



COMPLIANCE REVIEW REPORT

CALIFORNIA DEPARTMENT OF CONSERVATION

Compliance Review Unit
State Personnel Board
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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 departments 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 Conservation (DOC) personnel practices in the areas of examinations, appointments, EEO, and PSC's from May 1, 2011, through December 31, 2013. The following table summarizes the compliance review findings.

Area	Finding	Severity
Examinations	Job Analyses Were Not Developed or Used for the Examination Process	Very Serious
Appointments	Appointment Documentation Was Not Kept for the Appropriate Amount of Time	Serious
Appointments	Probationary Evaluations Were Not Provided for All Appointments	Serious
Equal Employment Opportunity	Equal Employment Opportunity Program Complied with Civil Service Laws and Board Rules	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

BACKGROUND

The DOC protects Californians and their environment by protecting lives and property from earthquakes and landslides; ensuring safe mining and oil, gas, and geothermal drilling; and conserving California's farmland. The department is comprised of five divisions which include the Division of Land Resource Protection, California Geological Survey, Office of Mine Reclamation, Division of Administration, and the Division of Oil, Gas, and Geothermal Resources. As of July 2014, there are a total of 540 various positions including Geologists, Engineers, Scientists, and generalist classes such as Staff Services Analysts located throughout the State of California.

SCOPE AND METHODOLOGY

The scope of the compliance review was limited to reviewing DOC examinations, appointments, EEO program, and PSC's from May 1, 2011, through December 31, 2013. The DOC's review began as a baseline review. The review was later expanded to allow for a full compliance review. The primary objective of the review was to determine if DOC's 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 DOC 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 DOC provided, which included examination plans, examination bulletins, job analyses, 511b's, scoring results, notice of personnel action 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 DOC 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 DOC staff.

DOC PSC's were also randomly selected to ensure that various types of contracted services and contract amounts were reviewed. The DOC contracted for media relations training, janitorial services, and mediation services.¹ It was beyond the scope of the compliance review to make conclusions as to whether DOC justifications for the contracts were legally sufficient. The review was limited to whether DOC practices, policies, and procedures relative to PSC's complied with procedural requirements.

On February 11, 2015, an exit conference was held with the DOC to explain and discuss the CRU's initial findings and recommendations. The DOC was given until March 3, 2015 to submit a written response to the CRU's draft report. On March 3, 2015, 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. 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 department or a designated appointing power as directed by the examination announcement. (Gov. Code, § 18934.) Generally, the final earned rating of

¹If an employee organization requests the SPB to review any personal services contract during the SPB 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.

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 DOC conducted 18 examinations. The CRU reviewed all 18 examinations, which are listed below:

Classification	Exam Type	Exam Components	Final File Date	No. of Applications
Associate Oil & Gas Engineer	Open	Supplemental Application (SA) ²	Continuous	14
Associate Oil & Gas Engineer	Open	SA	Continuous	21
Career Executive Assignment (CEA) B, State Oil and Gas Supervisor	Open	CEA	10/08/2013	4
CEA II, Assistant Director of Administration	Open	CEA	1/11/2013	22
CEA V, State Oil & Gas Supervisor	Open	CEA	11/30/2011	10
Environmental Program Manager I (Supervisory)	Departmental Promotional	Education & Experience (E&E) ³	6/15/2011	2
Seismological Instrument Technician I	Open	Qualifications Appraisal Panel (QAP) ⁴	Continuous	76
Seismological Instrument Technician II	Open	QAP	Continuous	28
Seismological Instrument Technician III	Open	QAP	4/27/2011	11

² In a Supplemental Application examination, applicants are not required to present themselves in person at a predetermined time and place. Supplemental applications are in addition to the regular application and must be completed in order to remain in the examination.

³ In an Education and Experience (E&E) examination, one or more raters reviews the applicants' Standard 678 application forms, and scores and ranks them according to a predetermined rating scale that may include years of relevant higher education, professional licenses or certifications, and/or years of relevant work experience.

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.

Classification	Exam Type	Exam Components	Final File Date	No. of Applications
Senior Engineering Geologist	Open	QAP	9/02/2011	65
Senior Librarian	Departmental Promotional	E&E	6/15/2012	1
Senior Oil & Gas Engineer (Supervisor)	Open	SA	Continuous	2
Senior Oil & Gas Engineer (Supervisor)	Open	SA	Continuous	3
Senior Personnel Specialist	Departmental Promotional	E&E	4/10/2013	1
Staff Services Analyst	Transfer	Written ⁵	8/13/2013	8
Supervising Engineering Geologist	Departmental Promotional	QAP	8/20/2013	8
Supervising Oil & Gas Engineer	Open	QAP	2/21/2012	12
Supervising Oil & Gas Engineer	Departmental Promotional	QAP	Continuous	8

FINDING NO. 1 – Job Analyses Were Not Developed or Used for the Examination Process

Summary: While a job analysis was not required for the CEA examinations that the DOC administered, a job analysis was required for each of the civil service examinations. The DOC provided job analyses for the majority of examinations that were reviewed; however, the DOC was unable to provide job analyses for the Senior Librarian and Senior Personnel Specialist examinations. Without copies of the job analyses to review, the CRU is unable to determine if the civil service examinations were administered utilizing job-related examination procedures as required by the Merit Selection Manual (MSM).

⁵ A written examination is a testing procedure in which candidates' job-related knowledge and skills are assessed through the use of a variety of item formats. Written examinations are either objectively scored or subjectively scored.

Classification	List Active Date	List Expiration Date	No. of Applicants
Senior Librarian	6/29/2012	6/29/2013	1
Senior Personnel Specialist	4/12/2013	4/12/2014	1

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

Severity: Very Serious. The examinations may not have been job-related or legally defensible. However, since the lists have already expired and the appointments are more than a year old, nothing further needs to be done with respect to these two examinations.

Cause: Lack of trained staff and process to ensure job analysis is retained in the examination files.

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

implement to ensure that each examination is created and developed based upon a job analysis that meets the requirements of the MSM.

Furthermore, the CRU finds the appointments that were made from the examinations that were administered without a job analysis were made in good faith, were not the fault of the appointed employees, and did not merit being voided.

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.) 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 DOC made 162 appointments. The CRU reviewed 142 of those appointments, which are listed below:

Classification	Appointment Type	Tenure	Time Base	No. of Appointments
Accountant Trainee	Certification List	Permanent	Full Time	2
Accounting Administrator II	Certification List	Permanent	Full Time	1
Associate Governmental Program Analyst	Certification List	Permanent	Full Time	3
Associate Information Systems Analyst	Certification List	Permanent	Full Time	2
Associate Oil and Gas Engineer	Certification List	Permanent	Full Time	12
Associate Personnel Analyst	Certification List	Permanent	Full Time	1
Associate Programmer Analyst (Specialist)	Certification List	Permanent	Full Time	2
Attorney III	Certification List	Permanent	Full Time	1

Classification	Appointment Type	Tenure	Time Base	No. of Appointments
Engineering Geologist	Certification List	Permanent	Full Time	18
Energy & Mineral Resources Engineer	Certification List	Permanent	Full Time	11
Environmental Planner	Certification List	Permanent	Full Time	1
Environmental Program Manager I	Certification List	Permanent	Full Time	1
Executive Assistant	Certification List	Permanent	Full Time	3
Office Technician (Typing)	Certification List	Permanent	Full Time	7
Program Technician II	Certification List	Permanent	Full Time	3
Research Program Specialist II (Geographic Info. Systems)	Certification List	Permanent	Full Time	4
Seismological Instrument Technician I	Certification List	Permanent	Full Time	2
Senior Engineering Geologist	Certification List	Permanent	Full Time	2
Senior Information Systems Analyst	Certification List	Permanent	Full Time	1
Senior Oil and Gas Engineer	Certification List	Permanent	Full Time	4
Staff Programmer Analyst (Specialist)	Certification List	Permanent	Full Time	2
Staff Services Manager I	Certification List	Permanent	Full Time	3
Supervising Engineering Geologist	Certification List	Permanent	Full Time	1
Accounting Officer (Specialist)	Transfer	Permanent	Full Time	1
Associate Administrative Analyst (Accounting Systems)	Transfer	Permanent	Full Time	1
Associate Governmental Program Analyst	Transfer	Permanent	Full Time	3
Associate Oil and Gas Engineer	Transfer	Permanent	Full Time	1
Associate Personnel Analyst	Transfer	Permanent	Full Time	4

Classification	Appointment Type	Tenure	Time Base	No. of Appointments
Energy & Mineral Resources Engineer	Transfer	Permanent	Full Time	3
Environmental Program Manager I	Transfer	Permanent	Full Time	1
Graphic Designer II	Transfer	Permanent	Full Time	1
Office Assistant (Typing)	Transfer	Permanent	Full Time	1
Office Technician (Typing)	Transfer	Permanent	Full Time	4
Research Program Specialist I	Transfer	Permanent	Full Time	1
Research Program Specialist II	Transfer	Permanent	Full Time	1
Senior Information Systems Analyst (Supervisor)	Transfer	Permanent	Full Time	1
Senior Personnel Specialist	Transfer	Permanent	Full Time	1
Staff Programmer Analyst (Specialist)	Transfer	Permanent	Full Time	1
Staff Services Analyst (General)	Transfer	Permanent	Full Time	6
Staff Services Manager I	Transfer	Permanent	Full Time	1
Energy & Mineral Resources Engineer	Permissive Reinstatement	Permanent	Full Time	1
Environmental Planner	Permissive Reinstatement	Permanent	Full Time	1
Health and Safety Officer	Permissive Reinstatement	Permanent	Full Time	1
Office Assistant (Typing)	Permissive Reinstatement	Permanent	Full Time	2
Office Technician, (General)	Permissive Reinstatement	Permanent	Full Time	1
Senior Personnel Specialist	Permissive Reinstatement	Permanent	Full Time	1
Staff Services Manager I	Permissive Reinstatement	Permanent	Full Time	1
Supervising Oil and Gas Engineer	Permissive Reinstatement	Permanent	Full Time	1
Associate Business Management Analyst	Mandatory Reinstatement	Permanent	Full Time	1

Classification	Appointment Type	Tenure	Time Base	No. of Appointments
Engineering Geologist	Mandatory Reinstatement	Permanent	Full Time	1
Research Program Specialist I	Mandatory Reinstatement	Permanent	Full Time	1
Office Technician (Typing)	Temporary Authorization Utilization (TAU)	Limited Term	Intermittent	2
Seasonal Clerk	TAU	Limited Term	Intermittent	3
Student Assistant	TAU	Limited Term	Intermittent	3
Student Assistant (Architectural & Engineering Sciences)	TAU	Limited Term	Intermittent	1
Student Engineering Aid	TAU	Limited Term	Intermittent	1
CEA 2, Assistant Director, Administration	Information List	Permanent	Full Time	1

FINDING NO. 2 – Appointment Documentation Was Not Kept for the Appropriate Amount of Time

Summary: The DOC failed to retain personnel records such as bulletins, duty statements, applications, screening and/or rating criteria, and Notice of Personnel Action (NOPA) forms for appointments. (MSM, § 1200, pp. 1200.7-1200.8; Cal. Code Reg., tit. 2, § 50.) Specifically, of the 142 appointments reviewed, the DOC did not retain bulletins for 3 appointments, applications for 2 appointments, rating criteria for 6 appointments, screening criteria for 15 appointments, and NOPA forms for 13 appointments.

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

12946.) State agencies are also required to retain personnel files of applicants or terminated employees for a minimum period of two years after the date the employment action is taken. (*Ibid.*)

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

Cause: The department did not have a centralized process for records retention. Appointment documents were maintained in multiple locations throughout the department.

Action: It is recommended that within 60 days of the Executive Officer’s approval of these findings and recommendations, the DOC submit to the CRU a written corrective action plan that the department will implement to ensure conformity with maintaining personnel records of incumbents for a minimum of two year.

FINDING NO. 3 – Probationary Evaluations Were Not Provided for All Appointments

Summary: The DOC did not prepare, complete, and/or retain required probationary reports of performance for many of the appointments reviewed by the CRU. Specifically, 16 of the 142 appointment files did not contain all three of the probationary reports, which are reflected in the table below.

Classification	Appointment Type	No. of Appointments	No. Uncompleted Prob. Reports
Attorney III	Certification List	1	3
Energy & Mineral Resources Engineer	Certification List	4	10
Research Program Specialist II (Geographic Information Systems)	Certification List	2	3
Seismological Instrument Technician I	Certification List	2	6
Senior Engineering Geologist	Certification List	2	6
Supervising Engineering Geologist	Certification List	1	1

Classification	Appointment Type	No. of Appointments	No. Uncompleted Prob. Reports
Accounting Officer (Specialist)	Transfer	1	1
Associate Oil & Gas Engineer	Transfer	1	3
Associate Personnel Analyst	Transfer	1	3
Staff Services Analyst	Transfer	1	2
Total		16	38

Criteria: A new probationary period is not required when an employee is appointed by reinstatement with a right of return. (Cal. Code Regs., tit. 2, § 322, subd. (d)(2).) However, the service of a probationary period is required when an employee enters state civil service by permanent appointment from an employment list. (Cal. Code Regs., tit. 2, § 322, subd. (a).) In addition, unless waived by the appointing power, a new probationary period is required when an employee is appointed to a position under the following circumstances: (1) without a break in service in the same class in which the employee has completed the probationary period, but under a different appointing power; and (2) without a break in service to a class with substantially the same or lower level of duties and responsibilities and salary range as a class in which the employee has completed the probationary period. (Cal. Code Regs., tit. 2, § 322, subd. (c)(1) & (2).)

During the probationary period, the appointing power is required to evaluate the work and efficiency of a probationer at sufficiently frequent intervals to keep the employee adequately informed of progress on the job. (Gov. Code, § 19172; Cal. Code Regs., tit. 2, § 599.795.) The appointing power must prepare a written appraisal of performance each one-third of the probationary period. (Cal. Code Regs., tit. 2, § 599.795.)

Severity: Serious. The probationary period is the final step in the selection process to ensure that the individual selected can successfully perform the full scope of their job duties. Failing to use the probationary period to assist an employee in improving his or her performance or terminating the appointment upon determination

that the appointment is not a good job/person match is unfair to the employee and serves to erode the quality of state government.

Cause: The department did not have adequate procedures in place to track the completion of probationary reports of performance.

Action: It is recommended that within 60 days of the Executive Officer's approval of these findings and recommendations, the DOC submit to the CRU a written corrective action plan that addresses how the DOC will ensure full compliance from supervisory/managerial staff to meet with the probationary requirements of Government Code § 19172.

Equal Employment Opportunity

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 the California Department of Human Resources (CalHR) by providing access to all required files, documents and data. (*Ibid.*) In addition, the appointing power must appoint, at the managerial level, an EEO officer, who shall report directly to, and be under the supervision of, the director of the department to develop, implement, coordinate, and monitor the department's EEO program. (Gov. Code, § 19795.)

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

FINDING NO. 4 – Equal Employment Opportunity Program Complied with Civil Service Laws and Board Rules

After reviewing the policies, procedures, and programs necessary for compliance with the EEO program's role and responsibilities according to statutory and regulatory guidelines, the CRU determined that the DOC's EEO program provided employees with information and guidance on the EEO process including instructions on how to file discrimination claims. Furthermore, the EEO program outlines the roles and responsibilities of the EEO Officer, as well as supervisors and managers. The EEO Officer, who is at a managerial level, reports directly to the director of the DOC. In addition, the DOC has an established DAC that reports to the director on issues affecting persons with a disability. The DOC completed a workforce analysis, which was submitted to the CRU. The DOC also provided evidence of its efforts to promote equal employment opportunity in its hiring and employment practices, to increase its hiring of persons with a disability, and to offer upward mobility opportunities for its entry-level staff.

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 PSC's achieve cost savings for the state. PSC's 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 PSC's, a state agency is required to notify the 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.)

When a state agency requests approval from the Department of General Services (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.)

During the compliance review period, the DOC had three PSC's that were in effect. None of the contracts were subject to DGS approval, and thus our procedural review.

DEPARTMENTAL RESPONSE

The DOC has taken into account the findings identified in the compliance review report. The departmental management has changed since 2013. Specifically, the DOC has appointed a new Division Director of Administration, Personnel Officer, and Human Resources Office (HRO) Managers who are actively changing processes and procedures to ensure compliance. Subsequent action beyond the responses to each finding below will be addressed and documented in a Corrective Action Plan.

Finding No. 1

The DOC concurs with the finding. The DOC has established procedures requiring job analysis be conducted prior to examination administration. The previous organizational structure in HRO was not properly managed or staffed by seasoned exam specialists. This resulted in a lack of expertise and knowledge in the exam process including retention. In 2014, the HRO was restructured to include a dedicated examination analyst and manager to ensure all required examination information, including job analysis, is retained in the HRO and available for review.

Finding No. 2

The DOC concurs with the finding. Prior to 2014, appointment documents were maintained in multiple locations and by multiple sources. In 2014, HRO implemented a new departmental procedure in which all recruitment packages are maintained in the HRO only. Additionally, the HRO established procedures and processes for the

verification of the file for completeness. These procedures will also ensure retention of the documents for the appropriate amount of time.

Finding No. 3

The DOC concurs with the finding. In 2014, the DOC HRO implemented a procedure to track probationary evaluations. Specifically, a spreadsheet is maintained by HRO and sent out monthly to all personnel liaisons for distribution to managers and supervisors. This spreadsheet reflects received, upcoming, and outstanding probationary reports. Outstanding reports are reported to the Division Directors for immediate action and compliance.

SPB REPLY

Based upon the DOC's written response, the DOC will comply with the CRU recommendations and findings and provide the CRU a Corrective Action Plan.

It is further recommended that the DOC 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.