

### **COMPLIANCE REVIEW REPORT**

# CALIFORNIA DEPARTMENT OF REHABILITATION

Compliance Review Unit State Personnel Board April 18, 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 DTSCs 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 five areas: examinations, appointments, equal employment opportunity (EEO), personal services contracts (PSC's), and mandated training 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 Rehabilitation (DOR) personnel practices in the areas of examinations, appointments, EEO, PSC's, and mandated training from September 1, 2014, through June 30, 2015. The following table summarizes the compliance review findings.

Area	Finding	Severity
Examinations	Examinations Complied with Civil Service Laws	In Compliance
	and Board Rules	
Appointments	Applications Were Not Date Stamped and	Non-Serious or
Appointments	Accepted After the Final Filing Date	Technical
Equal	Equal Employment Opportunity Program	
Employment	Complied with Civil Service Laws and Board	In Compliance
Opportunity	Rules	
Personal Services	Services Personal Services Contracts Complied with	
Contracts	Procedural Requirements	In Compliance

Area	Finding	Severity
Mandated	Mandated Training Complied with Statutory	In Compliance
Training	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

#### **BACKGROUND**

The mission of the DOR is to work in partnership with consumers and other stakeholders to provide services and advocacy resulting in employment, independent living, and equality for individuals with disabilities in California. Since it was established as a separate department in 1963, the DOR has reported to the Health and Human Services Agency, with functions and responsibilities contained in Section 19000-19856 of the California Welfare and Institutions Code. It is the designated state administrative unit responsible for the state's vocational rehabilitation program authorized by Title IV of the Workforce Innovation and Opportunity Act (WIOA), which incorporates the Federal Rehabilitation Act of 1973, as amended. The federal agency responsible for administration of state vocational rehabilitation programs is the United States Department of Education, Office of Special Education and Rehabilitation Services.

These laws have been enacted to ensure that all Americans have the opportunity to learn and develop skills, engage in productive work, make choices about their daily lives, and participate fully in community life. Towards this end, the DOR focuses its efforts on the three areas of employment through vocational rehabilitation, independent living, and systems change leading to equal opportunity.

The Budget Act allocates \$435.6 million (\$58 million state General Fund) and 1,860 positions (1,768 permanent positions and 92 temporary help) for the fiscal year 2015-16.

### SCOPE AND METHODOLOGY

The scope of the compliance review was limited to reviewing DOR examinations, appointments, EEO program, PSC's, and mandated training from September 1, 2014, through June 30, 2015. The primary objective of the review was to determine if DOR 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 the DOR's 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 DOR 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 DOR 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 DOR's PSC's were also reviewed.<sup>1</sup> It was beyond the scope of the compliance review to make conclusions as to whether DOR justifications for the contracts were legally sufficient. The review was limited to whether DOR practices, policies, and procedures relative to PSC's complied with procedural requirements.

In addition, the DOR's mandated training was reviewed to ensure all employees required to file statements of economic interest were provided ethics training and that all supervisors were provided supervisory and sexual harassment training within statutory timelines.

On March 29, 2016, an exit conference was held with the DOR to explain and discuss the CRU's initial findings and recommendations. The DOR was given until April 12,

<sup>&</sup>lt;sup>1</sup> If 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

2016, to submit a written response to the CRU's draft report. On April 12, 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. 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 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 DOR conducted eight examinations. The CRU reviewed five of the examination(s), which are listed below:

Classification	Exam Type	Exam Components	Final File Date	No. of Applications
Associate Accounting Analyst	Promotional	Qualification Appraisal Panel (QAP) <sup>2</sup>	11/21/2014	15

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<sup>&</sup>lt;sup>2</sup> 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
Associate Management Auditor	Promotional	QAP	6/30/2015	13
Consulting Psychologist	Open	Education and Experience (E&E) <sup>3</sup>	3/11/2015	6
Support Services Assistant (Interpreter)	Promotional	QAP	10/17/2014	29
Support Services Assistant (Interpreter)	Open	QAP	3/6/2015	20

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

The DOR administered two open examinations and three departmental promotional examinations to create eligible lists from which to make appointments. For all of the examinations, the DOR published and distributed examination bulletins containing the required information. Applications received by the DOR 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 DOR 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 DOR conducted during the compliance review period. Accordingly, the DOR fulfilled its responsibilities to administer those examinations in compliance with civil service laws and board rules.

<sup>&</sup>lt;sup>3</sup> 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.

### **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 DOR made 522 appointments. The CRU reviewed 57 of those appointments, which are listed below:

Classification	Appointment Type	Tenure	Time Base	No. of Appointments
Assistant Information Systems Analyst	Certification List	Limited Term	Full Time	1
Associate Information Systems Analyst (Specialist)	Certification List	Permanent	Full Time	2
Associate Governmental Program Analyst	Certification List	Permanent	Full Time	2
Consulting Psychologist	Certification List	Permanent	Full Time	2
Executive Assistant	Certification List	Permanent	Full Time	1
Office Technician (Typing)	Certification List	Permanent	Full Time	3
Office Technician (General)	Certification List	Permanent	Full Time	2
Office Technician (General)	Certification List	Limited Term	Full Time	1
Program Technician II	Certification List	Limited Term	Full Time	3
Staff Information Systems Analyst (Specialist)	Certification List	Permanent	Full Time	1
Staff Services Analyst (General)	Certification List	Permanent	Full Time	2
Staff Services Analyst (General)	Certification List	Limited Term	Full Time	1

Classification	Appointment Type	Tenure	Time Base	No. of Appointments
Staff Services Manager	Certification List	Permanent	Full Time	3
Supervising Program Technician II	Certification List	Permanent	Full Time	2
Support Services Assistant (Interpreter)	Certification List	Permanent	Intermittent	1
Accountant I (Specialist)	Mandatory Reinstatement	Permanent	Full Time	1
Accounting Technician	Mandatory Reinstatement	Permanent	Full Time	1
Associate Governmental Program Analyst	Mandatory Reinstatement	Permanent	Full Time	2
Associate Information Systems Analyst	Mandatory Reinstatement	Permanent	Full Time	1
Rehabilitations Administrator I (Specialist)	Mandatory Reinstatement	Permanent	Full Time	1
Supervising Cook I	Mandatory Reinstatement	Permanent	Full Time	1
Training Officer I	Mandatory Reinstatement	Permanent	Full Time	1
Dental Consultant I, Department of Health Services	Temporary Authorization Utilization	Temporary	Intermittent	1
Office Technician (General) – Limited Examination and Appointment Program (LEAP)	Temporary Authorization Utilization	Temporary	Intermittent	2
Office Technician (Typing) – LEAP	Temporary Authorization Utilization	Temporary	Intermittent	1
Senior Vocational Rehabilitation Counselor – Qualified Rehabilitation Counselor	Training & Development (T&D)	Permanent	Full Time	1
Research Program Specialist I	T&D	Permanent	Full Time	1
Assistant Information Systems Analyst	Transfer	Limited Term	Full Time	2

Classification	Appointment Type	Tenure	Time Base	No. of Appointments
Associate Governmental Program Analyst	Transfer	Limited Term	Full Time	1
Office Technician (General)	Transfer	Permanent	Full Time	2
Rehabilitation Administrator I (Specialist)	Transfer	Permanent	Full Time	1
Research Analyst II (General)	Transfer	Limited Term	Full Time	1
Staff Services Analyst (General)	Transfer	Limited Term	Full Time	3
Staff Services Manager I	Transfer	Permanent	Full Time	2
Support Services Assistant (General)	Transfer	Permanent	Full Time	2
Attorney III	Retired Annuitant	Retired	Intermittent	1
Senior Vocational Rehabilitation Counselor – Qualified Rehabilitation Professional	Retired Annuitant	Retired	Intermittent	1

### FINDING NO. 2 – Applications Were Not Date Stamped and/or Accepted After the Final File Date

Summary:

Out of the 675 applications received, the DOR processed 43 applications that were not date stamped and 14 applications that were accepted after the final filing date.

Criteria:

California Code of 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, suds. (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 DOR states that of the 43 applications that were not found to be date stamped, they have identified two possible causes: the staff person receiving the mail may have overlooked date stamping the application or the staff person receiving the mail was insufficiently trained to date stamp all applications received.

Of the 14 applications that were accepted after the final filing date, DOR has, on occasion, managers that were willing to accept all applications submitted past the final filing date for hard-to-recruit-for positions due to an insufficient candidate pool. Unfortunately, the DOR did not require written documentation of the decisions to accept applications after the final filing date so written documentation for the 14 applications accepted after the final filing date is not available.

Action:

The DOR has submitted a corrective action plan for ensuring compliance in meeting the filing requirements of the California Code of Regulations, title 2, section 174; therefore, no further action is required at this time.

### 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 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 DOR's EEO program that was in effect during the compliance review period.

### FINDING NO. 3 – 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 DOR'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 DOR. In

addition, the DOR has an established DAC that reports to the director on issues affecting persons with a disability. The DOR also provided evidence of its efforts to promote EEO 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 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.)

During the compliance review period, the DOR had 12 PSC's that were in effect and subject to Department of General Services (DGS) approval, and thus our procedural review. The CRU reviewed 10 of these, which are listed below:

Vendor	Services	Contract Dates	Contract Amount	Justification Identified
Ability Center Inc.	Vehicle Modifications	2/10/2014- 6/30/2014	\$118,486	Yes
Global Vending, Inc.	Vending Machine Services	7/01/2014- 6/30/2016	\$60,000	Yes
Global Vending, Inc.	Vending Machine Services	Upon DGS Approval – 6/30/2016	\$400,000	Yes
Green Translations, LLC	American Sign Language	Upon DGS Approval – 6/30/2015	\$49,900	Yes

Vendor	Services	Contract Dates	Contract Amount	Justification Identified
H. Betti Industries, Inc.	Vending Machine Services	8/01/2014- 6/30/2016	\$98,000	Yes
Interpreting and Consulting Services, Inc.	American Sign Language	Upon DGS Approval – 5/31/2016	\$150,000	Yes
Ledwick Vending	Vending Machine Services	Upon DGS Approval – 6/30/2016	\$200,000	Yes
Morgan Vending Co.	Vending Machine Services	Upon DGS Approval – 6/30/2016	\$80,000	Yes
NC Moving & Storage Solutions	Moving Services	Upon DGS Approval – 6/30/2017	\$49,900	Yes
Western Pacific Mechanical Services	Refrigeration Services	Upon DGS Approval – 6/30/2016	\$50,000	Yes

## FINDING NO. 4 – 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 amount of all the PSC's reviewed was \$1,256,286. It was beyond the scope of the review to make conclusions as to whether DOR justifications for the contract were legally sufficient. For all PSC's subject to DGS approval, the DOR provided specific and detailed factual information in the written justifications as to how each of the 10 contracts met at least one condition set forth in Government Code section 19131, subdivision (b). Accordingly, the DOR PSC's complied with procedural requirements.

### Mandated Training

Each state agency shall offer at least semiannually to each of its filers an orientation course on the relevant ethics statutes and regulations that govern the official conduct of state officials. New filers must be trained within six months of appointment. (Gov. Code, § 11146)

Each department must provide its new supervisors supervisory training within twelve months of appointment. (Gov. Code, § 19995.4 subd. (b) and (c.).) The training must be a minimum of 80 hours, 40 of which must be structured and given by a qualified instructor. The other 40 hours may be done on the job by a higher-level supervisor or manager. (Gov. Code, § 19995.4 subd. (b).)

Additionally, each department must provide its supervisors two hours of sexual harassment training every two years. New supervisors must be provided supervisory training within six months of appointment. (Gov. Code, § 12950.1 subd. (a).)

The CRU reviewed the DOR mandated training program that was in effect during the compliance review period.

### FINDING NO. 5 – Mandated Training Complied with Statutory Requirements

The DOR provided semiannual ethics training to its 120 filers during the two-year calendar year period commencing in 2013. The DOR also provided supervisory training to 89 new supervisors within 12 months of appointment. In addition, the DOR provided sexual harassment prevention training to 102 new supervisors within six months of appointment and semiannual training to its 143 existing supervisors. Thus, the DOR complied with mandated training requirements within statutory timelines.

#### **DEPARTMENTAL RESPONSE**

The DOR's response is attached as Attachment 1.

#### **SPB REPLY**

Based upon the DOR's written response, the DOR will comply with the CRU recommendations and findings. The DOR submitted a corrective action plan for the 1 departmental finding that was out of compliance. Therefore, no further action is required.





Suzanne Ambrose, Executive Officer State Personnel Board 801 Capitol Mall Sacramento, CA 95814 Office of the Director 721 Capitol Mall Sacramento, CA 95814 (916) 558-5802 VOICE (916) 558-5806 FAX (916) 558-5807 TTY

RE: Compliance Review Draft Report on March 29, 2016 California Department of Rehabilitation

April 12, 2016

Dear Ms. Ambrose:

In response to the compliance review conducted by the State Personnel Board and the final draft report released on March 29, 2016, the California Department of Rehabilitation (DOR) submits the following comments on Finding Number 2, which states:

**FINDING NO. 2 –** Appointments – Applications Were Not Date Stamped and/or Accepted After the Final File Date

<u>Summary</u>: Out of the 675 applications received, the DOR processed 43 applications that were not date stamped and 14 applications that were accepted after the final filing date.

<u>Criteria</u>: California Code of 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

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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, suds. (a), (b), (c), & (d).) The same final filing date procedures are applied to the selection process used to fill a job vacancy.

<u>Severity</u>: *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.

### **DOR's Comments**

<u>Cause</u>: The DOR has 85 field offices throughout the state. Prior to the recent roll-out of CalHR's Examination and Certification Online System (ECOS), applications for recruitments were sent directly to the hiring manager in the various field offices or within Central Office without going through the DOR Personnel Office. Therefore, it was difficult for the DOR Personnel office to ensure that all recruitment applications were date stamped upon receipt. Of the 43 applications that were not found to be date stamped, we have identified two possible causes: the staff person receiving the mail may have overlooked date stamping the application or the staff person receiving the mail was insufficiently trained to date stamp all applications received.

<u>Resolution</u>: After the recent roll-out of the ECOS updates, all recruitment applications are routed directly to DOR's Personnel Office, either electronically via the ECOS system, or by receiving paper applications in Personnel. All DOR Personnel Staff handing recruitment applications will be trained to ensure that all applications received are date stamped.

<u>Cause</u>: Of the 14 applications that were accepted after the final filing date, DOR has, on occasion, managers that were willing to accept ALL applications submitted past the final filing date for hard-to-recruit-for positions due to an insufficient candidate pool. The DOR Personnel has also instructed hiring managers and supervisors that if a decision is made to accept applications

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> after the final filing date, all applications received after the final filing date must be accepted. Unfortunately, DOR Personnel did not require written documentation of the decisions to accept applications after the final filing date so written documentation for the 14 applications accepted after the final filing date is not available.

Resolution: The changes brought on related to the recent ECOS updates will also ensure that any applications accepted after the final filing date will be documented in ECOS by DOR Personnel staff. ECOS has a prompt and screen that requires entry of information each time an application is accepted after the final filing date of recruitment.

If you have any questions or need clarification on the information provided, please contact Suzanne Chan, Operations and Accountability Officer, by telephone at (916) 558-5797 or email at suzanne.chan@dor.ca.gov.

Sincerely,

Juney S. Lee

Chief Deputy Director

Theresa Correale, Deputy Director, Administrative Services CC:

Suzanne Chan, Operations and Accountability Officer

Paulette Baker, Chief, Human Resources Branch