

**State of California  
Office of Administrative Law**

**In re:**  
**State Personnel Board**

**Regulatory Action:**

**Title 02, California Code of Regulations**

**Adopt sections:**

**Amend sections:** 53.1, 53.2

**Repeal sections:**

**NOTICE OF APPROVAL OF REGULATORY  
ACTION**

**Government Code Section 11349.3**

**OAL Matter Number: 2025-0516-09**

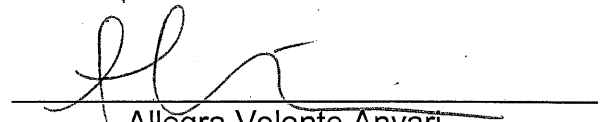
**OAL Matter Type: Regular (S)**

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Through this regulatory action, the State Personnel Board amends title 2 of the California Code of Regulations sections 53.1 and 53.2 regarding whether an appeal or complaint is assigned to the informal hearing process or to the investigative review process and investigatory hearings.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 10/1/2025.

**Date:** June 25, 2025

  
Allegra Volonte Anvari  
Attorney

**For:** Kenneth J. Pogue  
Director

**Original:** Suzanne Ambrose, Executive  
Officer

**Copy:** Michelle La Grandeur

## NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

**REGULAR**

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-2025-0114-5</b>	REGULATORY ACTION NUMBER <b>2025-0516-095</b>	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

JUN 25 2025

OFFICE OF ADMIN. LAW  
2025 MAY 16 PM3:04

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY  
California State Personnel Board

AGENCY FILE NUMBER (If any)

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE Appeals' Assignments		TITLE(S) 2	FIRST SECTION AFFECTED 53.1	2. REQUESTED PUBLICATION DATE January 24, 2025
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON Michelle La Grandeur	TELEPHONE NUMBER 916-651-2740	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2025, 04-2	PUBLICATION DATE 1/24/25	

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) Appeals' Assignments	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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**2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)**

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 53.1, 53.2
	REPEAL
TITLE(S) 2	

**3. TYPE OF FILING**

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)		<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Other (Specify)	

**4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)**

5. EFFECTIVE DATE OF CHANGE (Gov. Code, §§11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)

**6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY**

<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Michelle La Grandeur	TELEPHONE NUMBER 916-651-2740	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) michelle.lagrandeur@spb.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE Suzanne M. Ambrose Digitally signed by Suzanne M. Ambrose Date: 2025.05.15 20:20:59 -0700	DATE
TYPED NAME AND TITLE OF SIGNATORY Suzanne M. Ambrose, Executive Officer	

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

JUN 25 2025

Office of Administrative Law

**FINAL TEXT**  
**CALIFORNIA CODE OF REGULATIONS**  
**TITLE 2 (Administration)**  
**DIVISION 1 (Administrative Personnel)**  
**CHAPTER 1 (State Personnel Board)**  
**SUBCHAPTER 1.2 (Hearings and Appeals)**  
**ARTICLE 3 (Assignment of Appeals or Complaints)**

**§ 53.1. Appeals or Complaints Assigned to Informal Hearing Process.**

(a) Unless otherwise assigned, the following matters will be assigned to the informal hearing process:

- (1) Appeals from psychological and medical disqualification.
- (2) Appeals from voided civil service appointments.
- (3) Appeals from denial to take state civil service examination or be certified to any position in state civil service, pursuant to section 211.
- (4) Whistleblower retaliation complaints not consolidated with other appeals assigned to the evidentiary hearing process.
- (5) Petitions for mandatory reinstatement from medical suspension, demotion, or termination pursuant to Government Code section 19253.5.

Note: Authority cited: Section 18701, Government Code. Reference: Section 18675 and 19253.5, Government Code.

**§ 53.2. Appeals or Complaints Assigned to Investigative Review Process and Investigatory Hearings.**

(a) Unless otherwise assigned, the following matters will be assigned to the investigative review process:

- (1) Challenges to examination results, rejection of application for state civil service employment based upon minimum qualifications, certification withholds, appeals of layoff review findings under Government Code section 19798, and merit issue complaints.
- (b) Unless otherwise required by law, or otherwise assigned, appeals of rejections during probationary period, terminations of examination appointments during the job examination period for appointments made under the Limited Examination and Appointment Program (LEAP), and appeals of an adverse action where the penalty imposed is an official reprimand or other penalty equal to or less than a suspension without pay for five days or equal to or less than a one-step reduction in pay for four months will be assigned to the investigatory hearing process.

Note: Authority cited: Sections 18502 and 18701, Government Code. Reference:  
Section 18675, Government Code