



COMPLIANCE REVIEW REPORT

**CALIFORNIA DEPARTMENT OF MOTOR
VEHICLES**

Compliance Review Unit
State Personnel Board
March 10, 2016

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INTRODUCTION

Established by the California Constitution, the State Personnel Board (the SPB or Board) is charged with enforcing and administering the civil service statutes, prescribing probationary periods and classifications, adopting regulations, and reviewing disciplinary actions and merit-related appeals. The SPB oversees the merit-based recruitment and selection process for the hiring of over 200,000 state employees. These employees provide critical services to the people of California, including but not limited to, protecting life and property, managing emergency operations, providing education, promoting the public health, and preserving the environment. The SPB provides direction to DMVs through the Board's decisions, rules, policies, and consultation.

Pursuant to Government Code section 18661, the SPB's Compliance Review Unit (CRU) conducts compliance reviews of appointing authority's personnel practices in four areas: examinations, appointments, equal employment opportunity (EEO), and personal services contracts (PSC's) to ensure compliance with civil service laws and board regulations. The purpose of these reviews is to ensure state agencies are in compliance with merit related laws, rules, and policies and to identify and share best practices identified during the reviews. The SPB conducts these reviews on a three-year cycle.

The CRU may also conduct special investigations in response to a specific request or when the SPB obtains information suggesting a potential merit-related violation.

EXECUTIVE SUMMARY

The CRU conducted a routine compliance review of California Department of Motor Vehicles (DMV) personnel practices in the areas of examinations, EEO, and PSC's from August 1, 2014 and May 01, 2015, and appointments from November 1, 2014, to May 1, 2015. The following table summarizes the compliance review findings.

Area	Finding	Severity
Examinations	Examinations Complied with Civil Service Laws and Board Rules	In Compliance
Appointments	Equal Employment Opportunity Questionnaires Were Not Separated from Applications	Very Serious
Appointments	Applications Were Not Date Stamped	Non-serious or Technical
Appointments	Certifications Were Not Documented Electronically	Observation

Area	Finding	Severity
Equal Employment Opportunity	Complainants Were Not Notified of the Reasons for Delays in Decisions Within the Prescribed Time Period	Very Serious
Personal Services Contracts	Personal Services Contracts Complied with Procedural Requirements	In Compliance

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

- Red = Very Serious
- Orange = Serious
- Yellow = Non-serious or Technical
- Green = In Compliance
- Gray = Observation

BACKGROUND

The DMV serves the public by providing quality licensing and motor vehicle-related services. The DMV has just over 9,600 employees that serve California’s population via 247 service offices and facilities located throughout the state. In 2014, the DMV provided 28 million customers with driver license and identification card services and registration services for 33 million customers. The DMV also promotes traffic safety by monitoring the driving performance of licensed drivers; evaluates high-risk drivers for driving competency and takes corrective actions against the driving privilege of drivers who demonstrate safety risks.

In the commercial industry, the DMV provides consumer protection through the licensing and regulation of occupations and businesses related to the manufacture, transport, sale, and disposal of vehicles, including vehicle manufacturers, dealers, registration services, salespersons, transporters, and dismantlers. In addition, the DMV regulates all occupations and businesses related to driving and traffic schools.

SCOPE AND METHODOLOGY

The scope of the compliance review was limited to reviewing DMV examinations, EEO program, and PSC’s from August 1, 2014, to May 01, 2015, and appointments from November 1, 2014, to May 1, 2015. The primary objective of the review was to determine if DMV personnel practices, policies, and procedures complied with state civil

service laws and board regulations, and to recommend corrective action where deficiencies were identified.

A cross-section of DMV examinations and appointments were selected for review to ensure that samples of various examinations and appointment types, classifications, and levels were reviewed. The CRU examined the documentation that the DMV provided, which included examination plans, examination bulletins, job analyses, 511b's, scoring results, notice of personnel action (NOPA) forms, vacancy postings, application screening criteria, hiring interview rating criteria, certification lists, transfer movement worksheets, employment history records, correspondence, and probation reports.

The review of the DMV EEO program included examining written EEO policies and procedures; the EEO officer's role, duties, and reporting relationship; the internal discrimination complaint process; the upward mobility program; the reasonable accommodation program; the discrimination complaint process; and the Disability Advisory Committee (DAC). The CRU also interviewed appropriate DMV staff.

The DMV's PSCs were also reviewed.¹ It was beyond the scope of the compliance review to make conclusions as to whether DMV justifications for the contracts were legally sufficient. The review was limited to whether DMV practices, policies, and procedures relative to PSC's complied with procedural requirements.

On February 23, 2016, an exit conference was held with the DMV to explain and discuss the CRU's initial findings and recommendations. The DMV was given until March 8, 2016, to submit a written response to the CRU's draft report. On March 7, 2016, the CRU received and carefully reviewed the response, which is attached to this final compliance report.

FINDINGS AND RECOMMENDATIONS

Examinations

Examinations to establish an eligible list must be competitive and of such character as fairly to test and determine the qualifications, fitness, and ability of competitors to perform the duties of the class of position for which he or she seeks appointment. (Gov.

¹ If an employee organization requests the SPB to review any SPB personal services contract during the compliance review period or prior to the completion of the final compliance review report, the SPB will not audit the contract. Instead, the SPB will review the contract pursuant to its statutory and regulatory process. In this instance, none of the reviewed PSC's were challenged.

Code, § 18930.) Examinations may be assembled or unassembled, written or oral, or in the form of a demonstration of skills, or any combination of those tests. (*Ibid.*) The Board establishes minimum qualifications for determining the fitness and qualifications of employees for each class of position and for applicants for examinations. (Gov. Code, § 18931.) Within a reasonable time before the scheduled date for the examination, the designated appointing power shall announce or advertise the examination for the establishment of eligible lists. (Gov. Code, § 18933, subd. (a).) The advertisement shall contain such information as the date and place of the examination and the nature of the minimum qualifications. (*Ibid.*) Every applicant for examination shall file an application in the office of the DMV or a designated appointing power as directed by the examination announcement. (Gov. Code, § 18934.) Generally, the final earned rating of each person competing in any examination is to be determined by the weighted average of the earned ratings on all phases of the examination. (Gov. Code, § 18936.) Each competitor shall be notified in writing of the results of the examination when the employment list resulting from the examination is established. (Gov. Code, § 18938.5.)

During the period under review, the DMV conducted 54 examinations. The CRU reviewed 14 of the examinations, which are listed below:

Classification	Exam Type	Exam Components	Final File Date	No. of Applications
Assistant Division Chief/Program Manager, DMV	Department Promotional	Special Examination And Appointment Program (SEA) ²	10/20/2014	11
Associate Personnel Analyst	Promotional	Training & Experience (T&E) ³	Continuous	27
Bookbinder III	Department Open	Qualification Appraisal Panel (QAP) ⁴	9/16/2014	21

² Special Examination and Appointment (SEA) program originates from California Code of Regulations title 2, section 549.80 allowing the Department of Motor Vehicles to conduct examinations and make appointments to select candidates for specified managerial and supervisory classifications.

³ The training and experience (T&E) examination is administered either online or in writing, and asks the applicant to answer multiple-choice questions about his or her level of training and/or experience performing certain tasks typically performed by those in this classification. Responses yield point values, which are totaled by the online system or a department exam analyst, and then assigned a percentage score.

Classification	Exam Type	Exam Components	Final File Date	No. of Applications
Deputy Director, Communications Programs Division	Career Executive Assignment (CEA)	Statement Of Qualifications (SOQ) ⁵	5/1/2015	14
Deputy Director, Field Operations Division	CEA	SOQ	8/19/2014	10
Driver Safety Manager II	Department Promotional	SEA	9/5/2014	7
Driver Safety Manager II	Department Promotional	SOQ/QAP	3/20/2015	7
Manager IV, DMV	Department Promotional	SOQ/QAP	8/8/2014	15
Manager V, DMV	Department Promotional	SEA	2/11/2015	9
Office Services Supervisor (General)	Department Promotional	T&E	3/12/2015	34
Personnel Supervisor I	Department Promotional	T&E	10/24/2014	18
Regional Construction and Maintenance Superintendent, DMV	Department Open	QAP	10/23/2014	21
Research Program Specialist I (Social/Behavioral)	Department Open	T&E	8/14/2014	22
Staff Services Manager III	Department Promotional	SOQ	8/25/2014	11

FINDING NO. 1 – Examinations Complied with Civil Service Laws and Board Rules

The DMV administered five open examinations and nine promotional examinations to create eligible lists from which to make appointments. For all of the examinations, the

⁴ The qualification appraisal panel (QAP) interview is the oral component of an examination whereby competitors appear before a panel of two or more evaluators. Candidates are rated and ranked against one another based on an assessment of their ability to perform in a job classification.

⁵ In a statement of qualifications (SOQ's) examination, applicants submit a written summary of their qualifications and experience related to a published list of desired qualifications. Raters, typically subject matter experts, evaluate the responses according to a predetermined rating scale designed to assess their ability to perform in a job classification, assign scores and rank the competitors in a list.

DMV published and distributed examination bulletins containing the required information. Applications received by the DMV were accepted prior to the final filing date and were thereafter properly assessed to determine whether applicants met the minimum qualifications (MQ's) for admittance to the examination. The DMV notified applicants as to whether they qualified to take the examination, and those applicants who met the MQ's were also notified about the next phase of the examination process. After all phases of the examination process were completed, the score of each competitor was computed, and a list of eligible candidates was established. The examination results listed the names of all successful competitors arranged in order of the score received by rank. Competitors were then notified of their final scores.

The CRU found no deficiencies in the examinations that the DMV conducted during the compliance review period. Accordingly, the DMV fulfilled its responsibilities to administer those examinations in compliance with civil service laws and board rules.

Appointments

In all cases not excepted or exempted by Article VII of the California Constitution, the appointing power must fill positions by appointment, including cases of transfers, reinstatements, promotions, and demotions in strict accordance with the Civil Service Act and Board rules. (Gov. Code, § 19050.) Except as provided by law, appointments to vacant positions shall be made from employment lists. (*Ibid.*) Appointments made from eligible lists, by way of transfer, or by way of reinstatement, must be made on the basis of merit and fitness, which requires consideration of each individual's job-related qualifications for a position, including his or her knowledge, skills, abilities, experience, and physical and mental fitness. (Cal. Code Regs., tit. 2, § 250, subd. (a).)

During the compliance review period, the DMV made 1,499 appointments. The CRU reviewed 150 of those appointments, which are listed below:

Classification	Appointment Type	Tenure	Time Base	No. of Appointments
Accountant Trainee	Certification List	Permanent	Full Time	5
Accounting Officer Specialist	Certification List	Permanent	Full Time	2
Assistant Chief Counsel	Certification List	Permanent	Full Time	1
Assistant Division Chief/Program Manager	Certification List	Permanent	Full Time	2

Classification	Appointment Type	Tenure	Time Base	No. of Appointments
Associate Information Systems Analyst (Supervisor)	Certification List	Permanent	Full Time	1
Associate Telecommunications Engineer	Certification List	Permanent	Full Time	1
Control Cashier I	Certification List	Permanent	Full Time	9
Data Processing Manager I	Certification List	Permanent	Full Time	2
Driver Safety Hearing Officer	Certification List	Permanent	Full Time	7
Inspector	Certification List	Permanent	Full Time	3
Investigator	Certification List	Permanent	Full Time	10
Licensing-Registration Examiner, DMV	Certification List	Permanent	Full Time	4
Manager II	Certification List	Permanent	Full Time	14
Motor Vehicle Representative	Certification List	Permanent	Full Time	10
Office Assistant (General)	Certification List	Permanent	Full Time	7
Office Technician (Typing)	Certification List	Permanent	Full Time	11
Special Investigator Assistant	Certification List	Limited Term	Full Time	3
Special Investigator Assistant	Certification List	Permanent	Full Time	2
Staff Services Analyst	Certification List	Permanent	Full Time	4
Staff Services Management Auditor	Certification List	Permanent	Full Time	3
Staff Services Manager I	Certification List	Permanent	Full Time	6
Supervising Investigator I, DMV	Certification List	Permanent	Full Time	2
Associate Information Systems Analyst	Demotion	Permanent	Full Time	1
Motor Vehicle Representative	Demotion	Permanent	Full Time	1

Classification	Appointment Type	Tenure	Time Base	No. of Appointments
Mandatory Reinstatement	Mandatory Reinstatement	Permanent	Intermittent	1
Research Manager II - Social/Behavioral	Mandatory Reinstatement	Permanent	Full Time	1
Senior Motor Vehicle Technician	Mandatory Reinstatement	Permanent	Full Time	3
Staff Services Analyst	Mandatory Reinstatement	Permanent	Full Time	3
Systems Software Specialist I (Technical)	Mandatory Reinstatement	Permanent	Full Time	2
Licensing-Registration Examiner, DMV	Reinstatement	Limited Term	Full Time	1
Licensing-Registration Examiner, DMV	Reinstatement	Permanent	Full Time	1
Motor Vehicle Representative	Reinstatement	Permanent	Full Time	1
Management Services Technician	Training & Development	Permanent	Full Time	1
Senior Motor Vehicle Technician	Training & Development	Permanent	Full Time	2
Staff Services Analyst	Training & Development	Permanent	Full Time	2
Associate Information Systems Analyst (Supervisor)	Transfer	Permanent	Full Time	2
Associate Management Auditor	Transfer	Permanent	Full Time	1
Driver Safety Hearing Officer	Transfer	Permanent	Full Time	2
Licensing-Registration Examiner, DMV	Transfer	Limited Term	Full Time	7
Licensing-Registration Examiner, DMV	Transfer	Permanent	Full Time	1
Motor Vehicle Representative	Transfer	Permanent	Full Time	8

FINDING NO. 2 – Equal Employment Opportunity Questionnaires Were Not Separated from Applications

Summary: The DMV did not separate 264 EEO questionnaires from 7,015 STD. 678 employment applications.

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

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

Cause: The DMV states that the failure to achieve 100% compliance in separating the Equal Employment Opportunity questionnaires from the STD 678 applications was caused by an oversight on the part of the employees processing the applications.

Action: It is recommended that within 60 days of the Executive Officer's approval of these findings and recommendations, the DMV submit to the CRU a written corrective action plan that the department will implement to ensure conformity with in the future that EEO questionnaires are separated from all applications. Copies of any relevant documentation should be included with the plan.

FINDING NO. 3 – Applications Were Not Date Stamped

Summary: The DMV accepted and processed 1,367 out of 7,015 applications that were not date stamped.

Criteria: California Code Regulations, title 2, section 174 (Rule 174) requires timely filing of applications: All applications must be filed at the place, within the time, in the manner, and on the form specified in the examination announcement.

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

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

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

Cause: The DMV states that the failure to date stamp all the applications was the result of either oversight or lack of knowledge of this requirement on the part of the employees processing the applications.

Action: It is recommended that within 60 days of the Executive Officer's approval of these findings and recommendations, the DMV submit to the CRU a written corrective action plan that the department will

implement to ensure conformity with Rule 174. Copies of any relevant documentation should be included with the plan.

OBSERVATION NO. 1– Certifications Were Not Documented Electronically

For 109 certification list appointments, the DMV used green certification lists or Certification List Working Reports (CLWR) to document hires. The green certification lists (created by the DMV), takes names of eligibles off the ECOS electronic certification, and places candidates in ranking order. Since the implementation of ECOS in January 2014, a certification is ordered electronically to certify eligibility of a candidate, and the hire is documented on the electronic certification. (2 CCR § 251) The green certification utilized is the department’s created certification, but it is not the actual certification that is created within ECOS. By utilizing the green certifications, the DMV failed to maintain accurate data within the electronic system capturing appointees’ hires and certification clearance. Specifically, it was unclear how eligibles were cleared on the green certification lists because several eligibles on the ECOS certifications did not appear on the DMV’s green certification lists. This resulted in the clearance of names without proper documentation. In addition, the CRU found conflicting documentation between the ECOS certification list and the DMV’s green certification list. Specifically, the CRU found that four appointees were coded as “Did Not Reply” on the cited ECOS certification list, while the DMV’s green certification lists reflected hired.

By failing to document the certification electronically, the DMV is unable to retain the historical data of their appointments in the central selection database. However, the DMV has retained records outside of the system to document their hiring practices and is working with CalHR to create tools that will help ensure that ECOS is fully utilized by the DMV going forward.

Equal Employment Opportunity (EEO)

Each state agency is responsible for an effective EEO program. (Gov. Code, § 19790.) The appointing power for each state agency has the major responsibility for monitoring the effectiveness of its EEO program. (Gov. Code, § 19794.) To that end, the appointing power must issue a policy statement committed to equal employment opportunity; issue procedures for filing, processing, and resolving discrimination complaints; issue procedures for providing equal upward mobility and promotional opportunities; and cooperate with CalHR by providing access to all required files, documents and data. (*Ibid.*) In addition, the appointing power must appoint, at the managerial level, an EEO officer, who shall report directly to, and be under the supervision of, the director of the

DMV to develop, implement, coordinate, and monitor the DMV's EEO program. (Gov. Code, § 19795.)

Because the EEO Officer investigates and ensures proper handling of discrimination, sexual harassment and other employee complaints, the position requires separation from the regular chain of command, as well as regular and unencumbered access to the head of the organization.

Each state agency must establish a separate committee of employees who are individuals with a disability, or who have an interest in disability issues, to advise the head of the agency on issues of concern to employees with disabilities. (Gov. Code, § 19795, subd. (b)(1).) The department must invite all employees to serve on the committee and take appropriate steps to ensure that the final committee is comprised of members who have disabilities or who have an interest in disability issues. (Gov. Code, § 19795, subd. (b)(2).)

The CRU reviewed the DMV's EEO program that was in effect during the compliance review period. In addition, the CRU interviewed appropriate DMV staff.

FINDING NO. 4– Complainants Were Not Notified of the Reasons for Delays in Decisions Within the Prescribed Time Period

Summary: The DMV provided evidence that discrimination complaints filed during the compliance review period were outstanding without providing communication to the complainants regarding the status of their complaint within the 90 days of the complaint being filed. None of the 122 complainants received written decisions or reasons for delay notifications within the prescribed time period of 90 days.

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

Severity: Very Serious. Employees were not informed of the reasons for delays in decisions for complaints. Employees may feel their

concerns are not being taken seriously, which can leave the agency open to liability and low employee morale.

Cause: The DMV states that the process was inadvertently eliminated as a result of process changes.

Action: It is recommended that within 60 days of the Executive Officer's approval of these findings and recommendations, the DMV submit to the CRU a written corrective action plan that addresses the corrections the department will implement to ensure conformity with the requirements of California Code of Regulations, title 2, section 64.4, subdivision (a). Copies of any relevant documentation should be included with the plan.

Personal Services Contracts

A personal services contract (PSC) includes any contract, requisition, or purchase order under which labor or personal services is a significant, separately identifiable element, and the business or person performing the services is an independent contractor that does not have status as an employee of the State. (Cal. Code Reg., tit. 2, § 547.59.) The California Constitution has an implied civil service mandate limiting the state's authority to contract with private entities to perform services the state has historically or customarily performed. Government Code section 19130, subdivision (a), however, codifies exceptions to the civil service mandate where PSCs achieve cost savings for the state. PSCs that are of a type enumerated in subdivision (b) of Government Code section 19130 are also permissible. Subdivision (b) contracts include private contracts for a new state function, services that are not available within state service, services that are incidental to a contract for the purchase or lease of real or personal property, and services that are of an urgent, temporary, or occasional nature.

For cost-savings PSCs, a state agency is required to notify SPB of its intent to execute such a contract. (Gov. Code, § 19131.) For subdivision (b) contracts, the SPB reviews the adequacy of the proposed or executed contract at the request of an employee organization representing state employees. (Gov. Code, § 19132.)

During the compliance review period, the DMV had 23 PSC's that were in effect. 8 of these contract were subject to Department of General Services (DGS) approval, and thus our procedural review, which are listed below:

Vendor	Services	Contract Dates	Contract Amount	Justification Identified
AmeriVet Logistics, Inc.	Courier Services	10/01/2014 - 6/30/2016	\$452,550.00	Yes
Bank of America	Banking Services	10/01/2014 - 9/30/2016	\$276,572.16	Yes
Escue and Associates, Inc	Ergonomic Equipment Maintenance	9/1/2014 - 8/31/2016	\$536,900.00	Yes
Hanna Interpreting Services LLC	Telephone Interpreter	12/01/2014 - 11/30/2016	\$661,500.00	Yes
Inter-Con Security Systems Incorporated	Security Services	1/1/2015 - 12/31/2015	\$984,325.91	Yes
Mr. Security Camera	Preventative Printing Services	4/1/2015 - 3/31/2017	\$399,338.00	Yes
Pro Document Solutions	Specialized Printing Services	11/1/2014 - 6/30/2015	\$359,046.60	Yes
Service West Incorporated	Ergonomic Equipment Maintenance	9/01/2014 - 8/31/2016	\$514,275.00	Yes

FINDING NO. 5 – Personal Services Contracts Complied with Procedural Requirements

When a state agency requests approval from the DGS for a subdivision (b) contract, the agency must include with its contract transmittal a written justification that includes specific and detailed factual information that demonstrates how the contract meets one or more conditions specified in Government Code section 19131, subdivision (b). (Cal. Code Reg., tit. 2, § 547.60.)

The total dollar amount of all the PSC's reviewed was \$4,184,507.67. It was beyond the scope of the review to make conclusions as to whether the DMV's justifications for the contract were legally sufficient. For all PSC's reviewed, the DMV provided specific and detailed factual information in the written justifications as to how each of the eight contracts met at least one condition set forth in Government Code section 19131, subdivision (b). Accordingly, the DMV PSC's complied with civil service laws and board rules.

DEPARTMENTAL RESPONSE

The DMV's response is attached as Attachment 1.

SPB REPLY

Based upon the DMV's written response, the DMV will comply with the CRU recommendations and findings and provide the CRU a corrective action plan.

It is further recommended that the DMV comply with the afore-stated recommendations within 60 days of the Executive Officer's approval and submit to the CRU a written report of compliance.

DEPARTMENT OF MOTOR VEHICLESP.O. BOX 942890
SACRAMENTO, CA 94290-0001

March 8, 2016

Suzanne Ambrose
Executive Director
State Personnel Board
801 Capitol Mall
Sacramento, CA 95818

Dear Ms. Ambrose:

The Department of Motor Vehicles (DMV) would like to thank the State Personnel Board's Compliance Review Unit (CRU) for undertaking the 2015 DMV Compliance Review. The DMV has reviewed the report and provides the following information regarding the findings.

**Specific Findings
Causes and Responses**

Finding Number 2 – *Equal Employment Opportunity Questionnaires Were Not Separated from Applications.* The report noted that the DMV did not separate 264 Equal Employment Opportunity Questionnaires from 7,015 applications.

Cause: Failure to achieve 100% compliance in separating the Equal Employment Opportunity questionnaires from the STD 678 applications was caused by an oversight on the part of the employees processing the applications.

Response: DMV will reinforce this requirement with the relevant staff.

Finding Number 3 – *Applications Were Not Date Stamped.* The report noted that 1,367 out of 7,015 were not date stamped.

Cause: Failure to date stamp all the applications was the result either oversight or lack of knowledge of this requirement on the part of the employees processing the applications.

Response: The DMV will reinforce this practice with the relevant staff

Finding Number 4 – *Complainants Were Not Notified of the Reasons for Delays in Decision Within the Prescribed Time Period.* The report noted that the DMV failed to provide complainants with written notifications regarding the status of their complaints within 90 days of the complaint being filed.

Cause: The practice was inadvertently eliminated as a result of process changes.

Response: The practice has since been re-implemented.

Departmental Response

The DMV thanks the SPB's CRU staff for their professionalism and dedication to the Civil Service Merit system. DMV appreciates the opportunity provided by the CRU to review and evaluate the DMV's compliance with the State's merit based selection processes. DMV has taken into account the findings of the report and will implement the necessary corrective actions.

If you have any questions regarding this response please don't hesitate to contact me.

Sincerely,



DAVID KEENAN, Chief
Human Resources Branch

Cc: Pam Mizukami, Deputy Director, ASD
David Saika, Branch Chief, Audits