

COMPLIANCE REVIEW REPORT

CALIFORNIA VICTIM COMPENSATION BOARD

Compliance Review Division
State Personnel Board
May 23, 2025

TABLE OF CONTENTS

INTRODUCTION	1
EXECUTIVE SUMMARY	2
BACKGROUND	3
SCOPE AND METHODOLOGY	4
FINDINGS AND RECOMMENDATIONS	6
EXAMINATIONS.....	6
APPOINTMENTS.....	8
EQUAL EMPLOYMENT OPPORTUNITY	10
PERSONAL SERVICES CONTRACTS	11
MANDATED TRAINING	12
COMPENSATION AND PAY	13
LEAVE.....	20
POLICY AND PROCESSES.....	24
DEPARTMENTAL RESPONSE.....	27
SPB REPLY	27

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 Division (CRD) conducts compliance reviews of appointing authorities' 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.

Pursuant to Government Code section 18502, subdivision (c), the SPB and the California Department of Human Resources (CalHR) may "delegate, share, or transfer between them responsibilities for programs within their respective jurisdictions pursuant to an agreement." SPB and CalHR, by mutual agreement, expanded the scope of program areas to be audited to include more operational practices that have been delegated to departments and for which CalHR provides policy direction. Many of these delegated practices are cost drivers to the state and were not being monitored on a statewide basis.

As such, SPB also conducts compliance reviews of appointing authorities' personnel practices to ensure that state departments are appropriately managing the following non-merit-related personnel functions: compensation and pay, leave, and policy and processes. These reviews will help to avoid and prevent potential costly litigation related to improper personnel practices, and deter waste, fraud, and abuse.

The SPB conducts these reviews on a three-year cycle.

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

It should be noted that this report only contains findings from this hiring authority's compliance review. Other issues found in SPB appeals and special investigations as well as audit and review findings by other agencies such as the CalHR and the California State Auditor are reported elsewhere.

EXECUTIVE SUMMARY

The CRD conducted a routine compliance review of the California Victim Compensation Board (CalVCB) personnel practices in the areas of examinations, appointments, EEO, PSC's, mandated training, compensation and pay, leave, and policy and processes. The following table summarizes the compliance review findings.

Area	Severity	Finding
Examinations	In Compliance	Examinations Complied with Civil Service Laws and Board Rules
Examinations	In Compliance	Permanent Withhold Action Complied with Civil Service Laws and Board Rules
Appointments	In Compliance	Appointments Complied with Civil Service Laws and Board Rules
Equal Employment Opportunity	In Compliance	Equal Employment Opportunity Program Complied with All Civil Service Laws and Board Rules
Personal Services Contracts	Serious	Unions Were Not Notified of Personal Services Contracts
Mandated Training	Substantial Compliance	Sexual Harassment Prevention Training Was Not Provided for All Employees
Mandated Training	Substantial Compliance	Ethics Training Was Not Provided for All Filers
Compensation and Pay	In Compliance	Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines
Compensation and Pay	In Compliance	Alternate Range Movements Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
Compensation and Pay	Very Serious	Incorrect Authorization of Bilingual Pay ¹

¹ Repeat finding. The CalVCB's February 20, 2022, compliance review report identified 5 out of 11 employees were incorrectly authorized to receive bilingual pay.

Area	Severity	Finding
Leave	In Compliance	Positive Paid Employees' Tracked Hours Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
Leave	In Compliance	Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
Leave	In Compliance	Leave Auditing and Timekeeping Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
Leave	In Compliance	Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
Policy	In Compliance	Nepotism Policy Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
Policy	In Compliance	Workers' Compensation Process Complied with Civil Service Laws, Board Rules, and/or CalHR Policies and Guidelines
Policy	Serious	Performance Appraisals Were Not Provided to All Employees ²

BACKGROUND

The CalVCB is dedicated to providing financial assistance and support to victims of violent crime and their families. The CalVCB's mission is to reduce the impact of crime on victims' lives by providing compensation for eligible expenses, such as medical bills, mental health services, funeral costs, and income loss. Through its programs, the agency works to help individuals recover and rebuild their lives, ensuring that victims receive the assistance they need during challenging times.

The CalVCB operates statewide and collaborates with local agencies, law enforcement, and victim service providers to process claims and deliver timely assistance. The agency handles thousands of claims annually, ensuring compliance with state statutes and

² Repeat finding. The CalVCB's February 20, 2022, compliance review report identified 18 of 57 employees reviewed did not receive performance appraisals.

federal guidelines. Its scope also includes administering the Restitution Recovery Program to ensure offenders fulfill their obligations to victims and the state.

The organization employs approximately 260 staff members, consisting of classifications such as analysts, program specialists, legal advisors, and administrative professionals. The CalVCB's structure includes divisions dedicated to victim compensation, legal and restitution programs, fiscal and administrative services, and information technology, all working collaboratively to achieve the agency's goal of supporting crime victims effectively.

SCOPE AND METHODOLOGY

The scope of the compliance review was limited to reviewing the CalVCB's examinations, appointments, EEO program, PSC's, mandated training, compensation and pay, leave, and policy and processes³. The primary objective of the review was to determine if the CalVCB's personnel practices, policies, and procedures complied with state civil service laws and Board regulations, Bargaining Unit Agreements, CalHR policies and guidelines, CalHR Delegation Agreements, and to recommend corrective action where deficiencies were identified.

A cross-section of the CalVCB's examinations was selected for review to ensure that samples of various examination types, classifications, and levels were reviewed. The CRD examined the documentation that the CalVCB provided, which included examination plans, examination bulletins, job analyses, and scoring results. The CRD also reviewed the CalVCB's permanent withhold actions documentation, including Withhold Determination Worksheets, State applications (STD 678), class specifications, and withhold letters.

A cross-section of the CalVCB's appointments was selected for review to ensure that samples of various appointment types, classifications, and levels were reviewed. The CRD examined the documentation that the CalVCB provided, which included Notice of Personnel Action forms, Request for Personnel Actions, vacancy postings, certification lists, transfer movement worksheets, employment history records, correspondence, and probation reports.

The CalVCB's appointments were also selected for review to ensure the CalVCB applied salary regulations accurately and correctly processed employees' compensation and pay.

³ Timeframes of the compliance review varied depending on the area of review. Please refer to each section for specific compliance review timeframes.

The CRD examined the documentation that the CalVCB provided, which included employees' employment and pay history and any other relevant documentation such as certifications, degrees, and/or the appointee's application. Additionally, the CRD reviewed specific documentation for the following personnel functions related to compensation and pay: bilingual pay.

During the compliance review period, the CalVCB did not issue or authorize red circle rate requests, arduous pay, monthly pay differentials, or out-of-class assignments.

The review of the CalVCB's EEO program included examining written EEO policies and procedures; the EEO Officer's role, duties, and reporting relationship; the internal discrimination complaint process; the reasonable accommodation program; the discrimination complaint process; and the Disability Advisory Committee.

The CalVCB's PSC's were also reviewed.⁴ It was beyond the scope of the compliance review to make conclusions as to whether the CalVCB's justifications for the contracts were legally sufficient. The review was limited to whether the CalVCB's practices, policies, and procedures relative to PSC's complied with procedural requirements.

The CalVCB's mandated training program was reviewed to ensure all employees required to file statements of economic interest were provided ethics training, that all supervisors, managers, and those serving in Career Executive Assignments (CEA) were provided leadership and development training, that all employees were provided sexual harassment prevention training, and that all officials with authority to represent the state in a tribal government-to-government consultation were provided tribal consultations training within statutory timelines.

The CRD reviewed the CalVCB's monthly internal audit process to verify all leave input into any leave accounting system was keyed accurately and timely and ensure the department certified that all leave records have been reviewed and corrected if necessary. The CRD selected a small cross-section of the CalVCB's units in order to ensure they maintained accurate and timely leave accounting records. Part of this review also examined a cross-section of the CalVCB's employees' employment and pay history, state service records, and leave accrual histories to ensure employees with non-qualifying pay periods did not receive vacation/sick leave and/or annual leave accruals or state

⁴If 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.

service credit. Additionally, the CRD reviewed a selection of the CalVCB employees who used Administrative Time Off (ATO) in order to ensure that ATO was appropriately administered. Further, the CRD reviewed a selection of CalVCB positive paid employees whose hours are tracked during the compliance review period in order to ensure that they adhered to procedural requirements.

Moreover, the CRD reviewed the CalVCB's policies and processes concerning nepotism, workers' compensation, and performance appraisals. The review was limited to whether the CalVCB's policies and processes adhered to procedural requirements.

The CalVCB did not request an exit conference to explain and discuss the CRD's initial findings and recommendations. The CRD received and carefully reviewed the CalVCB's written response on May 14, 2025, which is attached to this final compliance review 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, subd. (a).) 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 with the department or a designated appointing power as directed by the examination announcement. (Gov. Code, § 18934, subd. (a)(1).) 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, November 1, 2023, through July 31, 2024, the CalVCB conducted two examinations. The CRD reviewed all of those examinations, which are listed below:

Classification	Exam Type	Exam Components	Final File Date	No. of Apps
CEA B, Chief of Information Technology Division	CEA	SOQ	5/28/2024	9
CEA B, Chief of Victim Compensation Division	CEA	SOQ	5/31/2024	18

IN COMPLIANCE	FINDING NO. 1	EXAMINATIONS COMPLIED WITH CIVIL SERVICE LAWS AND BOARD RULES
----------------------	----------------------	--

The CRD reviewed two CEA examinations which the CalVCB administered in order to create eligible lists from which to make appointments. The CalVCB published and distributed examination bulletins containing the required information for all examinations. Applications received by the CalVCB were accepted prior to the final filing date. Applicants were 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. The CRD found no deficiencies in the examinations that the CalVCB conducted during the compliance review period.

Permanent Withhold Actions

Departments are granted statutory authority to permit withhold of eligibles from lists based on specified criteria. (Gov. Code, § 18935.) Permanent appointments and promotions within the state civil service system shall be merit-based, ascertained by a competitive examination process. (Cal. Const., art. VII, § 1, subd. (b).) If a candidate for appointment is found not to satisfy the minimum qualifications, the appointing power shall provide written notice to the candidate, specifying which qualification(s) are not satisfied and the reason(s) why. The candidate shall have an opportunity to establish that s/he meets the qualifications. (Cal. Code Regs., tit. 2, § 249.4, subd. (b).) If the candidate fails to respond or fails to establish that s/he meets the minimum qualification(s), the candidate's name shall be removed from the eligibility list. (Cal. Code Regs., tit. 2, § 249.4, subd. (b)(1), (2)), (HR Manual, section 1105.) The appointing authority shall promptly notify the candidate in writing and shall notify the candidate of his or her appeal rights. (*Ibid.*) A permanent withhold does not necessarily permanently restrict a candidate from retaking

the examination for the same classification in the future; however, the appointing authority may place a withhold on the candidate's subsequent eligibility record if the candidate still does not meet the minimum qualifications or continues to be unsuitable. (HR Manual, Section 1105). State agency human resources offices are required to maintain specific withhold documentation for a period of five years. (*Ibid.*)

During the period under review, November 1, 2023, through July 31, 2024, the CalVCB conducted one permanent withhold action. The CRD reviewed this permanent withhold action, which is listed below:

Exam Title	Exam ID	Date List Eligibility Began	Date List Eligibility Ended	Reason Candidate Placed on Withhold
Accountant Trainee	EX-3039	8/23/2024	8/23/2024	Failed to Meet Minimum Qualifications

IN COMPLIANCE	FINDING NO. 2	PERMANENT WITHHOLD ACTION COMPLIED WITH CIVIL SERVICE LAWS AND BOARD RULES
----------------------	----------------------	---

The CRD found no deficiencies in the permanent withhold action undertaken by the department during the compliance review period.

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.) The hiring process for eligible candidates chosen for job interviews shall be competitive and be designed and administered to hire candidates who will be successful. (Cal. Code Regs., tit. 2, § 250, subd. (b).) Interviews shall be conducted using job-related criteria. (*Ibid.*) Persons selected for appointment shall satisfy the minimum qualifications of the classification to which he or she is appointed or have previously passed probation and achieved permanent status in that same classification. (Cal. Code Regs., tit. 2, § 250, subd. (d).) While persons selected for appointment may meet some or most of the preferred or desirable qualifications, they are not required to meet all the preferred or desirable qualifications. (*Ibid.*) This section does not apply to intra-agency job reassignments. (Cal. Code Regs., tit. 2, § 250, subd. (e).)

During the period under review, November 1, 2023, through April 30, 2024, the CalVCB made 82 appointments. The CRD reviewed 25 of those appointments, which are listed below:

Classification	Appointment Type	Tenure	Time Base	No. of Appts.
Associate Governmental Program Analyst	Certification List	Permanent	Full Time	4
Attorney	Certification List	Permanent	Full Time	1
Information Technology Associate	Certification List	Permanent	Full Time	1
Information Technology Specialist I	Certification List	Permanent	Full Time	1
Office Technician (Typing)	Certification List	Permanent	Full Time	1
Staff Services Analyst	Certification List	Permanent	Full Time	6
Staff Services Analyst	Certification List	Limited Term	Full Time	1
Staff Services Manager I	Certification List	Permanent	Full Time	2
Staff Services Manager II (Supervisory)	Certification List	Permanent	Full Time	1
Staff Services Manager III	Certification List	Permanent	Full Time	1
Information Technology Specialist I	Transfer	Limited Term	Intermittent	1
Staff Services Analyst	Transfer	Permanent	Full Time	3
Staff Services Manager II (Supervisory)	Transfer	Permanent	Full Time	2

IN COMPLIANCE	FINDING No.3 APPOINTMENTS COMPLIED WITH CIVIL SERVICE LAWS AND BOARD RULES
----------------------	---

The CalVCB measured each applicant's ability to perform the duties of the job by conducting hiring interviews and selecting the best-suited candidates. For each of the 19 list appointments reviewed, the CalVCB ordered a certification list of candidates ranked competitively. After properly clearing the certification lists including SROA, the selected candidates were appointed based on eligibility attained by being reachable within the first three ranks of the certification lists.

The CRD reviewed six CalVCB appointments made via transfer. A transfer of an employee from a position under one appointing power to a position under another appointing power may be made if the transfer is to a position in the same class or in another class with substantially the same salary range and designated as appropriate by the executive officer. (Cal. Code Regs., tit. 2, § 425.) The CalVCB verified the eligibility of each candidate to their appointed class.

The CRD found no deficiencies in the appointments that the CalVCB initiated during the compliance review period. Accordingly, the CRD found that the CalVCB's appointments processes and procedures utilized during the compliance review period satisfied civil service laws and Board rules.

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 EEO; issue procedures for filing, processing, and resolving discrimination complaints; and cooperate with the CalHR, in accordance with Civil Code section 1798.24, subdivisions (o) and (p), by providing access to all required files, documents and data necessary to carry out these mandates. (*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, subd. (a).)

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).)

IN COMPLIANCE	FINDING NO. 4	EQUAL EMPLOYMENT OPPORTUNITY PROGRAM COMPLIED WITH ALL 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 CRD determined that the CalVCB'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 Executive Director of the CalVCB. The CalVCB also provided evidence of its efforts to promote EEO in its hiring and employment practices and to increase its hiring of persons with a disability.

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 Regs., 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, but are not limited to, 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 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 period under review, November 1, 2023, through July 31, 2024, the CalVCB had 20 PSC's that were in effect. The CRD reviewed 16 of those, which are listed below:

Vendor	Services	Contract Amount	Justification Identified?	Union Notification?
City of Los Angeles	Joint Powers - county staffing to assist with victim claims	\$2,329,221	Yes	Yes
County of Alameda	Joint Powers - county staffing to assist with victim claims	\$2,127,423	Yes	Yes
County of Butte	Joint Powers - county staffing to assist with victim claims	\$727,395	Yes	No
County of Orange	Joint Powers - county staffing to assist with victim claims	\$1,657,524	Yes	No
County of San Diego	Joint Powers - county staffing to assist with victim claims	\$1,778,364	Yes	Yes

Vendor	Services	Contract Amount	Justification Identified?	Union Notification?
County of San Joaquin	Joint Powers - county staffing to assist with victim claims	\$2,398,380	Yes	No
County of San Luis	Joint Powers - county staffing to assist with victim claims	\$714,066	Yes	Yes
County of Santa Barbara	Joint Powers - county staffing to assist with victim claims	\$915,867	Yes	Yes
County of Santa Clara	Joint Powers - county staffing to assist with victim claims	\$3,399,084	Yes	Yes
County of Santa Cruz	Joint Powers - county staffing to assist with victim claims	\$897,228	Yes	No
County of Shasta	Criminal Restitution Compact - county staffing to assist with operation of CA criminal restitution system	\$208,839	Yes	Yes
County of Shasta	Joint Powers - county staffing to assist with victim claims	\$1,787,715	Yes	Yes
Magellan Health Services	Employee assistance services	\$30,000	Yes	Yes
RELX, Inc.	Online research, information, and news subscription	\$32,670	Yes	No
Sacramento County	Joint Powers - county staffing to assist with victim claims	\$1,948,143	Yes	Yes
San Francisco District Attorney's Office	Joint Powers - county staffing to assist with victim claims	\$2,530,992	Yes	Yes

SEVERITY: SERIOUS	FINDING No. 5 UNIONS WERE NOT NOTIFIED OF PERSONAL SERVICES CONTRACTS
------------------------------	--

Summary: The CalVCB did not notify unions prior to entering into 5 of the 16 PSC's reviewed.

Criteria: Before a state agency executes a contract or amendment to a contract for personal services conditions specified within Government Code section 19130, subdivision (b), the agency shall notify all organizations that represent state employees who perform or could perform the type of work that is called for within the contract, unless exempted under Government Code section 19132, subdivision (b)(1). (Cal. Code Regs., tit. 2, § 547.60.2.)

Severity: Serious. Unions must be notified of impending personal services contracts in order to ensure they are aware contracts are being proposed for the type of work that their members could perform.

Cause: The CalVCB states that this issue was identified prior to the compliance review, and proactive steps were taken to address it. Specifically, internal training of contract and procurement staff was provided; and procedures were updated to ensure union notifications are being completed as required for personal service contracts. The CalVCB acknowledges that union notice was not provided in the instances identified due to a lack of staff training.

Corrective Action: The CalVCB asserts that steps have been taken to address this area. Departments are responsible for notifying all organizations that represent state employees who perform or could perform the type of work to be contracted prior to executing a PSC. The PSC's reviewed during this compliance review involved several services and functions which various rank-and-file civil service classifications perform. Within 90 days of the date of this report, the CalVCB must submit to the SPB documentation which demonstrates the corrections the department has implemented to ensure conformity with the requirements of California Code of Regulations section 547.60.2.

Mandated Training

Each member, officer, or designated employee of a state agency who is required to file a statement of economic interest (referred to as "filers") because of the position he or she holds with the agency is required to take an orientation course on the relevant ethics statutes and regulations that govern the official conduct of state officials. (Gov. Code, §§ 11146 & 11146.1.) State agencies are required to offer filers the orientation course on a

semi-annual basis. (Gov. Code, § 11146.1.) New filers must be trained within six months of appointment and at least once during each consecutive period of two calendar years, commencing on the first odd-numbered year thereafter. (Gov. Code, § 11146.3.)

Upon the initial appointment of any employee designated in a supervisory position, the employee shall be provided a minimum of 80 hours of training, as prescribed by the CalHR. (Gov. Code, § 19995.4, subd. (b).) The training addresses such topics as the role of the supervisor, techniques of supervision, performance standards, and sexual harassment and abusive conduct prevention. (Gov. Code, §§ 12950.1, subds. (a) and (b), & 19995.4, subd. (b).) Additionally, the training must be successfully completed within the term of the employee's probationary period or within six months of the initial appointment, unless it is demonstrated that to do so creates additional costs or that the training cannot be completed during this time period due to limited availability of supervisory training courses. (Gov. Code, § 19995.4, subd. (c).)

Within 12 months of the initial appointment of an employee to a management or CEA position, the employee shall be provided leadership training and development, as prescribed by CalHR. (Gov. Code, § 19995.4, subds. (d) & (e).) For management employees the training must be a minimum of 40 hours and for CEAs the training must be a minimum of 20 hours. (*Ibid.*)

New employees must be provided sexual harassment prevention training within six months of appointment. Thereafter, each department must provide its supervisors two hours of sexual harassment prevention training and non-supervisors one hour of sexual harassment prevention training every two years. (Gov. Code, § 12950.1, subds. (a) and (b); Gov. Code, § 19995.4.)

The Legislature encourages the state and its agencies to consult on a government-to-government basis with federally recognized tribes and with non-federally recognized tribes and tribal organizations in order to allow tribal officials the opportunity to provide meaningful and timely input in the development of policies, programs, and projects that have tribal implications. (Gov. Code, § 11019.81, sub. (c).) Each official specified in Government Code section 11019.81 subdivision (f)⁵ shall complete tribal consultations

⁵ Within the executive branch, the following officials have authority to represent the state in a tribal government-to-government consultation: the governor, the attorney general, each constitutional officer and statewide elected official, the director of each state agency and department, the chair and executive officer of each state commission and task force, and the chief counsel of any state agency. (Gov. Code, § 11019.81, sub. (f) (1).) Each authorized official may formally designate another agency official to conduct preliminary tribal consultations, and each designated official may have the authority to act on behalf of the state during a government-to-government consultation. (Gov. Code, § 11019.81, sub. (f) (2).)

training by January 1, 2025, or, for officials appointed after that date, within six months of their appointment or confirmation of appointment, whichever is later. (Gov. Code, § 11019.81, sub. (h).) Each official shall retake the training annually. (*Ibid.*)

The Board may conduct reviews of any appointing power's personnel practices to ensure compliance with civil service laws and Board regulations. (Gov. Code, § 18661, subd. (a).) In particular, the Board may audit personnel practices related to such matters as selection and examination procedures, appointments, promotions, the management of probationary periods, and any other area related to the operation of the merit principle in state civil service. (*Ibid.*) Accordingly, the CRD reviews documents and records related to training that appointing powers are required by the afore-cited laws to provide its employees.

The CRD reviewed the CalVCB's mandated training program that was in effect during the compliance review period, August 1, 2022, through July 31, 2024. The CalVCB's supervisory training was found to be in compliance, while the CalVCB's sexual harassment prevention training and ethics training was found to be in substantial compliance.

SUBSTANTIAL COMPLIANCE	FINDING NO. 6 SEXUAL HARASSMENT PREVENTION TRAINING WAS NOT PROVIDED FOR ALL EMPLOYEES
-------------------------------	--

Summary: The CalVCB provided sexual harassment prevention training to all 9 new supervisors within 6 months of their appointment. In addition, the CalVCB provided sexual harassment prevention training to all 41 existing supervisors every 2 years.

However, the CalVCB did not provide sexual harassment prevention training to 3 of 58 existing non-supervisors every 2 years.

Criteria: Each department must provide its supervisors two hours of sexual harassment prevention training every two years and non-supervisory employees one hour of sexual harassment prevention training every two years. New employees must be provided sexual harassment prevention training within six months of appointment. (Gov. Code, § 12950.1, subds. (a) and (b); Gov. Code § 19995.4.)

Severity: Substantial Compliance. The department has achieved 90% or more compliance in this area and has provided a response sufficient to

address full compliance in the future; therefore, no corrective action is required.

SUBSTANTIAL COMPLIANCE	FINDING No. 7 ETHICS TRAINING WAS NOT PROVIDED FOR ALL FILERS
-------------------------------	--

Summary: The CalVCB did not provide ethics training to 12 of 115 existing filers. In addition, the CalVCB did not provide ethics training to 1 of 10 new filers within 6 months of their appointment.

Criteria: New filers must be provided ethics training within six months of appointment. Existing filers must be trained at least once during each consecutive period of two calendar years commencing on the first odd-numbered year thereafter. (Gov. Code, § 11146.3, subd. (b).)

Severity: Substantial Compliance. The department has achieved 90% or more compliance in this area and has provided a response sufficient to address full compliance in the future; therefore, no corrective action is required.

Compensation and Pay

Salary Determination

The pay plan for state civil service consists of salary ranges and steps established by CalHR. (Cal. Code Regs., tit. 2, § 599.666.) Several salary rules dictate how departments calculate and determine an employee's salary rate⁶ upon appointment depending on the appointment type, the employee's state employment and pay history, and tenure.

Typically, agencies appoint employees to the minimum rate of the salary range for the class. Special provisions for appointments above the minimum exist to meet special recruitment needs and to accommodate employees who transfer into a class from another civil service class and are already receiving salaries above the minimum.

During the period under review, November 1, 2023, through April 30, 2024, the CalVCB made 82 appointments. The CRD reviewed 11 of those appointments to determine if the

⁶ "Rate" is any one of the salary rates in the resolution by CalHR which establishes the salary ranges and steps of the Pay Plan (Cal. Code Regs., tit. 2, section 599.666).

CalVCB applied salary regulations accurately and correctly processed employees' compensation, which are listed below:

Classification	Appointment Type	Tenure	Time Base	Salary (Monthly Rate)
Associate Governmental Program Analyst	Certification List	Permanent	Full Time	\$5,684
Attorney	Certification List	Permanent	Full Time	\$8,708
Information Technology Associate	Certification List	Permanent	Full Time	\$5,589
Information Technology Specialist I	Certification List	Permanent	Full Time	\$6,751
Office Technician	Certification List	Permanent	Full time	\$3,609
Staff Services Analyst	Certification List	Permanent	Full Time	\$3,941
Staff Services Analyst	Certification List	Permanent	Full Time	\$4,962
Staff Services Manager I	Certification List	Permanent	Full time	\$7,470
Staff Services Manager II	Certification List	Permanent	Full time	\$8,216
Staff Services Manager II	Certification List	Permanent	Full time	\$8,818
Staff Services Manager III	Certification List	Permanent	Full time	\$9,680

IN COMPLIANCE	FINDING No. 8	SALARY DETERMINATIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES
----------------------	----------------------	---

The CRD found no deficiencies in the salary determinations that were reviewed. The CalVCB appropriately calculated and keyed the salaries for each appointment and correctly determined employees' anniversary dates ensuring that subsequent merit salary adjustments will satisfy civil service laws, Board rules and CalHR policies and guidelines.

Alternate Range Movement Salary Determination (within same classification)

If an employee qualifies under established criteria and moves from one alternate range to another alternate range of a class, the employee shall receive an increase or a decrease equivalent to the total of the range differential between the maximum salary rates of the alternate ranges. (Cal. Code Regs., tit. 2, § 599.681.) However, in many instances, the CalHR provides salary rules departments must use when employees move between alternate ranges. These rules are described in the alternate range criteria. (CalHR Pay Scales). When no salary rule or method is cited in the alternate range criteria, departments must default to Rule 599.681.

During the period under review, November 1, 2023, through April 30, 2024, the CalVCB employees made three alternate range movements within a classification. The CRD reviewed these alternate range movements to determine if the CalVCB applied salary regulations accurately and correctly processed each employee's compensation, which are listed below:

Classification	Prior Range	Current Range	Time Base	Salary (Monthly Rate)
Attorney	A	B	Full Time	\$8,708
Information Technology Specialist I	A	B	Full Time	\$8,397
Staff Services Analyst	B	C	Full Time	\$4,726

IN COMPLIANCE	FINDING No. 9	ALTERNATIVE RANGE MOVEMENTS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND CALHR POLICIES AND GUIDELINES
----------------------	----------------------	---

The CRD determined that the alternate range movements the CalVCB made during the compliance review period, satisfied civil service laws, Board rules and CalHR policies and guidelines.

Bilingual Pay

A certified bilingual position is a position where the incumbent uses bilingual skills on a continuous basis and averages 10 percent or more of the total time worked. According to the Pay Differential 14, the 10 percent time standard is calculated based on the time spent conversing, interpreting, or transcribing in a second language and time spent on closely related activities performed directly in conjunction with the specific bilingual transactions.

Typically, the department must review the position duty statement to confirm the percentage of time performing bilingual skills and verify the monthly pay differential is granted to a certified bilingual employee in a designated bilingual position. The position, not the employee, receives the bilingual designation and the department must verify that the incumbent successfully participated in an Oral Fluency Examination prior to issuing the additional pay.

During the period under review, November 1, 2023, through April 30, 2024, the CalVCB issued bilingual pay to five employees. The CRD reviewed all of these bilingual pay authorizations to ensure compliance with applicable CalHR policies and guidelines. These are listed below:

Classification	Collective Bargaining Identifier	Time Base	No. of Appts.
Staff Services Analyst	R01	Full-Time	5

SEVERITY: VERY SERIOUS	FINDING NO. 10 INCORRECT AUTHORIZATION OF BILINGUAL PAY
-----------------------------------	--

Summary: The CRD found errors in all five of the bilingual pay authorizations reviewed:

Classification	Description of Findings	Criteria	No. Reviewed
Staff Services Analyst	The Department failed to supply supporting documentation demonstrating the need for bilingual services.	Pay Differential 14	5

Criteria: An individual must be in a position that has been certified by the department as a position which requires the use of bilingual skills on a continuing basis averaging 10 percent of the time spent either conversing, interpreting or transcribing in a second language and time spent on closely related activities performed directly in conjunction with specific bilingual transactions. (Pay Differential 14.)

Severity: Very Serious. Failure to comply with the state civil service pay plan by incorrectly applying compensation rules in accordance with CalHR's policies and guidelines results in civil service employees receiving incorrect and/or inappropriate pay.

Cause: The CalVCB states that upon further internal review, it was determined that this oversight occurred due to a lack of awareness among staff regarding the requirement to complete the STD. 897 – Bilingual Pay Authorization form at the time of appointment. This gap in compliance was identified by new management, who came on board and immediately initiated corrective action.

Corrective Action: The CalVCB asserts that steps have been taken to address this area. Within 90 days of the date of this report, the CalVCB must submit to the SPB documentation which demonstrates the corrections the

department has implemented to ensure conformity with Government Code section 7296, and/or Pay Differential 14.

Leave

Positive Paid Employees

Actual Time Worked (ATW) is a method that can be used to keep track of a Temporary Authorization Utilization (TAU) employee's time to ensure that the Constitutional limit of 9 months in any 12 consecutive months is not exceeded. The ATW method of counting time is used to continue the employment status for an employee until the completion of an examination, for seasonal type work, while attending school, or for consulting services.

An employee is appointed TAU-ATW when he/she is not expected to work all the working days of a month. When counting 189 days, every day worked, including partial days⁷ worked and paid absences⁸, are counted. (Cal. Code Regs., tit. 2, § 265.1, subd. (b).) The hours worked in one day are not limited by this rule. (*Ibid.*) The 12-consecutive month timeframe begins by counting the first pay period worked as the first month of the 12-consecutive month timeframe. (*Ibid.*) The employee shall serve no longer than 189 days in a 12 consecutive month period. (*Ibid.*) A new 189-days working limit in a 12-consecutive month timeframe may begin in the month immediately following the month that marks the end of the previous 12-consecutive month timeframe. (*Ibid.*)

It is an ATW appointment because the employee does not work each workday of the month, and it might become desirable or necessary for the employee to work beyond nine calendar months. The appointing power shall monitor and control the days worked to ensure the limitations set forth are not exceeded. (Cal. Code Regs., tit. 2, § 265.1, subd. (f).)

For student assistants, graduate student assistants, youth aides, and seasonal classifications a maximum work-time limit of 1500 hours within 12 consecutive months may be used rather than the 189-day calculation. (Cal. Code Regs., tit. 2, § 265.1, subd. (d).)

Additionally, according to Government Code section 21224, retired annuitant appointments shall not exceed a maximum of 960 hours in any fiscal year (July-June),

⁷ For example, two hours or ten hours count as one day.

⁸ For example, vacation, sick leave, compensating time off, etc.

regardless of the number of state employers, without reinstatement, loss or interruption of benefits.

At the time of the review, the CalVCB had two positive paid employees whose hours were tracked. The CRD reviewed both of those positive paid appointments to ensure compliance with applicable laws, regulations, policies and guidelines, which are listed below:

Classification	Tenure	Time Frame	Time Worked
Information Technology Specialist I	Retired Annuitant	Intermittent	954 Hours
Student Assistant	Temporary	Intermittent	573.25 Hours

IN COMPLIANCE	FINDING NO. 11	POSITIVE PAID EMPLOYEES' TRACKED HOURS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND/OR CALHR POLICIES AND GUIDELINES
----------------------	-----------------------	---

The CRD found no deficiencies in the positive paid employees reviewed during the compliance review period. The CalVCB provided sufficient justification and adhered to applicable laws, regulations and CalHR policy and guidelines for positive paid employees.

Administrative Time Off

ATO is a form of paid administrative leave status initiated by appointing authorities for a variety of reasons. (Human Resources Manual Section 2121.) Most often, ATO is used when an employee cannot come to work because of a pending investigation, fitness for duty evaluation, or when work facilities are unavailable. (*Ibid.*) ATO can also be granted when employees need time off for reasons such as blood or organ donation, extreme weather preventing safe travel to work, states of emergency, voting, and when employees need time off to attend special events. (*Ibid.*)

During the period under review, May 1, 2023, through April 30, 2024, the CalVCB authorized five ATO transactions. The CRD reviewed all of these ATO transactions to ensure compliance with applicable laws, regulations, and CalHR policy and guidelines, which are listed below:

Classification	Time Frame	Amount of Time on ATO
Business Services Assistant (Specialist)	4/18/2024	5 hours
Business Services Officer I (Supervisor)	4/18/2024	5.5 hours

Classification	Time Frame	Amount of Time on ATO
Office Assistant (General)	4/18/2024	6 hours
Office Assistant (General)	4/18/2024	6 hours
Office Technician (General)	4/18/2024	5 hours

IN COMPLIANCE	FINDING No. 12 ADMINISTRATIVE TIME OFF AUTHORIZATIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND/OR CALHR POLICIES AND GUIDELINES
----------------------	--

The CRD found no deficiencies in the ATO transactions reviewed during the compliance review period. The CalVCB provided the proper documentation justifying the use of ATO and adhered to applicable laws, regulations and CalHR policy and guidelines.

Leave Accounting

Departments are directed to create a monthly internal audit process to verify all leave input into any leave accounting system is keyed accurately and timely. (Human Resources Manual Section 2101.) Departments shall create an audit process to review and correct leave input errors on a monthly basis. The review of leave accounting records shall be completed by the pay period following the pay period in which the leave was keyed into the leave accounting system. (*Ibid.*) If an employee's attendance record is determined to have errors or it is determined that the employee has insufficient balances for a leave type used, the attendance record must be amended. (*Ibid.*) Attendance records shall be corrected by the pay period following the pay period in which the error occurred. (*Ibid.*) Accurate and timely attendance reporting is required of all departments and is subject to audit. (*Ibid.*)

During the period under review, February 1, 2024, through April 30, 2024, the CalVCB reported 27 units. The CRD reviewed 11 units within 3 pay periods to ensure compliance with applicable laws, regulations and CalHR policy and guidelines.

IN COMPLIANCE	FINDING No. 13 LEAVE ACCOUNTING COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND/OR CALHR POLICIES AND GUIDELINES
----------------------	--

The CRD reviewed leave records from three different leave periods to ensure compliance with applicable laws, regulations and CalHR policy and guidelines. Based on our review, the CRD found no deficiencies. The CalVCB utilized a monthly internal audit process to verify all leave input into any leave accounting system was keyed accurately and timely.

State Service

The state recognizes two different types of absences while an employee is on pay status, paid or unpaid. The unpaid absences can affect whether a pay period is a qualifying or non-qualifying pay period for state service and leave accruals.

Generally, an employee who has 11 or more working days of service in a monthly pay period shall be considered to have a complete month, a month of service, or continuous service.⁹ (Cal. Code Regs., tit. 2, § 599.608.) Full time and fractional employees who work less than 11 working days in a pay period will have a non-qualifying month and will not receive state service or leave accruals for that month.

Hourly or daily rate employees working at a department in which the full-time workweek is 40 hours who earn the equivalent of 160 hours of service in a monthly pay period or accumulated pay periods shall be considered to have a complete month, a month of service, or continuous service. (Cal. Code Regs., tit. 2, § 599.609.)

For each qualifying monthly pay period, the employee shall be allowed credit for vacation with pay on the first day of the following monthly pay period. (Cal. Code Regs., tit. 2, § 599.608.) When computing months of total state service to determine a change in the monthly credit for vacation with pay, only qualifying monthly pay periods of service before and after breaks in service shall be counted. (Cal. Code Regs., tit. 2, § 599.739.) Portions of non-qualifying monthly pay periods of service shall not be counted nor accumulated. (*Ibid.*) On the first day following a qualifying monthly pay period, excluded employees¹⁰ shall be allowed credit for annual leave with pay. (Cal. Code Regs., tit. 2, § 599.752.)

Permanent intermittent employees also earn leave credits on the pay period following the accumulated accrual of 160 hours worked. Hours worked in excess of 160 hours in a monthly pay period, are not counted or accumulated towards leave credits.

During the period under review, November 1, 2023, through July 1, 2024, the CalVCB had one employee with qualifying and non-qualifying pay period transactions. The CRD

⁹ Government Code sections 19143, 19849.9, 19856.1, 19858.1, 19859, 19861, 19863.1, and 19997.4 and California Code of Regulations, title 2, sections 599.609, 599.682, 599.683, 599.685, 599.687, 599.737, 599.738, 599.739, 599.740, 599.746, 599.747, 599.776.1, 599.787, 599.791, 599.840 and 599.843 provide further clarification for calculating state time.

¹⁰ As identified in Government Code sections 19858.3, subdivisions (a), (b), or (c), or as it applies to employees excluded from the definition of state employee under Government Code section 3513, subdivision (c), or California Code of Regulations, title 2, section 599.752, subdivision (a), and appointees of the Governor as designated by the Department and not subject to section 599.752.1.

reviewed this employee's transactions to ensure compliance with applicable laws, regulations and CalHR policy and guidelines, which is listed below:

Type of Transaction	Time base	No. Reviewed
Qualifying Pay Period	Full Time	1

IN COMPLIANCE	FINDING NO. 14	SERVICE AND LEAVE TRANSACTIONS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND/OR CALHR POLICIES AND GUIDELINES
----------------------	-----------------------	---

The CRD determined that the CalVCB ensured employees with non-qualifying pay periods did not receive vacation/sick leave, annual leave, and/or state service accruals. The CRD found no deficiencies in this area.

Policy and Processes

Nepotism

It is the policy of the State of California to hire, transfer, and promote all employees on the basis of merit and fitness in accordance with civil service statutes, rules and regulations. Nepotism is expressly prohibited in the state workplace because it is antithetical to California's merit based civil service. (Cal. Code Regs., tit. 2, § 87.) (*Ibid.*) All appointing powers shall adopt an anti-nepotism policy that includes the following components: (1) a statement that the appointing power is committed to merit-based hiring and that nepotism is antithetical to a merit-based civil service system; (2) a definition of "nepotism" as an employee's use of influence or power to hire, transfer, or promote an applicant or employee because of a personal relationship; (3) a definition of "personal relationship" as persons related by blood, adoption, current or former marriage, domestic partnership or cohabitation; (4) a statement that prohibits participation in the selection of an applicant for employment by anyone who has a personal relationship with the applicant, as defined in section 83.6; (5) a statement that prohibits the direct or first-line supervision of an employee with whom the supervisor has a personal relationship, as defined in section 83.6; (6) a process for addressing issues of direct supervision when personal relationships between employees exist. (*Ibid.*)

IN COMPLIANCE	FINDING No. 15	NEPOTISM POLICY COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND/OR CALHR POLICIES AND GUIDELINES
----------------------	-----------------------	--

The CRD verified that the policy was disseminated to all staff and emphasized the CalVCB's commitment to the state policy of hiring, transferring, and promoting employees on the basis of merit. Additionally, the CalVCB's nepotism policy was comprised of specific and sufficient components intended to prevent favoritism, or bias, based on a personal relationship from unduly influencing employment decisions.

Workers' Compensation

Employers shall provide to every new employee, either at the time of hire or by the end of the first pay period, written notice concerning the rights, benefits, and obligations under workers' compensation law. (Cal. Code Regs., tit. 8, § 9880, subd. (a).) This notice shall include the right to predesignate their personal physician or medical group; a form that the employee may use as an optional method for notifying the employer of the name of employee's "personal physician," as defined by Labor Code section 4600. (Cal. Code Regs., tit. 8, § 9880, subd. (c)(7) & (8).) Additionally, within one working day of receiving notice or knowledge that the employee has suffered a work-related injury or illness, employers shall provide a claim form and notice of potential eligibility for benefits to the injured employee. (Labor Code, § 5401, subd. (a).)

Public employers may choose to extend workers' compensation coverage to volunteers that perform services for the organization. (Human Resources Manual Section 1415.) Workers' compensation coverage is not mandatory for volunteers as it is for employees. (*Ibid.*) This is specific to the legally uninsured state departments participating in the Master Agreement. (*Ibid.*) Departments with an insurance policy for workers' compensation coverage should contact their State Compensation Insurance Fund (State Fund) office to discuss the status of volunteers. (*Ibid.*)

In this case, the CalVCB did not employ volunteers during the compliance review period.

IN COMPLIANCE	FINDING No. 16	WORKERS' COMPENSATION PROCESS COMPLIED WITH CIVIL SERVICE LAWS, BOARD RULES, AND/OR CALHR POLICIES AND GUIDELINES
----------------------	-----------------------	--

The CRD verified that the CalVCB provides notice to their employees to inform them of their rights and responsibilities under California's Workers' Compensation Law. Furthermore, the CRD verified that when the CalVCB received workers' compensation

claims, they properly provided claim forms within one working day of notice or knowledge of injury.

Performance Appraisals

According to Government Code section 19992.2, subdivision (a), appointing powers must “prepare performance reports.” Furthermore, California Code of Regulations, title 2, section 599.798, directs supervisors to conduct written performance appraisals and discuss overall work performance with permanent employees at least once in each twelve calendar months after the completion of the employee’s probationary period.

The CRD selected 31 permanent CalVCB employees to ensure that the department was conducting performance appraisals on an annual basis in accordance with applicable laws, regulations, policies and guidelines.

SEVERITY: SERIOUS	FINDING NO. 17 PERFORMANCE APPRAISALS WERE NOT PROVIDED TO ALL EMPLOYEES
------------------------------------	--

Summary: The CalVCB did not provide annual performance appraisals to 28 of 31 employees reviewed after the completion of the employee’s probationary period.

Criteria: Appointing powers shall prepare performance reports and keep them on file as prescribed by department rule. (Gov. Code, § 19992.2, subd. (a).) Each supervisor, as designated by the appointing power, shall make an appraisal in writing and shall discuss with the employee overall work performance at least once in each twelve calendar months following the end of the employee's probationary period. (Cal. Code Regs., tit. 2, § 599.798.)

Severity: Serious. The department does not ensure that all employees are apprised of work performance issues and/or goals in a systematic manner.

Cause: The CalVCB states that upon review, new management discovered that the absence of a structured follow-up process contributed to the lack of timely performance appraisals being conducted after probationary periods.

Corrective Action: Within 90 days of the date of this report, the CalVCB must submit to the SPB a written corrective action response which addresses the corrections the department will implement to ensure conformity with Government Code section 19992.2 and California Code of Regulations, title 2, section 599.798. Copies of relevant documentation demonstrating that the corrective action has been implemented must be included with the corrective action response.

DEPARTMENTAL RESPONSE

The CalVCB's departmental response is attached as Attachment 1.

SPB REPLY

Based upon the CalVCB written response, the CalVCB will comply with the corrective actions specified in these report findings. Within 90 days of the date of this report, a written corrective action response including documentation demonstrating implementation of the corrective actions specified must be submitted to the CRD.

May 14, 2025

Ms. Suzzane Ambrose
Executive Officer State Personnel Board
801 Capitol Mall
Sacramento, CA 95814

Re: California Victim Compensation Board Response to State Personnel Board Compliance Report.

Dear Ms. Ambrose,

The California Victim Compensation Board (CalVCB) would like to thank the State Personnel Board (SPB)'s Compliance Review Unit (CRU) for conducting the 2024 CalVCB Compliance Review Audit. CalVCB received the SPB draft review report on May 01, 2025.

CalVCB is committed to making meaningful improvements to our processes and procedures and are confident that the next Compliance Review Report will reflect our continued efforts.

Based on the compliance review of CalVCB's personnel practices in the areas of Examinations, Appointments, Equal Employment Opportunity (EEO), Personal Services Contracts, Mandated Training, Compensation, and Pay, Leave, and Policy and Processes, CalVCB provides the following response to each of the findings:

Finding No. 1: Examinations Complied with Civil Services Laws and Board Rules
In Compliance

No response is needed since the CalVCB was found to be in compliance.

Finding No. 2: Permanent Withhold Action Complied with Civil Service Laws and Board Rules
In Compliance

No response is needed since the CalVCB was found to be in compliance.

Finding No. 3: Appointments Complied with Civil Service Laws and Board Rules
In Compliance

No response is needed since the CalVCB was found to be in compliance.

Finding No. 4: Equal Employment Opportunity Program Complied with Civil Service Laws and Board Rules

In Compliance

No response is needed since the CalVCB was found to be in compliance.

Finding No. 5: Unions Were Not Notified of Personal Services Contracts

Severity: Serious

The summary indicated that CalVCB did not notify unions prior to entering 5 of the 16 PSC's reviewed.

Cause:

CalVCB identified this issue prior to the SPB audit, and we took proactive steps to address it. Specifically, we conducted internal training of our contract and procurement staff and updated our procedures to ensure union notifications are being completed as required for personal service contracts.

We acknowledge that union notice was not provided in these instances; however, we have since implemented the necessary training and procedural updates, and we are actively ensuring continued compliance with this requirement.

Finding No. 6: Sexual Harassment Prevention Training Was Not Provided for all Employees.

Substantial Compliance

No response is needed since CalVCB was found to be substantially compliant.

Finding No. 7: Ethics Training Was Not Provided For all Filers.

Substantial Compliance

No response is needed since CalVCB was found to be substantially compliant.

Finding No. 8: Salary Determinations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines.

In Compliance

No response is needed since the CalVCB was found to be in compliance.

Finding No. 9: Alternate Range Movement Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines.

In Compliance

No response is needed since the CalVCB was found to be in compliance.

Finding No. 10: Incorrect Authorization of Bilingual Pay.

Severity: Serious

The summary indicated that CalVCB failed to supply supporting documentation demonstrating the need for bilingual services.

Cause: Upon further internal review, it was determined that this oversight occurred due to a lack of awareness among staff regarding the requirement to complete the STD. 897 – Bilingual Pay Authorization form at the time of appointment. This gap in compliance was identified by new management, who came on board and immediately initiated corrective action.

Since that time, CalVCB has taken the following steps to address the issue:

- Employees receiving bilingual pay have been retested to confirm continued proficiency.
- The required STD. 897 forms have now been properly completed and retained for all applicable employees.
- CalVCB has implemented internal procedural reminders and staff training to ensure future compliance with bilingual pay authorization requirements.

Finding No. 11: Positive Paid Employee's Tracked Hours Complied with the Civil Service Laws, Board Rules, and CalHR Policies and Guidelines.

In Compliance

No response is needed since the CalVCB was found to be in compliance.

Finding No. 12: Administrative Time Off Authorizations Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines.

In Compliance

No response is needed since the CalVCB was found to be in compliance.

Finding No. 13: Leave Accounting Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines.

In Compliance

No response is needed since the CalVCB was found to be in compliance.

Finding No. 14: Service and Leave Transactions Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines.

In Compliance

No response is needed since the CalVCB was found to be in compliance.

Finding No. 15: Nepotism Policy Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines.

In Compliance

No response is needed since the CalVCB was found to be in compliance.

Finding No. 16: Worker's Compensation Process Complied with Civil Service Laws, Board Rules, and CalHR Policies and Guidelines.

In Compliance

No response is needed since the CalVCB was found to be in compliance.

Finding No. 17: Performance Appraisals were not Provided to All Employees.

Severity: Serious

Summary indicates the CalVCB did not provide annual performance appraisals to 28 of 31 employees reviewed after the completion of the employee's probationary period.

Cause: Upon review, new management discovered that the absence of a structured follow-up process from HR contributed to the lack of timely performance appraisals being conducted after probationary periods.

To address this issue, CalVCB has taken the following corrective actions:

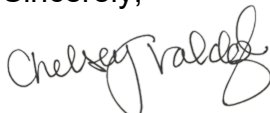
- Implemented a centralized tracking system to monitor due dates for annual performance appraisals.
- Established monthly Outlook calendar reminders to prompt supervisors regarding upcoming appraisal deadlines.
- For outstanding or overdue appraisals, bi-weekly follow-up reminders are now sent until completed and submitted.
- Additional guidance and training has been provided to managers and supervisors regarding their responsibility to complete timely appraisals following probationary periods and on an annual basis thereafter.

Conclusion

CalVCB would like to thank the SPB Compliance Review team and appreciate the opportunity to respond to the findings. CalVCB will continue to educate and train our staff to ensure compliance with the State's civil service system.

If you have any questions or need additional information, please contact Brandy Griffin, Human Resources Manager at Brandy.Griffin@victims.ca.gov or Chelsey Valdez, Assistant Deputy Executive Officer of Administration at Chelsey.Valdez@victims.ca.gov.

Sincerely,



Chelsey Valdez
Assistant Deputy Executive Officer
Administration Division
California Victim Compensation Board