She and other SPB staff frequently speak and/or participate in numerous events focused on increasing the numbers of persons with disabilities within state service. Also, as part of the CMEI, SPB will be working to improve the marketing of the LEAP via partnering with employment offices, e.g., career centers at one-stops, colleges, and community-based organizations and providing resources and tools to departments. SPB also provides resources such as LEAP brochures for hiring managers and job seekers, LEAP Frequently Asked Questions, reasonable accommodation (RA) brochure, an RA training tool, and a half-day course on Practical Solutions to RA (which has been re-tooled to include manager's and supervisor's RA responsibilities).*

No.	Issue Description	Proposed Action
36	**SPB should support departments with post-hire (retention) tools and resources**	*SPB offers a number of training courses that foster enhanced job skills, upward mobility, and staff development, including supervisory and leadership training.* *Retention is a component of workforce planning, which is under DPA's jurisdiction. This comment will be forwarded to DPA.*
37	**SPB should educate state employees on how they can transfer within state service and promote. Employees need training on how to write a resume, interview, etc. and guidance on what training and experience they need to have to advance.**	*SPB has offered training on transferring, resume writing, and interviewing. The handouts from this session are currently posted on SPB's homepage in the for individuals section under "job tools seminar handouts." SPB will look in developing a web-based training course on these topics.* *In addition, www.jobs.ca.gov provides examination and vacancy information to state employees who are interested in transfer or promotional opportunities. The site also provides a link on how to transfer within state civil service. We currently do not offer a course on career advancement. However as mentioned above, SPB offers a number of training courses designed to foster enhanced job skills.*
38	**SPB and DPA differ in their treatment of and timeline to process Career Executive Assignments (CEA) proposals.**	*SPB and DPA's responsibilities related to CEAs differ. SPB is responsible for new or revised CEA allocations, of terminated CEAs and CEA examinations. DPA is responsible for CEA levels, red circle rates, salary cap, and salary flat rates. The different responsibilities as well as variance of staffing resources at both departments create gaps in the timelines between the departments.*

No.	Issue Description	Proposed Action
1	**There needs to be better communication between the hiring authority and the screener.**	*The State Personnel Board (SPB) will research legal authorities governing sharing psychological and medical information and develop guidelines for sharing candidate information with hiring departments.*
2	**There are many questions departments have related to reinstatements of individuals coming off medical or psychiatric/psychological leave and what screening should take place prior to reinstatement.**	*SPB is reviewing this issue. If SPB decides to propose a policy regarding screening prior to re-instatement, a proposal will be given to the Five-Member Board and a public hearing will be held so that departments and stakeholders can comment on the draft proposal.*

No.	Issue Description	Proposed Action
1	**The State Personnel Board (SPB) needs to provide a better explanation of process timelines for both the employee and the department.**	*The new procedural regulations in California Code of Regulations (CCR), title 2, division 1, subchapter 1, article 4, effective August 18, 2010, outline various process timelines. The new regulations also streamline processes to expedite case resolution.* *SPB has held informational sessions for stakeholders to explain and dialogue about the new regulations.*
2	**SPB should create a flow chart for evidentiary and non-evidentiary processes showing process and timelines.**	*The new procedural regulations in CCR, title 2, division 1, subchapter 1, article 4 serve as process guidelines for all parties involved in evidentiary and non-evidentiary processes. SPB will create process flowcharts and post them on its website.*
3	**SPB should update and republish the statutory appeals manual and other documentation.**	*SPB will be working to revise the manual and update other documentation as appropriate.*
4	**It takes too long to process an appeal. In some cases it can take two to three years. This causes issues with finding witnesses and in accessing files which may have been purged.**	*Timelines have improved and will continue to improve with the implementation of the new procedural regulations and changes to internal processes. However, the current volume of incoming cases exceeds the calendar capacity for existing Administrative Law Judges (ALJs). This results in some evidentiary cases continuing to take too long to conclude. Once the economy improves, SPB will consider requesting additional ALJ positions.*

No.	Issue Description	Proposed Action
5	**SPB should provide clear guidelines on what qualifies for appeal. It should not be subjective.**	*The various types of the appeals and the statutes and regulations related to filing are outlined in the new procedural regulations in CCR, title 2, section 52.4. The types of appeals are also listed on the appeals filing form.* *Appeals are accepted by SPB if the appellant's issue falls under SPB's jurisdiction and if the appellant meets filing requirements. In the cases of merit appeals and discrimination complaints, the appellant's issue is investigated in order to determine if appellant has grounds for appeal.*
6	**SPB should define the timeline for filing. The 30 day deadline should be firm.**	*The new procedural regulations in CCR, title 2, section 52.4 provides timelines for when an employee must file his or her complaint. However, as indicated in this section, upon good cause, the ALJ or his or her designee may allow an appeal or complaint to be filed, except otherwise limited by statute, within 30 days after the end of the period in which the appeal or complaint should have been filed.*
7	**Is there a cutoff as far as the number of times an employee can file the same exam appeal?**	*SPB will only investigate an employee's appeal on an exam once. The 30 day timeline for filing exam appeals should preclude the employee from filing more than once on the same exam. If the respondent is aware that the employee is appealing the same exam, they should contact SPB.*
8	**Timeliness of notifying a department that an employee has filed an appeal should be improved.**	*SPB has improved its internal processes. The acknowledgement of the filing should be sent to the respondent within two weeks of the receipt of the filing.*

No.	Issue Description	Proposed Action
9	**SPB should strongly encourage the electronic filing of documents.**	*The new procedural regulations in CCR, title 2, section 52.3 requires appointing authorities to file notices of adverse action utilizing the on-line filing system. The website address for e-filing is https://exams.spb.ca.gov/appeals/Login.aspx. This information was released in a policy memo on March 26, 2010.* *SPB's website and the appeals filing form provide an email address so that appellants can email information related to their appeal to SPB. SPB will continue to move toward a virtually paperless appeals process.*
10	**There is confusion regarding how adverse action information is supposed to be submitted. Please include an email address if it is supposed to be filed electronically.**	*The new procedural regulations in CCR, title 2, section 52.3 requires appointing authorities to file notices of adverse action utilizing the on-line filing system. The website address for e-filing is https://exams.spb.ca.gov/appeals/Login.aspx. This information was released in a policy memo on March 26, 2010.*
11	**SPB does not respond to departments that information was received.**	*Departments will be provided a receipt upon e-filing their documentation.*
12	**SPB should tell departments whether a case has been accepted under SPB's jurisdiction.**	*All evidentiary cases fall within SPB's jurisdiction. For non-evidentiary cases, SPB will send the department notice acknowledging receipt and a second notice advising the department that the appeal was 1) not accepted under SPB jurisdiction, 2) approved or 3) denied. There is no separate acknowledgement of SPB accepting jurisdiction.*
13	**Filing deadlines are not being enforced on adverse action filings.**	*Although departments are required to notify SPB of adverse action filings within 15 days, there is no statutory penalty if they fail to do so.*

No.	Issue Description	Proposed Action
14	**Documentation is inconsistent and untimely, including filings, notices, strike lists. In addition, documentation is not always sent to the same place.**	*SPB has worked to improve its processes. Each appeal will be assigned to a paralegal who will shepherd it through its progression from opening to closure to ensure all processes are followed and that communication is consistent and timely to the right parties.*
15	**Departments don't receive a copy of the appeal.**	*In addition, to the assignment of the paralegal, the new procedural regulations in CCR, title 2, section 52.4 (d) require that copies of appeals are mailed or served to the respondent.*
16	**SPB's failure to send notice timely impacts the department's ability to respond and to provide witnesses.**	*SPB strives to provide notice of prehearing/settlement conferences and hearings six to eight weeks prior to the conference or hearing date. One of the assigned paralegal's duties will be to ensure proper and timely notice.*
17	**Department or employee names and addresses are inaccurate.**	*The new procedural regulations in CCR, title 2, section 52.3 require on-line filing of actions. This will reduce the opportunity for typographical errors. The document management system will also provide functionality to reduce errors. In addition, the assignment of the paralegal as the case coordinator will reduce errors in SPB's records.*
18	**When there are changes in representation, SPB continues to send documents to the wrong attorney.**	*The new procedural regulations in CCR, title 2, section 52.9 provides departments instruction on alerting SPB of changes in representation. The paralegal assigned to each case will also ensure that documentation is being sent to the correct attorney.*

No.	Issue Description	Proposed Action
19	**SPB should send notices of settlement conferences/hearings to the outside counsel representing the department as well departmental counsel.**	*The new procedural regulations in CCR, title 2, section 52.9 provides departments instruction on notifying SPB of their representation. The paralegal assigned to each case will also ensure that documentation is being sent to all attorneys involved.*
20	**Notification of the strike list comes after the deadline to respond.**	*Per new procedural regulations section in CCR, title 2, section 56.2, the notice of filing is provided to the department along with a list of available ALJs. Notice should be provided within two weeks of SPB receiving the case.*
21	**The strike list is essentially useless, since you can strike only one ALJ from a listing of several.**	*The volume of cases, limited number of judges, and travel obligations prohibit SPB from assigning judges to an appeal from the outset of the case. Respondents are provided a listing of all available ALJs with the filing acknowledgement. Given workload, staffing, and scheduling, SPB cannot strike more than one ALJ without cause.* *CCR, title 2, section 56.3 of the new procedural regulations allows any party to request disqualification of any ALJ, Hearing Officer, or any Board Member for cause as set forth in section 11425.40 of the Government Code, for such things as bias, prejudice, or having an interest in the proceeding.*
22	**When scheduling prehearing/settlement conferences SPB doesn't consider whether they are creating multiple bookings for departmental representatives or attorneys.**	*SPB is unable to change our method of scheduling pre-hearing/settlement conferences at this time given our current technology. However, representatives are welcome to timely alert SPB Appeals staff of calendaring conflicts by email or telephone. We strive to accommodate all parties.*

No.	Issue Description	Proposed Action
23	**Prehearing/settlement conferences should be allowed via conference call.**	Telephonic appearance as opposed to personal appearance at settlement conferences has a much lower success rate of settlement. Since 90 % of the appeals resolve by settlement, our goal is to maximize settlements at the settlement conference to minimize negative impacts on our evidentiary hearing calendar.
24	**Pre-hearing/settlement conferences are not effective when parties are at impasse.**	*The prehearing/settlement conference is required by new procedural regulations in CCR, title 2, section 57.1. The conference provides a forum encouraging the settlement of cases. Each party is required to file written statements to ensure that the parties are knowledgeable about the strengths and weaknesses of their case which in turn will assist the parties in coming to a practical and rational settlement of the matter. Where a case cannot be settled, the prehearing/settlement conference provides information on issues an ALJ may address to finalize the disputed issues prior to a hearing.* *Since over 90% of cases settle, encouraging settlement from the outset reduces the number of cases actually scheduled for hearing, thus allowing for more expeditious resolution of all evidentiary appeals.*
25	**Departments are not prepared for the pre-hearing/settlement conference, which wastes SPB's time.**	*The new procedural regulations in CCR, title 2, section 57.1 require each party to file written statements to ensure that parties are prepared for the pre-hearing/settlement conference.*
26	**The ALJ should set expectations at the prehearing/settlement conference.**	*The new procedural hearing regulations in CCR, title 2, section 57.1 outline the processes, documentation, and timelines involved in the prehearing/settlement conference. The ALJ's role is to reach settlement if possible.*

No.	Issue Description	Proposed Action
27	**SPB should post Board approval of settlement agreements. Departments have to wait to hear from the opposing attorney.**	*SPB has identified and corrected document management system errors that were causing delays. The system will now expedite the processing of settlements. In addition, SPB is currently working on a process that will permit settlements reached before an ALJ at prehearing/settlement conferences to receive approval by the Chief ALJ or his designee, which will expedite the settlement approval process.* *Given current limits on Information Technology (IT) staffing and funding, we are unable to post additional information on-line at this time.*
28	**There is a lag between when a decision is rendered and then the stipulated agreement is implemented by the State Controller's Office (SCO).**	*SPB strives to improve the settlement review and approval process. SPB's Legal Office is undertaking the task of examining the current workflow for submitted settlement agreements and the pendency period before approval. It is anticipated that an improved workflow should reduce the pendency period to one week after the agreement is entered into our document management system. SPB has no control over SCO's implementation of the terms of the settlement. We will, however, meet with SCO and bring the issue to their attention.*
29	**Motions should be heard and decided upon before the prehearing/settlement conference or hearing.**	*The new procedural regulations in CCR, title 2, sections 60.1 - 60.3 will achieve this result in a larger percentage of cases as strict timelines are set for filing, opposing, and replying to motions. In addition, the new regulations allow for motions to be heard via conference call. Also, the paralegal assigned to the case can coordinate motions being heard prior to conferences and hearings.*
30	**The required motion form is not appropriate for all types of issues.**	*The new procedural regulations in CCR, title 2, sections 60.1-60.3 address what is required to file a motion. The motion form will be discontinued.*

No.	Issue Description	Proposed Action
31	**SPB should not deny continuances when the parties agree.**	*ALJs must consider a variety of factors when deciding whether to approve a motion of continuance, including scheduling, previous delays, the prejudice that parties or witnesses may suffer, and the interests of justice.*
32	**There is an inconsistency in SPB requiring issues to be resolved with the department before it will accept the appeal.**	*State departments have 90 days to respond to a merit issue or discrimination complaints before the appellant can file with SPB. Exam, minimum qualifications (MQ), and withhold appeals can be filed with SPB within 30 days of the employee getting written notice of their exam results, failure to meet MQs, or their being withheld from certification. SPB will consult with the appointing authority to investigate the complaint or appeal.*
33	**There should be different information filed with different types of appeals. There is no need to ask for job analysis in MQ appeals.**	*Generally, the appeal should include a copy of the department document from which the appeal is taken. Additional information may be requested from the appellant and/or the respondent depending upon the facts of the appeal as the case progresses.* *The form letter will be amended so that the job analysis is not requested in all MQ appeals.*
34	**Employees would like more information as to why their merit appeal was denied.**	*SPB strives to provide the appellant a clear and specific explanation as to why an appeal was denied.*
35	**It takes too long to hear from SPB whether a complaint will go to hearing.**	*As cases are set for hearing, a notice of hearing is generated and served on the parties. Hearings are scheduled based on regional calendar availability.*

No.	Issue Description	Proposed Action
36	**Eliminate regionalization and return to holding hearings at institutions.**	*Regionalization allows an ALJ the opportunity to hear a number of cases on the same day. Returning to site hearings could mean that an ALJ would only hear one case at a particular site and spend the rest of his or her time traveling. Since site hearings would greatly increase the backlog of appeals, SPB is not considering this as an option at this time.*
37	**Sometimes ALJs are not prepared at the hearing. They do not have documentation and have to ask lawyers for copies.**	*The new procedural regulations in CCR, title 2, section 52.3 require on-line filing of actions. This ensures that the ALJ assigned will have all necessary documentation prior to the hearing. Additionally, further controls are being implemented to correct this problem.*
38	**After scheduling the hearing, SPB reduces the number of days set. Departments are then required to finish 5 to 12 months later, instead of the following Monday which creates big problems.**	*The reduction of hearing days was due to the implementation of mandated furlough days and beyond the control of SPB. Rescheduling to the following Monday was not possible given that the calendar for the next week was already set. This problem should be alleviated now that furloughs have ended.*
39	**It takes too long for a decision after the hearing.**	*SPB's timelines have improved. The Board renders its decision on the majority of cases within 90 days of the submission of the case to the assigned ALJ. Once the economy improves, SPB will consider requesting additional ALJ positions.*
40	**SPB should have an on-line log for departments listing the status of appeals.**	*SPB posts the evidentiary hearing calendar on its website. Given current limits on IT staffing and funding, we are unable to provide additional information on-line at this time.*

No.	Issue Description	Proposed Action
1	**There is no Equal Employment Opportunity (EEO) leadership, guidance, or direction from the State Personnel Board (SPB). There is also a lack of SPB involvement in the EEO community.**	*SPB's goal is to increase its leadership and presence in the EEO Community. Some of our efforts include:* • *SPB has updated the civil rights webpage to contain a wide variety of tools and resources for EEO Officers including forms and reports.* • *SPB also established and maintains a civil rights email box that is designed to answer questions and provide guidance. SPB also responds to telephone calls in a timely manner.* • *SPB re-released the "Role of the EEO Office" policy memo in June 2010, which outlines the roles and responsibilities of EEO Officers in state government.* • *SPB was a co-sponsor with* Association of California State Employees with Disabilities *for the June 2010, Advancing Inclusion: The Future of Employment in State Government for Persons with Disabilities event.* • *Additionally in June 2010, SPB participated in the Refugee Conference, hosted by Department of Social Services.* • *SPB, along with the Department of Rehabilitation (DOR), partnered in planning and participating in the Americans with Disabilities Act 20th Anniversary event in July 2010.* • *SPB is also partnering with DOR on the California Model Employer Initiative to improve the current employment process for individuals with disabilities.* • *In response to Executive Order S-11-10, SPB formed a stakeholder workgroup to develop a reasonable accommodation (RA) tool that EEO Officers could use to train managers and supervisors on their RA responsibilities.* • *On September 20th, SPB in consultation with DOR met with all EEO Officers to coordinate training of state supervisors and managers regarding their duties to accommodate employees with disabilities. EEO Officers were provided the RA tool at that time.* • *On October 7th, SPB and DOR partnered in hosting "Talent Has No Boundaries, Workforce Diversity INCLUDES Workers with Disabilities" an event celebrating National Disability in Employment Awareness Month.*

		• *SPB oversees compliance with workforce analysis (WFA), Dymally-Alatorre Bilingual Services Act, and discrimination complaint activity reporting in civil service. SPB annually provides various trainings aimed at assisting departments with carrying out these civil rights related responsibilities.* • *SPB provides technical assistance to state agencies on the new on-line disability survey tool.* • *SPB developed an EEO training academy specifically designed for EEO Officers. This academy was created in partnership with SPB's stakeholders.* • *SPB's Executive Officer serves on the Governor's Committee for Employing Persons with Disabilities.* • *In 2010, SPB appointed a new manager over the Civil Rights Office who has an extensive civil rights background. Since she started, SPB has regularly attended California Civil Rights Oversight Committee (CCROC) meetings. SPB also attends Ad Hoc Committee on Personnel and the Small Personnel Offices Information Network meetings.* • *SPB's LEAP manager is an active member of the Statewide Disability Advisory Council (SDAC) and attends regularly to provide SPB updates. SPB also hosts and maintains SDAC's webpage.* • *The Executive Officer and other SPB staff frequently speak and/or participate in civil rights related events.*
2	**There is a lack of EEO expertise at SPB.**	*SPB like many other departments is impacted by turnover, furloughs, and budget constraints and reductions. SPB has recently hired a program manager for the Office of Civil Rights with extensive experience in the civil rights arena. She will be involved in setting the direction of SPB's civil rights role in the future.*
3	**There is lack of communication between SPB and departments.**	*SPB is working to improve its communication with its stakeholders. SPB's webpage contains many new resources and tools available to departments, the public, and interested parties. SPB has also recently released the automated disability survey and EEO Officer role policy memos. In addition, departments will also be receiving more timely and consistent acknowledgements of receipts and feedback on their report submissions.*

No.	Issue Description	Proposed Action
4	**A lack of policy guidance leads to inconsistent procedures.**	*As discussed previously, SPB has been working to strengthen its leadership and policy setting role over civil rights. New policies have been issued and training courses have been added or revised and expanded.*
5	**SPB resources are outdated.**	*SPB has been working to revise civil rights information. The website has been updated, training courses have been revised, and new policies have been issued. We will continue to update our resources.*
6	**Past EEO and civil rights training at SPB has been inadequate. Feedback has been given but courses are still inadequate and are at too high of a cost. SPB should consider training via webinar.**	*Feedback received on training evaluations has been positive. SPB developed an EEO training academy specifically designed for EEO Officers. This academy was created in partnership with SPB's stakeholders. SPB's Statewide Training Program is a reimbursable program; therefore, these services must be provided at a rate high enough to cover the costs of the course. Webinars were used in bilingual services trainings. SPB will review whether webinars or other more cost effective methods could be used for EEO training.*
7	**There is a lack of monitoring and holding departments accountable.**	*As a result of enhanced oversight and communication, twice as many departments complied with WFA reports as compared with the prior year. We will be changing our processes to increase our monitoring and follow-up efforts.*
8	**Department directors are not held accountable for scorecard performance.**	*Rather than focusing on a scorecard, SPB is working with departments to complete their annual analysis and develop goals and action plans to increase their representation. As part of SPB's enhanced monitoring processes, department directors will be contacted by the Executive Officer if the department is not in compliance.*

No.	Issue Description	Proposed Action
9	**Many EEO directors report to department directors, but not Career Executive Assignments. Some EEO directors do not report to their director, but the statute says they should.**	*EEO Officers can initiate dialogue with their Director using the June 14, 2010 Role of The Equal Employment Opportunity Officer policy memo to discuss their reporting relationship and level. The policy, pursuant to Government Code section 19795 (a) states in part: "…The appointing power of each state agency and the director of each state department shall appoint,* **at the managerial level, an equal employment opportunity officer, who shall report directly to, and be under the supervision of, the director of the department***, to develop, implement, coordinate, and monitor the agency's equal employment opportunity program..." EEO Officers who do not have a direct reporting relationship with their Director should notify SPB's Civil Rights Office so that we can correct that deficiency.*
10	**SPB should recommend EEO staffing levels in departments.**	*EEO staffing levels are at the discretion of each department, subject to oversight by the Department of Personnel Administration.*
11	**The Workforce Analysis is based on the census which is ten years old.**	*Labor force census data, while dated, is the only data currently available to conduct WFA. A taskforce has been formed to research and determine whether any more reliable data sets are available for this process.*
12	**The workforce statistical data is flawed and the reports are provided late. Why do departments have to pay for the reports?**	*Reports 4001 & 4011 that were previously used to conduct WFA have been discontinued due to erroneous information. Reports 5102 and 5112 are now used and posted on SPB's website. This information was shared in this year's training classes. SPB charges for the reports in order to cover the cost of the system and staff support.*
13	**The discrimination complaint reporting system asks for the wrong information. It is cumbersome, antiquated, and needs an overhaul.**	*One of SPB's strategic objectives is to develop a new discrimination complaint system database. We are in the planning phase of this project.*

14	There was no feedback provided to participants on the 2006 focus group findings.	*The focus groups held in 2006 provided SPB valuable information about recommendations for improvements. This feedback provided the foundation for SPB's current Strategic Plan. The intent of recent focus groups sessions is to evaluate SPB's progress since 2006 and to incorporate new suggestions for change into SPB's Strategic Plan. The final report from the latest sessions will be made available on SPB's website.*

No.	Issue Description	Proposed Action
1	**Is the Limited Examination and Appointment Program (LEAP) necessary, given the requirement of the Americans with Disabilities Act (ADA) and the Fair Employment and Housing Authority (FEHA)?**	*ADA & FEHA provide protections from discrimination to persons with disabilities, whereas the Limited Examination and Appointment Program (LEAP) is an alternate examination and appointment process designed to facilitate the recruitment and hiring of persons with disabilities. In addition, LEAP is designed to minimize the adverse impact of the traditional selection process by providing an alternate means of assessing the qualifications and skills of job applicants with disabilities.*
2	**LEAP and regular lists should be combined before the employer receives them. The State Personnel Board (SPB) should notify the department that they can do this.**	*LEAP and non-LEAP certification lists cannot be combined (aka "merged") due to the differing laws governing LEAP vs. non-LEAP examinations. When a department orders a certification list, and a LEAP list exists for the same classification, www.jobs.ca.gov will automatically generate both lists for the department. The LEAP list will include 50 names but the list can be adjusted to include more names and/or to set criteria for time base or location. Departments can create an internal list blending both LEAP and non-LEAP candidates when referring eligible candidates to hiring managers and supervisors.* *The California Model Employer Initiative (CMEI) will be working to develop a tool/guide to blend both LEAP and non-LEAP eligibles and remove LEAP indicators on applications referred to hiring managers and supervisors. Removing LEAP indicators facilitates the creation of a "level playing field" promoting the consideration of candidates' abilities to perform the essential functions of the job without regard to disability.*

No.	Issue Description	Proposed Action
3	**Departments don't use LEAP because it is cumbersome and the process is hard to understand.**	*The CMEI has plans to improve the LEAP process. Activities include:* 1. *Automation of the LEAP certification process* 2. *Annual training will be provided to departmental LEAP Coordinators* 3. *SPB's website will be updated to include a prominent, easy to navigate site for LEAP, which will include:* • *The application process* • *Contact information of persons who have gone through the process, such as Disabled Advisory Committee (DAC) members and mentors* • *A resource page in one location providing links to all disability-related employment programs and the contact information for all departmental LEAP Coordinators* • *The steps in the process for "the LEAP" and "How to Get a Job with the State"*
4	**SPB should offer on-line training on LEAP.**	*The CMEI, in partnership with the Department of Rehabilitation and the California Health Incentives Improvement Project, is developing on-line, no-cost disability awareness training for managers. The training will include:* • *The most current law(s) defining disability* • *How to use LEAP* • *The process of ordering reasonable accommodation (RA) equipment* • *Education regarding how people with disabilities can help meet workforce needs and that the cost of RA is not a barrier* • *Partnering with other entities that maintain an on-line Sensitivity Awareness training* • *Using DACs as a resource and participant in the development and implementation of all disability-related training within departments* *The sessions will preferably be taught by individuals with disabilities.*

No.	Issue Description	Proposed Action
5	**The LEAP manual needs to be updated and needs more specific how-to's, including how to document a LEAP hire.**	*The LEAP appointment process and the supervisor's responsibilities during the job examination period, including preparing monthly evaluations, are covered in the current LEAP manual. The manual is under review. The sections on how to request new LEAP exams, how to hire LEAP candidates, how to document hires, and all other sections will be revised and expanded if appropriate.*
6	**LEAP exams are not in classes people are interested in.**	*SPB currently has five continuous filing LEAP exams on-line including, Custodian, Office Assistant, Office Technician, Program Technician, and the Staff Services Analyst (SSA). This covers a range of job types including service/maintenance, secretarial/clerical to technical/paraprofessional. The SSA is the primary entrance exam for college graduates. Our goal is to expand this list on an ongoing basis in the future.*

No.	Issue Description	Proposed Action
1	**The language survey is additional workload for public contact employees. The State Personnel Board (SPB) should look for a new way of complying with Dymally-Alatorre Bilingual Services Act.**	*The Dymally-Alatorre Bilingual Services Act expressly requires that a survey be conducted on a biennial basis. SPB's Bilingual Services Program was audited by the Bureau of State Audits (BSA) in 2010. Based on BSA's findings and recommendations, we will be making changes to the process.*
2	**The survey process is cumbersome.**	*An interdepartmental taskforce was formed in Fiscal Year 2002-03 to provide input on streamlining the survey process. The current process reflects feedback from this task force. SPB continues to strive to make the process easier for departments through its numerous training sessions, including webinars. As mentioned above, SPB will be utilizing BSA's findings and recommendations to make additional changes to the process.*
3	**It is a waste of money to survey employees who do not have public contact.**	*The Act specifically allows SPB to exempt departments who meet the exemption criteria from completing the survey and/or implementation plan. For example, if a department's primary mission does not include providing information or services to the public, the department could qualify for an exemption.*
4	**The survey is from the 70s and needs to be updated to include advances such as language services being available 24 hours a day and departments having call centers.**	*SPB is in the process of reviewing/revising the on-line survey.*

No.	Issue Description	Proposed Action
5	**Given advances in language access, is the survey necessary anymore?**	*The language survey is necessary to monitor the level of service to the limited-English-proficient public and is required by the Act.*
6	**SPB should ask departments what they are doing to ensure language access, how do they meet the needs of their employees, and what is their complaint process.**	*SPB is in the process of reviewing/revising the current Implementation Plan on-line instrument to gather that information from departments.*
7	**Departments need more flexibility on when to conduct the survey.**	*State agencies can conduct the surveys during a ten day period of their choosing.*
8	**The surveys are inaccurate.**	*Each department's Language Survey Coordinator is responsible for providing training to its identified public contact positions and ensuring an accurate survey is conducted. Problems in an agency's survey can be brought to the attention of their Language Survey Coordinator.*
9	**What happens to the data after it's submitted to SPB?**	*As required by the Act, SPB reviews the results of the surveys and implementation plans and provides a report to the Legislature. These reports are posted on SPB's website. SPB will be increasing its monitoring of departments that report deficiencies.*
10	**The deficiency calculation does not account for alternate resources.**	*SPB is in the process of making changes to the Bilingual Services Program and processes.*

No.	Issue Description	Proposed Action
11	**The language survey training is inadequate. It should be interactive. SPB should offer the choice of classroom training or webcast.**	*The Bilingual Services Program strives to constantly improve its training to language survey coordinators. The recent 2010 Language Survey training was offered in three different formats:* 1. *A comprehensive interactive training for individuals new to the survey process* 2. *A high-level briefing focusing on survey instrument changes and features via webinar* 3. *Training to departments on Reporting Assistants' roles and responsibilities via webinar*
12	**The Bilingual Services information on the website is too general and is outdated.**	*SPB's website has been recently updated and expanded with Frequently Asked Questions, training presentations, manuals, and links to helpful resources related to the Bilingual Services Program.*
13	**There is a lack of feedback and follow-up from SPB staff.**	*SPB has improved its communication with departments by:* • *Emailing periodic updates on training, events, etc.* • *Responding to all emails and telephone messages in a timely manner* • *Creating a Bilingual Services Program email address* • *Participating in stakeholder forums* *In 2010, the BSA conducted an audit of the Bilingual Services Program. As a result, SPB will be implementing a number of changes.*

No.	Issue Description	Proposed Action
14	**What is the difference in being certified as an interpreter versus a translator?**	*SPB is involved in the establishing oral interpretation proficiency for both Administrative Hearing and Medical Interpreters and state employees.* • *An Administrative Hearing Interpreter interprets during state agency hearings before Administrative Law Judges (Workers' Compensation Appeals Board, Labor Relations Board, etc.) A Medical Interpreter provides interpreting services at medical exams conducted for the purpose of determining compensation or monetary award in a civil case. Administrative Hearing Interpreters and Medical Interpreters must pass a written and an oral State Certification Exam. Pursuant to Government Code section 11435.30, SPB's role is to establish and maintain a list of certified hearing interpreters.* • *State employees must pass an SPB administered fluency exam to be considered a "qualified bilingual person" for the purpose of meeting language access needs. SPB has also approved delegation of bilingual fluency testing to other state departments for specific languages. The intent of the fluency exams is to ensure that state employees communicating in non-English languages, in the performance of their job duties, possess the requisite skill/proficiency to effectively communicate.* *A translator is a person that has the skills to read and write in English and in a second language and translate documents from English into a second language or visa a versa. SPB does not certify employees as translators. Translators can be obtained through the contract process.*
15	**Bilingual tools and testing materials are outdated.**	*SPB is currently updating fluency examinations that will be made available to departments with delegated testing authority.*

No.	Issue Description	Proposed Action
16	**Departments need more flexibility in scheduling fluency examinations.**	*SPB provides oral fluency examinations during regular business hours. If a department has a special need, arrangements can be made by contacting the Bilingual Services Program.*
17	**Los Angeles Unified School Districts (LAUSD) tests in more languages than SPB does.**	*SPB currently tests in 28 languages which represent the most commonly-spoken non-English languages as captured in the language survey.*
18	**SPB charges more than LAUSD for bilingual testing.**	*SPB's oral fluency examination is geared toward government customer-service situations. The $115 fee covers the services of scheduling the examination, communicating with the candidate and department, administering the examination, and maintaining the on-line certification system which is accessible to all departments' personnel offices.*

No.	Issue Description	Proposed Action
1	**The State Personnel Board (SPB) should offer more cost effective methods of training, such as webcasts, webinars, and e-learning.**	*The Statewide Training Program will pursue providing more training through webcasts, webinars, e-learning, etc., but not all classes are conducive for those types of training platforms. The technology can also be expensive to set up and participants need to be able to access the technology on their end.*
2	**It is expensive for large decentralized departments to attend training at SPB. Are offsite classes available?**	*SPB does provide offsite classes. Departments can contact the Training Officer to discuss this option. The use of technology as discussed previously also greatly reduces departmental costs associated with staff travel. A Skelly Officer class was recently held at the Department of Toxic Substances and Control and successfully webcast to their other locations.*
3	**SPB should expand their course offerings to add the following:** • **people skills** • **stress/time management** • **customer service** • **business writing** • **project management** • **change management** • **refresher or advanced courses for supervisors** • **refresher on precedential decisions covering new changes in law**	*SPB currently offers the following courses related to people skills: Interpersonal Skills, Having Difficult Conversations, Enhancing Communication in the Workplace and Practical Insight, a Gateway to Cooperation and Collaboration. In addition, SPB offers a Time and Workspace Management Course and several writing courses, including Grammar for Professional Documents; Writing Effective Letters, Memos and Emails; and Franklin Covey: Writing Advantage. A project management class is also currently offered. SPB is working on adding advanced courses/refresher courses for supervisors. If there is a demand, courses on customer service, change management, and a precedential decision refresher can be added to SPB course offerings.* *SPB surveys for course interest by asking each participant what courses they would like to see offered in their class evaluation. A formal survey will also go out to all Training Officers later this fiscal year to identify what topics departments would like to see added to SPB's course catalog. In addition, staff are networking with several human resource organizations such as Small Personnel Offices Information Network, Ad Hoc Committee on Personnel, and California Civil Rights Oversight Committee to get feedback on our current courses and suggestions for new curricula.*

No.	Issue Description	Proposed Action
4	**SPB should offer classes more frequently, specifically on permissive reinstatements and transfers, job analysis and merit issues, and progressive discipline courses.**	*Currently, SPB tracks the demand for all classes and adds additional sessions when there are sufficient participants to fill a class and if instructors are available. SPB tracks demand by waiting lists. Currently if a class is full, we automatically put the person attempting to enroll on a waitlist and notify the employee and the individual who signed their registration that they are on a waitlist and if there is a cancellation or enough demand to schedule another session, we will notify them.*
5	**SPB's classes should display so that employees know what classes they should take to improve their job skills given their classification.**	*Although SPB's classes are not categorized by classification, they are organized by subject area such as Selection Analyst Certification Training Program, Analytical Series, Upward Mobility Series, and Supervisory Training to guide employees to the courses that will benefit them most given the type of work they do. As part of the annual individual development plan employees and their supervisors complete, training courses appropriate for the employee should be identified.*
6	**SPB should offer on-line registration and track employee's training history so that it can be viewed by departments.**	*A learning management system and on-line registration system are part of SPB's Strategic Plan.*
7	**SPB should explore ways to centrally deliver mandated training at no cost to the employee or department.**	*SPB's training program is a reimbursable program. Costs to cover instructors, materials and overhead are charged to the departments using training services.*

No.	Issue Description	Proposed Action
8	**SPB should change its payment policy to allow for invoicing without a processing fee.**	*The workload associated by generating, mailing, tracking, and following up on overdue invoices was laborious given the number of invoices that had to be issued for each class. SPB implemented a processing fee to encourage departments to pay by purchase order, charge card or check prior to class or on the day of class. SPB has since changed this policy and <u>will not charge the processing fee to those who prefer to be invoiced after class</u>. This change was made as a result of departments' feedback that invoicing was their department's preferred method of payment and that attempting to secure a check or other payment option prior to class was too problematic.*