

DATE: September 16, 2021

TO: ALL INTERESTED PARTIES

/s/ **SUZANNE M. AMBROSE**

FROM: Suzanne M. Ambrose
Executive Officer

SUBJECT: NOTICE OF MODIFICATION TO TEXT OF PROPOSED REGULATION

Notice is hereby given that the State Personnel Board (SPB or Board) proposes to amend Section 66.1 to clarify the period of limitation for filing an internal merit issue complaint with the particular state agency involved in a challenged hiring decision.

The changes are in response to comments received during the 15-day public comment period regarding Section 66.1. The changes being made are:

1. The regulation has been amended to set a three-year timeframe in which merit issue complaints shall first be filed with the state agency after the alleged violation of Board regulation or policy in the hiring and selection process, regardless of the type of complaint.
2. The Board clarifies that if a state agency fails to respond to a merit issue complaint within 90 days of receipt of the complaint, resulting in the denial of the complaint's allegations, then the appellant must file a merit issue complaint directly with the Appeals Division within 30 days.

If you have any comments regarding the proposed changes, the Board will accept written comments between September 17, 2021, and October 4, 2021. All written comments must be submitted to the Board by October 4, 2021, and addressed to:

Lori Gillihan, Chief
Policy Division
State Personnel Board
801 Capitol Mall
Sacramento, CA 95814
Email: lori.gillihan@spb.ca.gov

All written comments received by October 4, 2021, which pertain to the indicated changes will be reviewed and responded to by the Board as part of the compilation of the rulemaking file. Please limit your comments to the modifications of the text.