

**Patricia Clarey, President
State Personnel Board
November 21, 2013 Testimony**

How the State Personnel Board's workload has changed following the reorganization.

The State Personnel Board (SPB) was constitutionally created in 1934 to administer the civil service system and ensure that state employment is based on merit and free of political patronage. The SPB is led by a five-member Board appointed by the Governor and confirmed by the Senate for ten-year terms. Meeting bimonthly, the Board adopts classifications, establishes probationary periods, sets all merit-related personnel policies and rules, and hears and resolves disciplinary and merit-related appeals.

The Governor's Reorganization Plan #1 transferred the following transactional functions from SPB to the Department of Human Resources (CalHR):

- Develop job-related hiring and promotional examinations and provide examination services.
- Assist individuals who are seeking employment with the state.
- Provide mandated pre-employment psychological screening of all state peace officer applicants.
- Certify employee fitness, for the positions which require medical clearance.
- Develop and maintain state equal employment opportunity policies and procedures.
- Monitor the state workforce and provides technical support, training, and guidance to state departments to help ensure that the state is in compliance with federal and state equal employment opportunity and non-discrimination laws.
- Facilitate the employment of qualified individuals with disabilities into state civil service.
- Ensure that departments provide equal access to information and services for limited English proficient customers and clients.
- Establish and maintain a list of certified hearing interpreters for administrative hearings and medical examinations conducted for the purpose of determining compensation or monetary award in a civil case.
- Review and analyze appointments, including backdated appointments, transfers, and reinstatements, to determine compliance with civil service laws, rules, and policies.
- Respond to departments' requests for probationary period extensions.
- Review all state agency proposals for the establishment of new career executive assignment (CEA) allocations or revisions of existing CEA allocations and prepare for Board approval.
- Review all proposals for the creation of new classifications and changes to or abolishment of existing classifications and prepare for Board approval.
- Conduct human resources related training.

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- Administer a merit-based system of employment in local government.
- Provide administrative, information technology, public information, and legislative services to support SPB programs.

The reorganization preserved SPB's exclusive constitutional authority to administer the merit system. Therefore, the constitutional examination and appointment functions transferred to CalHR are still performed under the Board's rules and policies. SPB's principal functions continue to be:

- Set all merit-related rules, policies, resolutions, and directives.
- Conduct reviews to ensure that departments are in compliance with all merit laws, rules, and policies.
- Hear, resolve, or decide disciplinary appeals filed by state employees.
- Hear, resolve, or decide whistleblower complaints and citizen and employee requests for disciplinary actions against state employees.
- Review personal services contracts for compliance with Government Code section 19130.
- Hear, investigate, resolve, or decide merit-issue complaints filed by applicants and employees.

Through the reorganization, SPB has added new Policy and Compliance Review Divisions at SPB to fulfill the enhanced oversight role of SPB. The Policy Division works collaboratively with stakeholders to identify policy changes for presentation to the five-member board. At the direction of the Board, the Policy Division implements changes in processes, rules, and policies related to the civil service system. The Compliance Review Division (CRD) performs cyclical standard reviews of departments' merit-related activities in four major areas: exams, appointments, equal employment opportunity, and personal service contracts. CRD also conducts focused investigations of certain departments' personnel practices as determined by the Board. Special investigations may be initiated in response to a specific request or when SPB obtains information suggesting a potential merit-related violation.

Describe the board's role in the overall administration of human resources services for the state, and whether this broader aspect has changed following the reorganization.

The reorganization has allowed SPB to focus on simplifying and clarifying the civil service system and monitoring for compliance. Through the new compliance review function, the Board can exercise better oversight of departments' merit-related activities. CRD also serves to educate departments on proper personnel practices during reviews and identifies and shares departments' best practices to recognize innovative ideas and encourage other departments to implement efficiencies.

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Any continued reforms that you believe are needed for the state's human resources system to operate efficiently and effectively.

The state should create a strategy to attract college graduates and professionals. In order to do this, a lot of focus needs to be given to classifications. Individuals from outside public service should be able to easily align their education and skills to the education and skills required for state jobs. Under the current system, the job specifications for state classifications are written with a focus on state experience and do not translate to private sector experience.

We also need to better invest in our workforce. Training should be enhanced to upgrade the skills of our current workforce and prepare our future leaders to ensure the continuity of critical services to the citizens of California as our current leaders near retirement. We should focus on retaining our employees through focusing on their career goals and providing them with opportunities to advance.

The State's supervisors could also benefit from enhanced performance management tools and training to improve employee and supervisory relations and communication in order to prevent and/or reduce grievances, adverse actions, and appeals.