

# CASE

*Representing the State's Legal Professionals*

May 26, 2011

Stuart Drown, Executive Director

Little Hoover Commission

925 L. Street, Suite 805

Sacramento, CA 95814

Dear Director Drown:

Thank you for the opportunity to address the Little Hoover Commission regarding the proposed reorganization plan to consolidate functions of the Department of Personnel Administration (“DPA”) and the State Personnel Board (“SPB”) into a new California Department of Human Resources.

In your letter you raised several questions which are addressed below. In an effort to be as responsive as possible, CASE has contacted each of its members employed at SPB to get their views on the proposed reorganization plan. Most of our members at SP are currently working in the appeals unit, which would not be directly impacted under the proposed plan, and would remain at SPB. Accordingly, our members did not express concerns about impacts to their individual jobs.

Rather, their concerns were more focused on broad policy issues. Specifically, they expressed some concern that this plan could be the beginning of the erosion of the ability of SPB to carry out its constitutional mandate. By consolidating most human resource functions in one agency, a concern arises that SPB’s authority will be diminished over time as more and more of its resources are shifted to the new department.

Based on this concern, CASE has no objection to the proposal with the caveat that SPB will continue in existence and retain its vital role in enforcing the civil service statutes as provided under the California Constitution.

As explained above, the consolidation will not directly impact CASE members employed at SPB, and CASE does not have any members at DPA.

With respect to whether the reorganization plan will improve hiring, training, and other personnel issues, it is important to remember that for CASE members, they come to the State having spent three years in law school following four or more years in college. They are very well educated and the legal profession has a long tradition of mentoring young attorneys on the job. As a result, we do not believe the reorganization plan will have any real impact on CASE members. The single biggest hiring issue for CASE members is that they come out of law school with over \$100,000 in educational debt, and even those that are considering public service simply cannot afford to come to work for the State. They can make 35% to 50% more by going to work for other public sector employers, like cities and counties. Those local governments, even in these trying economic times, recognize the value of recruiting and retaining top legal talent and are willing to pay for it. This reorganization plan does nothing to address the sad reality that the State is becoming the legal employer of last resort.

Thank you for the opportunity to provide our input.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Flores, Jr.", written in a cursive style.

Peter Flores, Jr.

CASE President