

Department of Industrial Relations
John C. Duncan, Director



WORKFORCE SUCCESSION PLAN

Walt Harris
Workforce Succession Plan Project Manager

JANUARY 2009

Department of Industrial Relations Overview

The Department of Industrial Relations was established to improve working conditions for California's wage earners, and to advance opportunities for profitable employment in California. It includes the Division of Labor Standards Enforcement, Occupational Safety & Health, Workers' Compensation, Apprenticeship Standards, Labor Statistics & Research, the State Mediation & Conciliation Service and 10 labor or workforce-related boards, commissions and programs.

The DIR has a long history of service to California and its working people, and was first established as the Bureau of Labor Statistics in 1883. When the first biennial report was published in 1884, California ranked 23rd among the states in population and 21st in labor force. Today with a population nearing 37 million and a civilian labor force numbering more than 15 million we now rank first in both categories.

To better coordinate labor functions, Governor C.C. Young created the DIR in 1927 as the controlling agency and designated the position of director a cabinet post reporting directly to the Governor.

However, in 2002 it was placed under the authority of the newly created Labor and Workforce Development Agency (LWDA) which also consolidated several other state departments that affect employment issues in California. DIR along with the Employment Development Department, Workforce Investment Board and the Agricultural Labor Relations Board were brought together and placed under the LWDA.

The roles of DIR's primary divisions are:

- Division of Labor Standards Enforcement and the Office of the Labor Commissioner (DLSE) adjudicates wage claims, investigates discrimination and public works complaints, and enforces Labor Code statutes and Industrial Welfare Commission orders.
- Division of Occupational Safety and Health (DOSH) protects workers and the public from safety hazards through its Cal/OSHA, elevator, amusement ride, aerial tramway, ski lift and pressure vessel programs, and provides consultative assistance to employers.
- Division of Workers' Compensation (DWC) monitors the administration of workers' compensation claims, and provides administrative and judicial services to assist in resolving disputes that arise in connection with claims for workers' compensation benefits. Its mission is to minimize the adverse impact of work-related injuries on California employees and employers.
- Division of apprenticeship Standards (DAS) creates opportunities for Californians to gain employable lifetime skills and provides employers with a highly skilled and experience workforce while strengthening California's economy.
- Division of labor Statistics and Research (DLSR) collects, compiles, and presents accurate and timely statistics and research relating to the condition of labor in the state.
- State Mediation & Conciliation Service (SMCS) was established to improve employer-union relations in California. Skilled, impartial SMCS staff mediate labor disputes between employers and employee organizations free of charge.



John C. Duncan
Director

ACKNOWLEDGEMENTS

A special “Thank You” is extended to all of the division chiefs and program managers as well as the managers and supervisors. They have diligently worked in reviewing the status of the classifications as used in their various divisions and programs and they have participated in open and straightforward discussion about the possible measures that could be taken in order to fill key positions as they become vacant due to the retirement of key Departmental employees. Without their insightful assistance, their understanding of the classes¹ as used in their respective divisions and programs, and their attention to the obstacles they face when filling these positions, this project could not have been completed.

Thanks to the Chief of Administration Skip Close, who served as the Project Sponsor for the Workforce Succession Project. His direction and support throughout the course of this project were both helpful and encouraging.

Thanks also to David Barber from the Department’s Personnel Unit who was so helpful in providing the data set which was manipulated to form the Departmental Profile (DP). The DP served as the method for identifying key positions within the Department of Industrial Relations whose vacancies could potentially interrupt the stability and performance of the Department should the staff in these positions exercise their retirement options. A careful analysis of the data contained in the DP indicated which strategies and courses of action would be most effective in designing a truly comprehensive Workforce Succession Plan.

Thanks to Connor Schmeding who brought a variety of computer skills and other talents in assisting in finalizing this report.

¹ The words “classification” and “class” are used synonymously throughout in order to avoid constant, unnecessary repetition of the former.

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ABSTRACT

Purpose for developing a workforce succession plan

It has been recommended that state agencies develop a Workforce Succession Plan (WSP) in order to avoid the very real and potentially devastating effects that would result from the vacancies left by an aging workforce, a large number of which includes seasoned supervisors, managers, and various other specialized employees, choosing to exercise retirement options. Such a situation would charge Departmental management with the onerous task of filling these critical vacancies. Nine-hundred sixty of the Department of Industrial Relations' (DIR) 2,832 employees, or 33.89% of its workforce, are 55 years of age or older. One of the Department's divisions has as many as 81% of the incumbents of a certain class who are at least 55 years old. These statistics clearly demonstrate the need for the management of the various divisions and programs to develop their respective plans to address the manner by which they will fill critical vacancies when Departmental staff members retire.

METHODOLOGY

Data Analysis

For the purpose of addressing the challenges faced by workforce succession, DIR designated a Staff Services Manager III as the WSP Project Manager who was assigned the task of creating and developing the Department's WSP. The Project Manager examined every civil service class currently in use by the Department and subsequently developed a profile summary that displayed all said classes, which were further organized according to division or program and into four distinct age categories to which their incumbents pertain. The four age categories have been designated as follows:

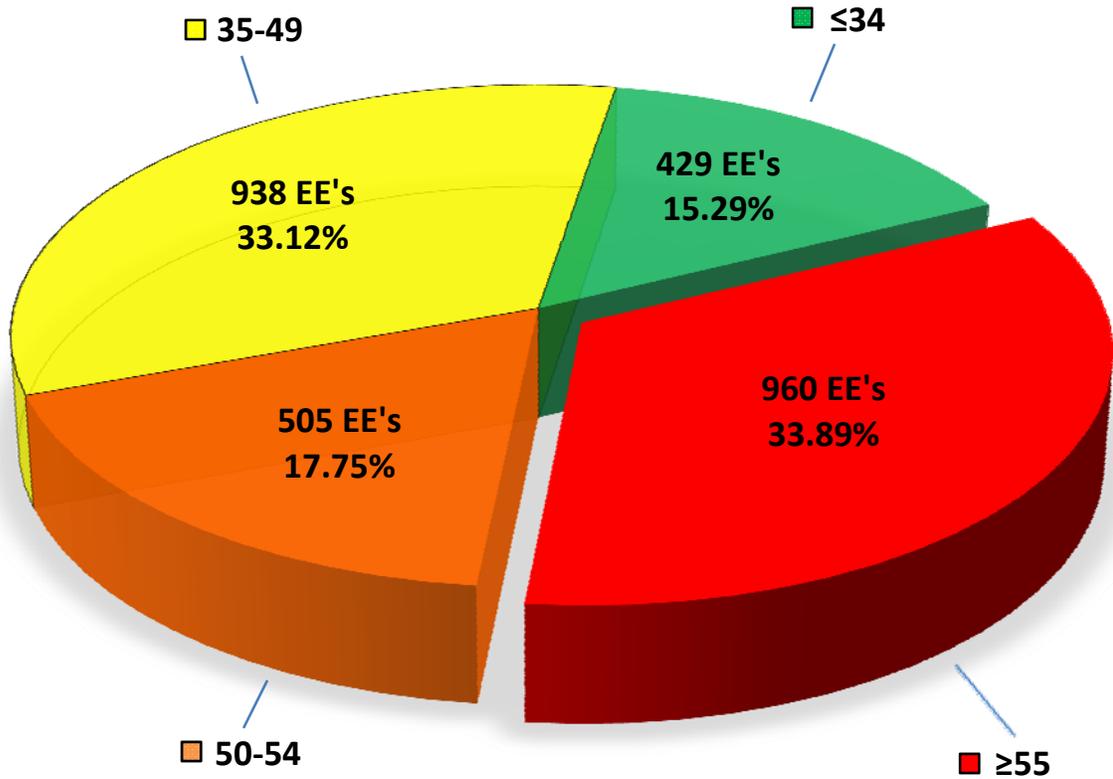
1. Incumbents of at least 55 years of age.
2. Incumbents between 50 and 54 years of age, inclusive.
3. Incumbents between 35 and 49 years of age, inclusive.
4. Incumbents of no more than 34 years of age.

Distribution of the data in the manner described above provides managerial and supervisory staff a precise analysis of the age categories to which their staff pertains in order to alert them of potential critical positions in which vacancies may occur due to retirement. Such vacancies would be a legitimate cause of concern with respect to achieving the goals and objectives of their respective divisions or programs. A copy of this data has been attached as an exhibit to this report for reference;² additionally, a chart³ representing this data according to the age demographic as indicated above has been included on the following page.

² See Departmental Profile (*Exhibit I*).

³ See Representation of the Total Number of DIR Employees (EE's) by Age Range (*Exhibit II*).

Representation of the Total Number DIR Employees (EE's) by Age Range



Involvement of Division Chiefs and Program Managers

The WSP Project Manager held meetings with all of the division chiefs, program managers, or their designees during which he introduced them to the Departmental Profile (DP), providing the opportunity for both to engage in open and straightforward discussion of the obstacles faced in filling critical vacancies due to retirement and of possible, appropriate measures that could be taken in order to overcome these obstacles. More often than not, the chiefs and managers were aware of the obstacles they faced by the retirement eligibility of a number of their subordinate staff; however in some cases, they had yet to become aware of these obstacles and of the consequences that necessarily followed. Armed with this information, they have been able to formulate strategies that might be used to overcome the obstacles they face.

Scope of Report

The scope of the term “workforce succession” has been limited to include only the civil service classes; classifications that are “exempt” from civil service – positions of appointment by the Governor, Legislature, and by boards and commissions have been excluded by definition. Additionally and for the purpose of this project, only those classes in which the potential retirement of incumbents currently holding positions in such classes is cause for serious concern serve as the focus of this report; however, all classes used by the Department have been included in the DP (*Exhibit I*).

EXPLANATION AND DESCRIPTION OF HIRING PROCEDURES

Several acceptable methods for filling positions exist and were recommended to managers and supervisors as appropriate to their respective divisions or programs. To minimize unnecessary repetition of discussing these methods in great detail for every instance in which they may be deemed suitable solutions for filling key positions as they pertain to a specific class, as many will be pertinent to the classes where addressed individually, said methods have been outlined in detail here instead and include:

- **Appointment.**

A candidate may be appointed from a certified, eligible list following a competitive examination, in which the successful candidate has either placed in the top three ranks or placed as one of the top three names of the corresponding eligible list. In certain situations a candidate must place at the top of the eligible list, but this is the exception and not the rule considering the scope of this report. Following a competitive examination, a hiring manager or supervisor will request a certified eligible list from the Department's Personnel Unit, which will in turn send out employment inquiries (STD. 628) to candidates in the first three ranks or those who appear as the first three names on the eligible list to inquire about their interest in the position for said examination. A certified eligible list, which consists of the names of those candidates indicating interest in their response to an employment inquiry, is referred to the hiring manager or supervisor in order that the manager or supervisor may review the list, interview interested applicants, and select an applicant. The position for which the exam was requested is filled by the most qualified, interested applicant on the certified eligible list who best fits the position requirements.

- **Transfer, Same Classification.**

A position may also be filled by the transfer of a state civil-service employee of the same class into this position. To illustrate a possible situation in which such a transfer might potentially prove to be appropriate, the following scenario is offered:

An Associate Governmental Program Analyst (AGPA) position is made available at a location in San Francisco. Should an AGPA working in Oakland be interested in transferring to the available position in San Francisco, he or she may apply for the position. The hiring manager or supervisor charged with filling the position may choose to select the interested applicant working in Oakland to fill the position, which would allow the applicant to transfer. This alternative may be chosen over filling the position through the appointment of an eligible candidate from the Department's certified eligible list for the Associate Governmental Program Analyst class.

The transfer method serves as an alternative to filling a position using the appointment method; however, one should note that the use of either method is equally acceptable.

- **Transfer Change-in-Class.**
A transfer change-in-class occurs when an incumbent in one class (*e.g.*, the AGPA class) is appointed to a different class, whose salary rate is considered to be “substantially” equivalent to the salary rate of the former class. Substantially the same salary rate means that the maximum of the “to” class and the maximum of the “from” class are less than two steps (10%) apart.
- **Use of Another Department’s Eligible List.**
The use of another agency’s⁴ eligible list could be justifiable *if* DIR does not already have an eligible list for a given class. Should DIR lack an eligible list required for filling a position, requesting the use of another agency’s eligible list for the position would be a perfectly acceptable method for filling the vacancy. For example, were DIR to have a vacancy in the AGPA class and the Public Utilities Commission to have an eligible list already established for this class, the Commission may authorize DIR to use its list. DIR’s Personnel Unit would subsequently send out employment inquiries to eligible candidates on the list in order to locate an interested, qualified applicant to fill the Department’s AGPA class vacancy.
- **Temporary Authorized Use (TAU).**
Temporary Authorized Use exists as a method by which a hiring manager or supervisor fills a position with an applicant having no list eligibility to be appointed to the class being filled. After the applicant files a standard state application (STD. 678), the Department’s Personnel Unit reviews it to assure that the applicant meets the minimum qualifications for competing in the examination process for the class of the position being filled. Provided the applicant meets these minimum qualifications, the hiring manager or supervisor may appoint the applicant to the class on a temporary basis. The use of this method is contingent upon the commitment of the Department’s Personnel Unit to administer an examination for the aforementioned class within nine months of the appointment date. This allows for the TAU candidate to be afforded the opportunity to qualify in the examination when given and to legitimately obtain appointment eligibility for the class to which he or she was temporarily appointed.
- **Training and Development (T&D) Assignment.**
The T&D Assignment method may be used to fill the position of a classification for which a candidate may not hold list eligibility for this particular class or may not meet the minimum qualifications required for competing in an examination of this class. An employee appointed to a T&D Assignment shall receive formal training in the work of the class for which the incumbent is not yet eligible. Upon completion of the formal training, the incumbent should possess the necessary knowledge, skills, and experience to meet the minimum qualifications required to compete in the examination for the class, pass the examination, and be appointed from the eligible list for the class. The Division

⁴ The word “agency,” when used in this context, shall be understood to include any state-level agency, department, board, or commission.

of Workers' Compensation (DWC) routinely employs this method, placing Office Assistants (Typing) in T&D Assignments to receive formal training in the Senior Legal Typist class. Rarely would incumbents in the Office Assistant (Typing) class possess the relevant experience in clerical work of a legal nature in order to successfully compete in an examination for the Senior Legal Typist class. By placing them on T&D Assignments to obtain eligibility for the latter class, the incumbents not only receive the formal training in the work required for promotion but they also facilitate the hiring process of the Division.

- **Hire-Above-Minimum (HAM).**

While HAM is not a method used to fill a position per se, it provides a hiring manager or supervisor with an additional resource in recruiting the most qualified candidates for a given position by matching the candidate's current salary up to the maximum salary rate of the class to which he or she is being appointed. For example, should the manager or supervisor hire a candidate from the open list who is actually earning a salary at a rate equivalent to the fourth step of the class and has been compensated at that salary rate for no less than twelve months, the manager or supervisor may request that the Department's Personnel Unit hire and compensate the candidate at the salary rate equal to the candidate's current rate.

SPECIAL CONSIDERATIONS

Specific, reoccurring matters of consideration and concern were made apparent throughout the development of this report and merit inclusion here to more comprehensively illustrate obstacles faced by workforce succession.

Compensation Differences Between Employees of the State and Those of Other Public-Sector Jurisdictions and of the Private-Sector

Nearly all chiefs, managers, and supervisors involved in discussions about their respective divisions and programs expressed concern about the perception of a difference in compensation between state employees and their public-⁵ and private-sector counterparts of comparable classifications, whose duties and responsibilities are essentially the same: the latter of which are thought to be compensated at higher salary rates than the former. No comparative review of salary rates for state civil service classes and for those corresponding classes in both public-sector jurisdictions and the private-sector in which essentially the same work is being performed supports this concern. It necessarily follows that a complete focus on recruiting candidates outside of state civil service would be an irrational strategy for filling vacant positions when employee retention is considered a goal. For this reason, a concentrated focus has been placed on developing opportunities that would effectively facilitate the filling of key positions by existing state civil service employees as these positions are vacated. Such a plan will not always be the most appropriate course of action; however, the methods for filling positions internally were certainly emphasized wherever possible.

Geographic Location of Positions

The fact that the Department's headquarters and the headquarters, district, and regional offices of many of DIR's divisions are respectively located in San Francisco or the greater San Francisco Bay Area ("Bay Area") proves to be an obstacle in implementing a workforce succession plan. In fact, the Division of Labor Standards Enforcement (DLSE) is statutorily required to maintain not only its headquarters in San Francisco but also a district office. (See Labor Code sections 80, 81, and 90.5.) According to the *ACCRA Cost of Living Index*⁶ (COLI) report for the first quarter of 2008, which provides a statistical analysis of the relative COLI for 311 of the nation's largest, major metropolitan areas, the San Francisco-San Mateo-Redwood City metropolitan area lists as having the second highest⁷ relative COLI *nationwide*. Both the San José-Sunnyvale-Santa Clara and the Oakland-Fremont-Hayward metropolitan areas also rank among the ten metropolitan areas nationwide respective of their relative cost-of-living indices; in other words, three of the ten major metropolitan areas with the nation's highest relative COLI's include those areas which constitute the greater San Francisco Bay Area region. With these facts taken into consideration,

⁵The public-sector employees referred to in this section include those who work under other or quasi-governmental jurisdictions.

⁶ This report is published by the Council for Community and Economic Research, the leading nonprofit statistical research organization providing cost-of-living analyses. (The full report is available online at www.C2ER.org.)

⁷ The metropolitan area with the highest relative COLI is the New York City (Manhattan) area.

it would be difficult – if not impossible – to realistically imagine that any candidate living outside the Bay Area region would relocate to the region to fill a vacant position. Even in the case that the position were promotional, any increase in salary rate would almost certainly be of such a nominal amount that it would provide little incentive for candidates – especially higher-level managerial and supervisory candidates – to choose a position located in the Bay Area should other vacant positions exist elsewhere.

DIVISION OF ADMINISTRATION

Overview

The Division of Administration (DA) is charged with providing administrative support required to ensure that the divisions and programs within the Department are able to perform and operate in an efficient and effective manner. All six of the Division's units play a specific and unique role in carrying out their administrative support services. A brief description of each unit follows:⁸

- **Accounting Unit**

The accounting staff perform the standard functions of contract control, general ledger, claim schedule processing, plans of financial adjustment, revolving fund, property accounting, disbursement and expenditure accounting, receipt and fund accounting. The Unit also performs fiscally sensitive activities including collections, cost and grant accounting, cash management, reimbursement control, systems design, trust accounting, federal grant management, fiscal control, reconciliation and reporting.

While most state agencies exercise accounting responsibility using the general fund and perhaps one or two additional special funds, DIR's Accounting Unit is responsible for the Department's use of the general fund as well as 27 additional special funds and 80 revenue accounts. Additionally, reports from DIR offices statewide and for specific programs must be verified by the Department's central Accounting Unit, which is responsible for the accuracy of these reports. Subsidiary systems unique to DIR accommodate operational requirements of the divisions and programs, including the accounting processes to track all accounts receivable. The results of DIR's fiscal operations are also prepared by the Unit's staff.

- **Budget Unit**

The Budget Unit is responsible for developing and maintaining the Department's annual budget. Its staff monitors and project expenditures for the various DIR programs, confirms fund availability for purchase and contract encumbrances, reviews and approves STD. 607 position transactions. Budget staff also monitors the use of funds to ensure conformity with appropriation limits and funding priorities of both the Governor and the Legislature.

DIR's section of the annual Governor's budget publication, including all related forms and supplemental schedules required by the Department of Finance and other control agencies, are prepared by the Unit. Expenditure authorizations are

⁸ Throughout this report, language contained in both DIR's 2000 – 2001 Biennial Report and website has been used in whole or in part.

reported and developed for past, current, and coming fiscal years. Fund conditions are reconciled for governmental cost funds controlled by DIR and budgetary language is developed for inclusion in the Governor's budget and pending budget bill.

The Budget Unit coordinates the development of and submittal of budget change proposals by DIR's divisions, units, and programs and the Unit staff also assist in determining the funding requirements for carrying out administration initiatives as well as new legislation.

- **Business Management Unit**

The responsibility of providing support to all DIR divisions, units, and programs in order to enable them to efficiently deliver their services to the public is charged to the Business Management Unit. The primary function of the Unit is to oversee and maintain the Department's procurement of services and commodities, the property and recycling program, mail services, warehousing needs, and the Facilities Subunit.

- **Information Systems Unit**

DIR's Information Systems Unit oversees and maintains the Department's automated information systems, networks and telecommunications, and procures hardware and software necessary to assure adequate and accurate information management. The Unit monitors and maintains the Department's systems security, operates online computing systems, provides training and technical support for DIR employees statewide, and manages the Department's intranet and internet websites.

As the Department strives to facilitate the public's access to our services, the Information Systems Unit continues to develop access capabilities until such a time that all of DIR's business services and transactions may be performed over the internet.

- **Return-to-Work Unit**

The primary responsibility of the Unit is to assist DIR employees who have been injured on the job in their transition when returning to work after their period of recovery. Unit staff works with the employee, the employee's medical provider, and supervisor to restructure the former position duties held by the employee on a temporary or permanent basis in order to provide the reasonable accommodations the employee requires. This cooperative effort allows the employee to make as smooth and accommodating a transition during the process of returning to work in a timely manner.

- **Personnel Unit**

Facilitating personnel actions and employee-relations matters according to state regulations is the responsibility of the Personnel Unit (Personnel), providing advisory and support services to Departmental staff statewide. Administering the state's classification plan and decentralized civil service exam program, preparing and serving notices of formal disciplinary actions and various other actions affecting employee status, and processing personnel employment and benefit transactions are among the Unit's routine operations. The Unit also responds to policy changes affecting the way the state does business (*e.g.*, legislative mandates) and works closely with the divisions and units to facilitate the implementation of such procedures.

Administering a number of decentralized examinations for several of the classifications used within the Department is another responsibility of the Unit which assures that managers and supervisors have sufficient, quality certification lists to meet their staffing needs.

Summary of Division-specific Workforce Succession Concerns

The Division of Administration will face various, unique challenges before it is prepared to overcome the obstacles presented by workforce succession. Essentially all of the traditional, administrative classes used in every department's administrative divisions within state civil service are also used in the DA (*e.g.*, Accounting Officer, AGPA, Staff Services Analyst, Staff Services Managers I, II, and III, etc.); however, the special consideration of geographic location for the majority of these administrative positions is a particularly unique challenge for this Division.

A review of the Departmental Profile identifies positions of the following classes which may soon become vacant and would prove difficult in finding staff of the high caliber required to replace current, retirement-eligible incumbents: Staff Services Manager III, Accounting Administrator III, Associate Personnel Analyst, Data Processing Managers II and III, and Senior Account Clerk.

PROJECT MANAGER'S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Staff Services Manager III (SSM III) and Accounting Administrator III

Positions at these levels are designated "managerial," and incumbents, usually in charge of a divisional unit, perform full managerial duties; such positions include but are not limited to the Personnel Officer, Budget Officer, Business Management Officer, and Accounting Administrator. Discussions with the Division Chief have resulted in the mutual agreement that a fully-qualified candidate filling the vacant position of a retiring incumbent would be one who has necessarily worked in a comparable position within the respective discipline for enough time to

have acquired an intimate and deeply comprehensive knowledge of the laws, rules, regulations, and policies which regulate that discipline. The conclusion reached stipulated that no candidate working in a position outside of state civil service could fill a position at this managerial level and possess the technical skills necessary to successfully manage and train subordinate staff while concurrently performing the requisite duties of the classification; consequently, the administration of an “open, spot” examination would not prove to be an acceptable method by which to fill such positions as they become vacant.

The possibility of downgrading these positions to lower levels – from a Staff Services Manager III to a Staff Services Manager II - was then evaluated. The problem with this alternative is that if you take elements away from these positions, there is no one to assign them to, and these elements continue to exist. What would one take away from an Accounting Administrator III position to downgrade it to that of an Accounting Administrator II? All “chief” incumbents must be capable to perform all components of the position. Thus, any attempt to downgrade such positions by removing elements from them and still have the same expectations for the duties and responsibilities that pertain to them would lead DIR into problems of working staff out-of-class, and there are prohibitions against knowingly working staff out-of-class and not compensating them for their services. Thus, the alternative of downgrading positions for recruitment purposes was eliminated from consideration.

A third method considered was to conduct an evaluation of current internal staff within each unit and to determine whether any of these staff members have demonstrated the potential for promotion to the position of SSM III. One of the concerns involved with the use of this method exists in units in which an SSM III or the Accounting Administrator III lacks an immediate subordinate SSM II or Accounting Administrator II within the unit. Consequently, the Chief of Administration would need to discuss with the retiring incumbent whether any of the respective unit’s SSM’s or Accounting Administrators were prepared for an appointment to the incumbent’s class in which a qualified SSM or Accounting Administrator would assume the duties and responsibilities commensurate with the incumbent’s position. This method was deemed to be both acceptable and viable.

An additional, acceptable alternative includes using another department’s eligible list for the classification of the retiring incumbent in order to identify potential candidates with the requisite knowledge of and experience in the incumbent’s discipline; such candidates would need to be fully qualified to successfully manage and operate the respective unit.

The Division’s Chief and the Program Manager arrived at the conclusion that the only pragmatic and realistic methods available for filling the Division’s SSM and Accounting Administrator III positions would be the appointment of an internal SSM or Accounting Administrator I working in the retiring incumbent’s respective unit or the use of another department’s eligible list to appoint a candidate possessing the requisite knowledge and experience to successfully fill the incumbent’s vacancy.

Associate Personnel Analyst

To fill positions allocated to the Associate Personnel Analyst (APA) class, four viable methods exist in replacing APA position vacancies resulting from the retirement of those incumbents currently occupying these positions.

The ideal method used to fill such vacancies would be the promotion of a qualified staff member currently working in the Personnel Unit, provided that no list-eligible candidates for the APA class exist which would be a second method. In the case that neither of these two methods is feasible at the time positions of this class require the replacement of retiring incumbents, two additional methods would be considered.

One alternative method would be the use of another department's eligible list for the APA classification if a department were to authorize DIR's use of its list. Should no department with an eligible list for this class authorize DIR's use of its list, the consideration of downgrading the position to that of the Staff Services Analyst (SSA) class would be a final method recommended for consideration. The eligible list for the SSA classification is so large that it would almost certainly include a number of reachable candidates with potential for being successfully trained to work in the Personnel Unit. As a great many of the list-eligible, reachable SSA's are college graduates, this particular contingent would surely possess the skills, qualities, and characteristics necessary to become accomplished analysts. Such candidates would assure that the Department has a sufficient number of qualified candidates available at all times to fill the APA vacancies left by retiring incumbents.

Data Processing Managers II and III

The data presented in the Departmental Profile indicates that the Information Systems Unit (IS) may encounter vacant positions in the Data Processing Manager II and III (respectively DPM II and DPM III) classifications in the near future. This would not ordinarily pose any cause for concern; however, there are presently no incumbents currently working in positions of the DPM I class – only incumbents working in laterally-transferable classes. Successfully meeting the minimum qualifications of either the DPM II or III classifications would necessitate the possession of the requisite experience a potential candidate would acquire by working as a DPM I.

In preparation for DPM II and III- position vacancies resulting in the retirement of the position's current incumbents, IS should first identify whether any of its current staff members possess the requisite skills that working as a DPM I would demand. Should such potential candidates exist, Personnel might subsequently administer a promotional examination for the DPM I class to establish an eligible list for the Department. If no potential candidates exist, Personnel might request that another department with list-eligible candidates authorize DIR to use its eligible list. In the case that neither of the aforementioned methods prove fruitful, Personnel should consider administering an open examination for the DPM II and III classifications in order that successful candidates possessing the requisite, technical skills required of the classes be identified, even though such candidates may not yet possess the supervisory requirement of these classes. After attending the state's 80-hour mandatory supervisor training, required for candidates lacking the

supervisory experience who are appointed to supervisory classes, these candidates would possess a strong foundation upon which to develop their experience as qualified supervisors.

Senior Account Clerk

The Departmental Profile signals two areas of concern for the Division’s Accounting Unit (Accounting): three allocations exist to the Senior Account Clerk (SAC) classification and all of these incumbents are currently eligible to exercise their retirement benefits; the immediately subordinate Account Clerk II class is filled by two incumbents, both of whom fall within the 50-54 age range. These facts clearly demonstrate a problem the Accounting Unit may encounter in filling vacancies of the SAC class as incumbents retire.

To fill positions in the SAC class, the Project Manager recommends that Personnel administer a promotional exam for this class to establish an eligible list from which SAC’s may be appointed. If a promotional exam fails to establish a sufficient list of eligible candidates, Personnel should consider requesting another department’s authorization for DIR to use its list for SAC candidates as well as permitting service-wide transfer opportunities for SAC incumbents.

In the event none of these methods are successful in effectuating the necessary, preparatory measures, the Division Chief, together with Personnel, may consider using the eligible list for the Office Technician (Office Tech) classification as an appropriate list for filling SAC vacancies. The class specifications for both classifications have been listed side-by-side in the following table to illustrate the similarities between each set of the classification’s respective specifications:

Class	Office Technician	Senior Account Clerk
Definition of Level	This is the advanced journey level which regularly performs a variety of the most difficult duties and is expected to consistently exercise a high degree of initiative, independence and originality in performing assigned tasks.	Performs duties concerned with the processing and maintenance of difficult or complex statistical or financial records which require originality, initiative, judgment and a broad knowledge and understanding of departmental record procedures.
Duties	Performs a variety of general office work, mail and document handling, filing and records management document preparation and review; composition of correspondence; statistical and other record keeping.	Performs duties for a significant portion of time involving arithmetic calculations, posting, processing and checking the results and maintaining a set of financial, statistical or other records. Incumbents maintain departmental accounts and funds, personnel records, and work records.

A brief examination of the descriptions for both classes demonstrates such similarity that use of the Office Tech eligible list for filling SAC vacancies would be a sufficiently acceptable and

permissible alternative, would permit the Division a method to fill SAC vacancies indefinitely in a timely and cost-efficient manner, and would provide Personnel with a unique method for filling comparable positions in similar contexts where one proves difficult to fill.

OFFICE OF THE DIRECTOR, LEGAL UNIT

Overview

The Office of the Director's Legal Unit (OD-Legal) functions as counsel for the Department and to the Director in a variety of legal proceedings; the Unit's staff advises the Director, division chiefs, and program managers on legal matters as they pertain to departmental personnel, prevailing wages, apprenticeship standards, self insurance plans, mediation and conciliation, legislation, and general litigation involving either the Department or Director. The Director's legal counsel appears in both state and federal courts and before administrative tribunals such as the State Personnel Board, Department of Personnel Administration, and Workers' Compensation Appeals Board.

Summary of Unit-specific Workforce Succession Concerns

One concern that OD-Legal has identified is the retention of incumbents of Industrial Relations Counsel classification, which is a consequence of two factors. Composed of offices located in San Francisco, Sacramento, and Los Angeles, the Unit successfully recruits and develops the skill and experience of relatively inexperienced attorneys; however, once they have significantly developed their skill and acquired sufficient experience, these attorneys often search for and accept either public- or private-sector positions at the municipal, county, state, or federal levels. An additional factor, closely related in nature to the former, is the pay differential between positions in state civil service and their corresponding positions in non-state civil service jurisdictions: almost without exception the salary rate of the latter is incomparably higher than that of the former. These factors present serious obstacles to retaining highly trained and experienced attorneys in the Unit.

PROJECT MANAGER'S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Industrial Relations Counsel III and IV

The Departmental Profile indicates the total distribution of incumbents in the Industrial Relations Counsel III and IV (IRC III and IV) classifications with that of those eligible to exercise their retirement benefits as follows:

Class	Total # Employees	Age 55 or older	%
Ind Rel Counsel III	13	5	38.46
Ind Rel Counsel IV	12	7	58.33

The IRC III and IV classes represent those attorneys within the Unit that perform the full and advanced journey-level legal work for the Department which requires the ability to both confront and resolve the complex legal matters involving scrupulous interpretation of the laws,

regulations, and policies applicable to any single matter as well as to undertake difficult, novel legal assignments in areas in which no legal precedents have been clearly established.

Currently, OD-Legal and Personnel are collectively working together to schedule examinations for the IRC classifications at all levels (*i.e.*, I-IV). These examination opportunities will be advertised statewide in various, widely-read legal periodicals and perhaps on strategic internet websites of which craigslist.org, findlaw.com, and even capitolweekly.com are being considered. Such an ambitious approach would allow for maximum exposure of these examinations and would almost certainly increase the number of potential candidates that apply for them. The structure of the IRC examinations consists of an interview by a panel of managing attorneys that would determine which candidates would best suit the requirements of the vacant positions for which the examinations are conducted. As the eligible lists generated from these examinations will have only three ranks, any candidate successful in the exam and placed on the eligible list would be immediately reachable. The subsequent interview and background check process assure the expeditious appointment of candidates to vacant positions.

OD-Legal recognizes that filling the Unit's higher-level positions will prove problematic if current Industrial Relations Counsel is not soon prepared to assume positions with broader levels of responsibility. Bearing this reality in mind, the Unit's management team meets on an annual basis to review and assess the skills and abilities of every IRC working within the Unit; consequently, a determination of the fields and nature of legal experience required by each attorney in order to more fully develop their respective levels of skill and knowledge is made, which allows for the generation of a "course-of-action" plan to detail the steps needed for the realization of such development

Additionally, OD-Legal has identified a number of areas of law to which the IRC staff are assigned: Apprenticeship Standards, Labor Compliance Programs, General Public Works, Labor and Employment, Mediation and Conciliation, among others. The IRC staff is assigned to a "team" respective to the counsel's experience and skill in a particular area of law or according to the needs of the Unit. While the Chief Counsel or one of the Assistant Chief Counsels serve as managers to these various teams, a few IRC's have been designated as the "lead" of a number of the aforementioned teams; the identification of lead counsel allows for such staff to acquire certain supervisory skills through exposure to the obstacles of obtaining a complete work product from any given IRC member and through the review of the work product of a staff member. Two of the more experienced IRC's in OD-Legal's San Francisco and Sacramento offices have been designated as leads, and the Unit is in the process of designating IRC leads in the Los Angeles office. Although these leads will not perform true "supervisory" duties, they will be responsible for reviewing the work product of IRC team members and underscore areas of weakness or lack of thoroughness in their work product. Their observations will be shared with the team managers who will subsequently review the leads' observations and recommend which observations need to be shared with the IRC responsible for the work product in order to assist in his or her development as an attorney. This experience would ultimately prepare the leads for the managerial and supervisory responsibilities that pertain to the Chief or Assistant Chief Counsel positions.

One should note that not only is OD-Legal internally developing the requisite skills and knowledge of its staff in order to confront the workforce succession challenges it currently faces, but also that the Unit is participating in the Department of Personnel Administration (DPA) and State Personnel Board (SPB)-sponsored Human Resources Modernization project. One of the goals that this project will attempt to achieve includes streamlining the manner in which the state hires attorneys and simplify the state's civil-service structure of legal classifications. Although the project is still in its formative stages, one method likely to be implemented is the simplification of the formal examination process that an applicant must currently undergo in order to obtain list eligibility. The rationale behind the implementation of this method is that any candidate having successfully passed the examination administered by the State Bar of California has already demonstrated the requisite knowledge and skills to perform the duties of an attorney and need not be subject to further rigorous testing; consequently, a candidate applying for a state civil-service position of a counsel classification shall automatically be placed on the eligible list for the position for which the candidate applied. Placement on an eligibility list would be performed by SPB's certification system, which would place the candidate's name on the list within 24 hours upon receiving notification of application and would establish the candidate's eligibility for an interview by departments as needed in order to fill position vacancies. The certification system would list the eligibility of applicants according to the areas of law in which the application received training or experience. Once the modernization project has approved and finalized this procedure and has implemented the online application process, the hiring of attorneys may be conducted in as expeditious a manner as possible; hence, OD-Legal would face minimal procedural obstacles in filling any positions of the various IRC classifications.

Assistant Chief Counsel and Chief Counsel (Career Executive Assignment Level)

Both the Assistant Chief Counsel and Chief Counsel positions have been allocated as Career Executive Assignments (CEA); consequently, these positions will be relatively easier to fill upon the retirement of the current incumbents. In addition to the measures OD-Legal has initiated to prepare members of its internal staff for the consideration of these positions once vacant, Personnel may post opportunity bulletins for either or both of the CEA vacancies as they occur. Utilizing both of these options will provide for the hiring designees the opportunity to select the most qualified candidates for the positions, whether the candidates be staff members from within the Unit or from another state agency.

Legal Secretary

Of OD-Legal's 14 Legal Secretaries, five (or approximately 35.71%) of them are eligible to exercise their retirement benefits, the majority of which hold positions in the Unit's Los Angeles office. Due to the sheer number of law firms as well as municipal, county, state, and federal courts located in the greater L.A. metropolitan area, an enormous demand exists for the area's most highly-qualified legal secretaries. The Unit's job for recruiting qualified candidates of this class is consequently an arduous one. Perhaps the most pragmatic method as a remedy to this situation would be to target potential examination candidates by approaching members of the legal, clerical staff working for smaller, local legal firms that are ceasing operation. The Assistant Chief Counsel in Los Angeles may find the need to use TAU or Hiring-Above-

Minimum methods in order to recruit the most qualified candidates to fill vacancies of this classification.

CALIFORNIA STATE MEDIATION AND CONCILIATION SERVICE

Overview

The primary responsibility of the California State Mediation and Conciliation Service (SMCS) is to mediate contract disputes to reach bargaining agreements between public-sector agencies and their labor unions, as well as entities which include parties from school districts, community colleges, institutions of higher education, cities, counties, special districts, transit districts, trial courts, the State of California, etc. Reaching such labor-management bargaining agreements allow for the resolution of disputes that would otherwise result in employee strikes or other problems which would negatively impact the state's economy as well as both public and private business services.

SMCS also provides mediators for grievance disputes, trainers for bargaining and labor-management training, and neutral facilitators for bargaining and labor-management processes requiring facilitation. Additionally, a number of public-sector employees and unions needing assistance in organizing and conducting representation and agency shop elections seek out SMCS for assistance. Another task undertaken by SMCS is maintaining a list of qualified private arbitrators and handling requests from labor and management parties for arbitration lists. All of the services SMCS provides are completely free-of-charge.

Summary of Program-specific Workforce Succession Concerns

The staff in the SMCS consists primarily of incumbents of the Conciliator – DIR series, as well as two Office Technicians and one SSA to handle the administrative work of the Unit.

The SMCS faces some unique challenges based on the following factors. First, the salary level that the state currently offers incumbents in the class of Conciliator, DIR lags considerably behind the compensation offered for similar duties in other governmental jurisdictions and the private sector. Thus, it is difficult for SMCS to successfully recruit experienced people in the class when they are in the middle of their careers. Next, the SMCS is finding that a number of experienced, retired mediators compete in the examination for Conciliator, DIR *after* they have retired from careers as mediators in other jobs. Because they are usually experienced, they have no trouble in answering the questions used in the examination for the class, and they usually place in reachable ranks on the certification eligible lists. These individuals usually come to work for SMCS and work long enough to become eligible for retirement benefits from the state, and soon exercise their retirement options from state civil service. This cycle tends to repeat itself making it difficult for the management to ever overcome concerns of workforce succession problems.

PROJECT MANAGER'S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Conciliator, Department of Industrial Relations (DIR)

There are eleven allocations to the class of Conciliator, DIR (Conciliator) in the SMCS, and of these incumbents 9 (81.82%) are age 55 or older. This raises some serious concerns for the Chief of SMCS, for almost 82% of his staff are eligible for retirement now. If all of them were to retire in the near future, it would be problematic in filling in behind all of them to make sure not only were there no interruption in the flow of the work of the Unit, but more importantly, there were no interruption in the business economy of the state due to a lack of Conciliators on hand to resolve work place differences between labor and management. Because the Unit is small and the number of Conciliators is relatively small, when one or more positions become vacant, the problems in filling the position(s) become more difficult in terms of getting a candidate to fill the job without it remaining vacant for an extended period of time.

There are a number of factors that work in concert in making filling positions at the Conciliator level extremely difficult. First, when you consider the compensation of the class of Conciliator (\$6268-7619) it is approximately 22% lower than what the federal government compensates its mediators and substantially below the compensation received by Conciliators in the private sector. Experience as a "negotiator" in the private sector is usually the pattern of work that is acceptable into our Conciliator examination. Negotiators in the private sector do the same work as our Conciliator except for the fact that they represent the interest of either labor or management; whereas, Conciliators remain neutral and do not represent the interest of either party, but try to find a mutually agreeable solution to labor-management problems. It is not uncommon for negotiators to receive upwards of \$115,000 in the private sector for doing essentially the same kind of work that Conciliators perform for the SMCS. Thus, the compensation received in other job settings for performing basically the same duties is considerably more than what the state is currently offering. This creates a situation where candidates who want to work for the state usually have to take a salary decrease to come to work for the SMCS; and the majority of negotiators out there in the private sector have not demonstrated that they are willing to take a salary cut to come to work for the state.

Closely related to the fact that Conciliators can make substantially more in the private sector is the fact that experienced Conciliators usually do not become interested in working for the SMCS until they have virtually completed their careers in the private sector. It is not unusual that the applicants for the examination of Conciliator have retired from working in the private sector and then become interested in working for the state. They usually stay long enough to qualify for a second retirement from state service (five years) and start considering retiring shortly after they complete five years with the state. This goes a long way towards accounting for the average age of the staff in the class of Conciliator being 59.5 years. While it has not been impossible to fill positions from the outside, the process seems to be more protracted due to the salaries the SMCS competes against in the private sector.

The two factors detailed above lead one to the conclusion that trying to fill Conciliator positions from the outside is somewhat problematic. If the focus was on filling these positions from existing, internal state candidates and less experienced outside candidates, it may be a more

fruitful process, and take a lot less time. To that end, an assessment was made of the minimum qualifications of the class of Conciliator – DIR. The current minimum qualifications for the class of Conciliator are as follows:

Experience: Four years of experience, one year of which must have been within the last five years, in the conciliation of labor disputes or work stoppages resulting from labor disputes, or in the negotiation, administration and interpretation of collective bargaining agreements where these duties constituted the major element of the job. This experience shall have been comprehensive and shall have included major problems of management-labor relations such as wage levels, work hours, job security, health and welfare, working conditions, and related provisions of collective bargaining agreements. At least one year of this experience must have been in California. (One year of experience within the last five years performing the duties of an apprenticeship consultant, Deputy Labor Commissioner, Fair Employment and Housing Consultant, or an equivalent position in the Department of Industrial Relations involving comparable labor-management relationship duties may be substituted for one year of the required experience.) **and**

Education: Equivalent to graduation from college. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

The above minimum qualifications provide for the admittance of existing state employees into the examination for the class of Conciliator, coming from such classes as Deputy Labor Commissioner I or II, and from the Apprenticeship Consultant series, provided they have had the appropriate experience in resolving labor-management disputes. The DIR believes that if the minimum qualifications were expanded slightly, it would open up the recruitment base for a class bridging to Conciliator. For example, the current class specifications require experience in the areas of conciliation of labor disputes, or in the negotiation, administration and interpretation of collective bargaining agreements where these duties constituted the major element of the job. (*Emphasis added.*) The DIR believes that if the language was changed from “and” to “or” perhaps that would allow more state employees and less experienced outside candidates to bridge to the class of Conciliator. This simple change in the minimum qualifications may provide enough flexibility to allow additional candidates into the Conciliator examination, and may result in more qualified applicants being on the eligible list. Thus, a formal recommendation will be made to Personnel that a specification revision be made to incorporate this change into the minimum qualifications for this class.

Staff also looked at other classes in state civil service that perform similar duties to the class of Conciliator (*e.g.*, classes in the Personnel and the Labor Relations Series). While incumbents in these classes do not necessarily resolve work stoppages, they perform similar duties with respect to having a developed knowledge of collective bargaining agreements, and advising supervisors and managers how collective bargaining agreements are to be interpreted in the work place. The current minimum qualifications provide for those individuals who have been the chief of a labor relations unit to compete in the examination for Conciliator. However, most of the individuals who have this background are at sufficiently high or higher levels than the class of Conciliator, so not many candidates apply for the examination via this minimum qualifications pattern. That does not negate the fact that there are subordinates in lower level classes who may become prime

candidates to become Conciliators. Staff is proposing the creation of a developmental class into the class of Conciliator called “Conciliator Associate.” This class would act as a bridge for those incumbents in the civil service Personnel Series, the Labor Relations Series and the Fair Employment and Housing Series. Incumbents in these series become familiar with personnel rules and regulations, collective bargaining agreements, and how such laws, rules, regulations, and policies are applied in the work place. The staff believes that this type of background could lead to candidates performing successfully in the class of Conciliator, with appropriate training from an experienced Conciliator. Thus, the staff is also recommending that the class of Conciliator Associate be developed and submitted to the Department of Personnel Administration to be included in the classification plan for DIR.

The Department of Personnel Administration has gone on record as opposing the creation of additional civil service classes because they believe there are too many civil service classes in existence now. However, when you take a realistic approach of trying to address the workforce succession problem as it relates to the class of Conciliator, the following factors all support the establishment of this class. First, the salary that the state pays its Conciliators is not competitive in almost every other jurisdiction (*e.g.*, the federal government and the private sector). Second, with a \$15.2 billion shortfall in the current state budget, no one expects that a salary realignment will be forthcoming in the near future to make the salary of the class comparable to what other jurisdictions are paying. Finally, if SMCS expects to really address this problem, they have to provide for competent, existing state employees to pursue career paths into the class of Conciliator. It is not realistic to expect that SMCS can continue to recruit people into these positions from outside of state government, expecting them to take substantial salary cuts to come to work for the state. Unless we develop minimum qualification patterns for existing state employees to become Conciliators, we will continue to get experienced Conciliators who come to SMCS at the end of their career, probably stay about five years, and then elect to retire from state civil service. The adoption of the above recommendations should put an end to that cycle of filling positions and provide the SMCS with other alternatives in staffing the positions within the Unit, and creating a stable workforce with the longevity that every manager strives to achieve.

Presiding Conciliator, DIR

The SMCS has two allocations to the Presiding Conciliator – DIR classification (Presiding Conciliator) and both are currently eligible to exercise their retirement benefits. At the present time, sufficient candidates in the Conciliator classification exist to meet the demand for promotional candidates for the Presiding Conciliator class should vacancies occur. Furthermore, full implementation of the aforementioned recommendations for the Conciliator class will eliminate any future obstacle whatsoever that might have potentially occurred in filling Presiding Conciliator position vacancies. It is important to note that perhaps two to three years may pass before the new Conciliator Associate classification can be established, an examination administered, appointments made, and those new incumbents given sufficient time to meet the minimum qualifications to compete in the examination for Presiding Conciliator – DIR.

COMMISSION ON HEALTH AND SAFETY AND WORKERS' COMPENSATION

Overview

The Commission on Health and Safety and Workers' Compensation (CHSWC) is a joint labor-management body charged with the oversight of the industrial health occupational safety and workers' compensation systems in California and with recommending administrative or legislative modifications to improve the systems' operations. The CHSWC was established for the purpose of conducting a continuing examination of the workers' compensation system and of the state's activities to prevent industrial injuries and occupational diseases and to examine any comparable programs of other states. In order to provide a more effective and efficient workers' compensation system in California, CHSWC diligently works and collaborates with the health and safety and workers' compensation community, including employees, employers, labor organizations, insurers, attorneys, both medical and rehabilitation providers, administrators, educators, government agencies, and members of the public. The CHSWC serves as a forum in which the community may come together, raise concerns, identify problems, and work cooperatively to develop solutions. Such a cooperative effort serves to provide and foster a wide variety of perspectives, knowledge, and concerns about various programs which are critical to all Californians. Furthermore, to ensure objectivity, incorporate differing viewpoints, and produce the highest quality analysis and evaluation, the Commission contracts with independent research organizations for executing projects and conducting studies designed to evaluate critical aspects of key programs.

Summary of Commission-specific Workforce Succession Concerns

The commission on Health and Safety and Workers' Compensation (CHSWC) consists of eight members of whom four are appointed by the Governor, two by the Speaker of the Assembly, and two by the Senate Rules Committee, as well as nine support staff members. Of primary concern to the WSP Project Manager is the relatively small staff of the Commission, for when one position becomes vacant, those duties have to be carried on by other staff members. Moreover, the Department Profile illustrates that few workforce succession concerns exist for CHSWC due to the fact that of all of the Commission's incumbents, only two are eligible to exercise their full retirement benefits: the Executive Officer and an Associate Governmental Program Analyst.⁹ The Executive Officer will be replaced with a governmental appointee when the incumbent retires and other positions which may soon become vacant have been addressed on the following page.

⁹ It should be pointed out that when this project started, the CHSWC also had two allocations to the class of Research Program Specialist II, but one of those incumbents has since retired, which has been addressed below.

PROJECT MANAGER’S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Research Program Specialist II

The CHSWC’s Executive Officer has requested that Personnel administer an examination for this classification on an “open” basis. The Commission plans to run an aggressive advertising campaign which will provide maximum exposure for potential examination candidates that meet the minimum qualifications for admission to the exam process. This dynamic approach should be able to produce an eligible list with a sufficient number of qualified candidates to fill this position.

Associate Governmental Program Analyst

Of CHSWC’s two allocated AGPA classifications, one of the position’s incumbents is currently eligible to exercise retirement benefits. As the AGPA is such a widely-used administrative classification, almost all state agencies, including DIR, usually maintain an eligible list for the class containing many candidates to meet the agencies’ administrative needs. Consequently, the commission should not encounter any obstacles in filling position vacancies of this class.

DIVISION OF APPRENTICESHIP STANDARDS

Overview

The mission of the Division of Apprenticeship Standards (DAS) is to create opportunities for Californians to gain employable lifetime skills and to provide employers with a highly skilled and experienced workforce while strengthening California's economy. DAS carries out this mission through administering California apprenticeship law, enforcing apprenticeship standards for wages, hours, and working conditions, and ensuring that the specific skills required for state certification as a journey person in an apprenticeable occupation are followed. The Division promotes apprenticeship training through the creation of partnerships, consults with program sponsors, and monitors programs to ensure high standards for both the on-the-job training and supplemental classroom instruction that apprentices receive. These efforts allow the retiring, skilled workforce to be replenished with new, skilled workers in order that California's economic engine continues to run strong.

Summary of Division-specific Workforce Succession Concerns

The primary program class series in DAS is Apprenticeship Consultant, Senior Apprenticeship Consultant, and Area Administrator, Division of Apprenticeship Standards. Since learning the full range of duties of the position of Apprenticeship Consultant could take a number of years, it is important that once an appointment is made to the class of Apprenticeship Consultant the Division can keep those incumbents fully motivated to continue to learn the various facets of the position - personnel rules and regulations, Fair Employment and Housing regulations, the Education Code, and bargaining contracts - over a number of years until they can become fully independent in the position of Apprenticeship Consultant. In addition to these program classes, the Division also has a complement of clerical classes that assist in taking care of the paperwork associated with the job of getting apprentices trained.

PROJECT MANAGER'S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Apprenticeship Consultant

The DAS has 22 Apprenticeship Consultants and twelve (54.55%) are age 55 or older, making them eligible for retirement. Since the class of Apprenticeship Consultant is the main class used in the DAS it is essential that plans be developed to fill these positions as existing staff elect to exercise their retirement options. It takes approximately five years to fully learn the position duties and execute the responsibilities of an Apprenticeship Consultant, which includes learning personnel laws, rules, and regulations, collective bargaining agreements, the Education Code, and Fair Employment and Housing regulations. The management of DAS has already recognized the importance of having someone ready to take positions in the class of Apprenticeship Consultants when existing staff begin to retire and has started to develop a plan to meet this need. The DAS has used the class of Industrial Relations Representative (IRR) in

the past and has had a great deal of success in developing incumbents in this class into Apprenticeship Consultants. The IRR is a developmental and recruiting class for those candidates interested in learning the programs of the Division of Apprenticeship Standards, Fair Employment Practices, and Labor Standards Enforcement. Incumbents assist professional staff in learning and performing the less complex assignments associated with investigations or inspections relating to the advancement of apprenticeship and other on-the-job training programs. The Chief of DAS has used the concept of this class to train professional staff in the position duties and responsibilities of an Apprenticeship Consultant and the program has proven to be a great success. He is currently in the process of developing a formal apprenticeship training program so incumbents in the class of IRR can go to college and get the education they need (*e.g.*, labor law, personnel, and learn sections of the Education Code) and combine that formal education with on-the-job training working with experienced Apprenticeship Consultants and making these individuals Apprenticeship Consultants at the end of this formal training. He hopes to be able to give them a certificate at the end of the program recognizing them as having been formally trained to take on the duties of an Apprenticeship Consultant. If successful, there should be a constant supply of IRR's to fill the positions of Apprenticeship Consultants. And, if this main program class of Apprenticeship Consultants has a pool of applicants to fill the positions in this class, there should be no trouble in filling positions at the higher levels in this series (*e.g.*, Senior Apprenticeship Consultants and Area Administrators).

The DAS should be applauded for the foresight they have exercised in recognizing the need for getting staff ready to fill critical positions within the Division when they become vacant due to retirements; and for putting a plan in place to meet this need. They have clearly acknowledged the fact that impending retirements could leave a void in their staffing and have set a plan in place to keep these positions filled.

DIVISION OF LABOR STANDARDS ENFORCEMENT

Overview

The mission of the Division of Labor Standards Enforcement (DLSE) is to vigorously enforce minimum labor standards in order to ensure employees are not required or permitted to work under substandard unlawful conditions, and to protect employers who comply with the law from those who attempt to gain competitive advantage at the expense of their workers by failing to comply with minimum labor standards. DLSE holds the responsibility to adjudicate wage claims, investigate discrimination and public works complaints, and enforce labor law and the Industrial Welfare Commission wage orders. In order to ensure that minimum labor standards are adequately enforced, DLSE has established the following specialized units and coalition which serve to facilitate and organize the Division's operations so that it may fulfill its aforementioned responsibilities:

- Wage Claim Adjudication Unit
- Retaliation Unit
- Bureau of Field Enforcement Unit
- Public Works Unit
- Economic and Employment Enforcement Coalition
- Licensing and Registration Unit
- Legal Unit.

Summary of Division-specific Workforce Succession Concerns

The Deputy Labor Commissioner I is the DLSE's primary classification, fulfilling the duties and responsibilities of the Division. The obstacle faced by the Division is assuring that the qualified examination applicants for this class are successful in the examination and that they place on the Deputy Labor Commissioner I eligible list.

PROJECT MANAGER'S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Deputy Labor Commissioner I

A meeting was held with the management from the Division of Labor Standards Enforcement (DLSE) to determine the needs of this Division with respect to workforce succession planning. In this discussion, managers from DLSE identified the most acute staffing need for the Division at the Deputy Labor Commissioner I (DLC I) level. It appears that when an examination for the class of DLC I is advertised, the Personnel Office receives a number of applications, but they somehow get eliminated at the various steps in the process ultimately resulting in not enough names on the certification list to meet the needs of the Division. The managers cited the language in the class specifications for the Deputy Labor Commissioners Specifications as part

of the problem. Currently, the general minimum qualifications for the Deputy Labor Commissioner Series state:

Education: Equivalent to graduation from college, preferably with emphasis in economics, industrial relations, agribusiness, sociology or other social sciences or business administration. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

Either I

Experience must have been in the California state service.

Or II

General Experience Requirement: Experience must have been acquired in one or a combination of the following types of labor relations work, one year of which must have been within the last five years:

1. Industrial relations management, labor relations, or reconciling grievance; **or**
2. Negotiation or preparation of labor agreements, interpretation and settlement of grievances arising under labor agreements; **or**
3. Conciliation, mediation, or arbitration of labor disputes; **or**
4. Professional level [*sic*] work in the investigation and settlement of complaints regarding violation of State or Federal labor laws or regulations.

In addition to the above cited minimum qualifications that are applicable to the class series, the minimum qualifications for the class of Deputy Labor Commissioner I are as follows:

Either I

Experience: One year of experience in the California state service performing the duties of an Industrial Relations Representative, Range C, or Two years of experience in the California state service performing the duties of a Senior Special Investigator in the Division of Labor Standards Enforcement.

Or II

Experience: Three years of the above-described general experience.

Or III

Experience: Two years of experience in the practice of law, including one year with specialization in labor law and active membership in The State Bar of California.

These class specifications were originally developed and written in 1977 and they were then revised in 1986. However, since that time, the work of conciliation, mediation, and arbitration has become so specialized in the private sector and the compensation for this kind of work has risen to the point that most candidates possessing these kinds of skills are not attracted to the class of DLC I, which is due to the fact that candidates can be compensated at much higher salary rates for these skills in other public-sector jurisdictions and in the private sector. Thus, requiring candidates to have experience in conciliation, meditation and arbitration is good in theory but in practice it does not get DLSE many candidates into the examinations. When you

look at the class of Staff Services Analyst, there are many similarities between this class and the class of Industrial Relations Representative *if* incumbents in this class have been performing in either a personnel setting or a labor relations setting where they have been looking at labor disputes and making recommendations to management on the disposition of grievances. The personnel and labor relations functions in state civil service have the potential to be fertile recruiting grounds for candidates to move into the Deputy Labor Commissioner Series, and it also increases the opportunities for candidates in these disciplines.

In addition to providing career opportunities for Staff Services Analysts to transition into the Deputy Labor Commissioners Series, DLSE hiring managers believe that anyone who has experience in interpreting a set of laws or codes could be trained to be successful in the Deputy Labor Commissioner Series. If these potential candidates possess the basic analytical skills to be able to read a set of laws or codes and understand what it is saying, they can be trained to be successful DLC's I. Thus, those candidates who have had the responsibility of interpreting the Tax Code (Franchise Tax Board), the Vehicle Code (Department of Motor Vehicles), the real estate laws and regulations (Department of Real Estate), or other areas in state civil service that are governed by a set of rules, regulations, or codes have the potential to be candidates in the Deputy Labor Commissioner Series. Therefore, a class specification revision is being proposed as follows:

Either I

Experience: One year in the California state services performing the duties of a Staff Services Analyst, Range C in either a personnel or labor relations setting, reviewing and making recommendations on the resolution of grievances or other labor disputes.

Or II

Experience: Two years of professional experience in applying or interpreting the provisions of a code or set of regulations.

If these experience patterns were made a part of the minimum qualifications for the class of Deputy Labor Commissioner I it is believed that not only will there be more people successfully completing the entire exam process and achieving eligible list placement, but the DLSE will have a larger candidate pool to draw from in filling positions at the DLC I level. Also, expanding the minimum qualifications as suggested above should relieve the DLSE of any concerns regarding filling positions at this level.

(It should be reported that the Departmental Personnel Office has already submitted a proposed class specification revision to the Department of Personnel Administration (DPA) to implement some of the changes suggested above; and DIR is currently waiting for a response from DPA on this suggested change of the minimum qualifications for the class of Deputy Labor Commissioner I.)

Deputy Labor Commissioner II and Deputy Labor Commissioner III

As indicated in the Departmental Profile for the DLC II and III classifications (shown below), slightly more than two-fifths of incumbents in both classes are eligible to exercise their retirement benefits:

Class	Total # EE's in Class	# Age 55 +	Percentage
Dep Labor Comm II	35	15	42.86%
Dep Labor Comm III	33	14	42.42%

Although this ratio is relatively high, the Division's hiring managers and supervisors believe that the lower-level DLC I classification contains a sufficient number of incumbents – 126, to be exact – to fill the vacancies left by DLC's II and III as they retire. Thus, the Project Manager makes no recommendations on the manner in which examinations are currently administered nor on the manner in which vacancies are filled for the DLC II and III classifications.

Industrial Relations Counsel IV

Currently, DLSE has six allocations to the class of Industrial Relations Counsel IV and four of these individuals are age 55 or over. Since the class of Industrial Relations Counsel IV is a classification that is used in several of the Department's divisions, the recommendation to address staffing issues will coincide with the same classification within the Office of the Director, Legal. Essentially, the Departmental Personnel Office administers the examination for this class on a regular basis. The next administration of the examination for Industrial Relations Counsel IV is scheduled for fall 2008. The eligible list resulting from the examination process will be available to all divisions within the Department who use this class, including DLSE. With the regular administration of this examination on an open basis, coupled with the advertisement that accompanies the administration of this test, DLSE should have no problems in filling any vacant positions at this level. Also, as discussed in the review of the Office of the Director, Legal Unit plan, DIR is participating in the human Resources Modernization Project for attorneys. Once this project is fully implemented and brought online, it will help all divisions within the Department to expedite the hiring and appointment of Industrial Relations Counsels, at all levels.

DIVISION OF LABOR STATISTICS AND RESEARCH

Overview

The Department's oldest division, the Division of Labor Statistics and Research (DLSR) conducts research and publishes information on economic, employment, and workplace safety and health statistics. The DLSR conducts an annual survey of occupational injuries and illnesses in cooperation with the U.S. Bureau of Labor Statistics and it participates in federal research of work-related fatalities nationwide. Additionally, the California Consumer Price Index, which is statistically measured from regional reports of the U.S. Bureau of Labor Statistics, is computed and published by the Division. Providing information and statistical analysis of economic and employment conditions in California is the Division's primary goal. In order to accomplish this goal, DLSR continuously performs the following tasks:

- Collecting, compiling and disseminating information pertaining to work injuries, illnesses and fatalities in the state;
- Determining and publishing prevailing wage rates for the construction industry in California public works projects while simultaneously promoting efficient use of public funds; and
- Conducts research on conditions of employment throughout the state.

Summary of Division-specific Workforce Succession Concerns

A number of unique workforce-succession challenges face DLSR in its preparation of filling critical positions when incumbents of these positions choose to exercise their retirement benefits. The Division uses traditional civil-service classes (*e.g.*, Office Assistant, Office Technician, Research Analyst, Research Program Specialist, Research Manager, etc.); however, two factors present particular concerns in filling positions as they become vacant:

1. The highly-specialized work the Division performs is so unique that filling supervisory and managerial positions with competent candidates that have not worked for the Division is almost inconceivable.
2. As discussed in the "Special Considerations" section of the report's abstract, the metropolitan area of the San Francisco Bay area region places second among the metropolitan areas nationwide respective of its comparable cost-of-living index. Because the Division is located solely within this region, filling positions of any classification will be even more difficult should candidates have the ability to work in respective positions for another division or agency located outside the region.

PROJECT MANAGER'S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Office Technician

DLSR has two allocations to the class of Office Technician and both are at retirement age. DIR has not had a great deal of trouble in the past in filling positions at this level. Once the incumbents in the class of Office Technician announce they are about to retire, the management will ask the Departmental Personnel Office to look at the existing Office Technician eligible list to determine if there are sufficient candidates on that list to meet the needs of the Division. If there are, the eligible list can be certified to the Division immediately, interviews held and an appointment made within weeks. If there are not sufficient eligibles on the list, DLSR can either request an examination for the class or ask that the focus on filling the position be from transfers from existing Office Technicians from other positions or use another department's eligible list for the class of Office Technician. Whatever process the Division chooses to follow, it is not anticipated that filling positions at this level will be problematic.

Research Manager II (Economics)

The positions at this level in DLSR are extremely specialized and would be difficult for anyone to come into these positions from outside the Division and assume supervisory duties at this level and be able to train and direct subordinate staff. The management of DLSR is fully aware of the specialized nature of these positions and the fact that there may be retirements at this level in the future. Thus, management has started cross training one of the Research Manager II (Economics) incumbents to learn the duties of the other position. This way, if a vacancy does occur, there will be someone to provide direction to the subordinate staff until a replacement is named. Also, DLSR has a number of promotional candidates on the eligible list for Research Manager I (Economics); thus, on a broader spectrum, DLSR management has started to prepare these candidates to take on the full supervisory duties at the higher level of Research Manager II (Economics). When there is a vacancy at the Research Manager II level, DLSR may consider downgrading the positions to the Research Manager I (Economics) level. A certified eligible list for the class of Research Manager I (Economics) should be ordered and those candidates who are on the list and reachable who express an interest in the position should be scheduled for an interview. Since there are several candidates within the Division on the promotional list, this should give DLSR an adequate pool of applicants to fill the position.

If a current DLSR employee is selected to fill the promotional position of Research Manager I (Economics), then a vacancy at a lower level will be left to be filled. A review of the staff in the Division suggests that there are sufficient candidates to promote upward if this happens. Obviously, the Division may have to fill a position from the open certification list at some point. However, if/when this happens, the management of DLSR can start training and developing new employees to one day move up in the organization and one day be prepared to take on supervisory and/or managerial responsibilities.

The fact that DLSR has already started to cross train an employee at the Research Manager II (Economics) level to do the job of the other Research Manager II in the Division speaks well of them in terms of trying to make sure that a lot of "institutional knowledge" does not walk out of

the door when staff at this level retire. The best way to maintain the continuity of the work and let everyone know what's going on in the organization is to cross train staff to do other positions in the Division. In the case of DLSR, they fully realize that the work of their Division is highly specialized and not everyone can come in from the outside, particularly at supervisor/managerial levels, and perform the duties of the position. A formalized cross-training program, even when there is no potential of key staff retiring, will help assure that the institutional knowledge will always remain in the Division, and serve as a framework to assist staff with unique problems encountered by Division staff as they arise.

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH

Overview

Enforcing workplace safety and health standards, elevator standards, and pressure vessel standards adopted by the Director, the Division of Occupational Safety and Health (DOSH) assists employers in complying with workplace safety and health standards and in lowering workplace injuries, illnesses, and workers' compensation claims; supports the Occupational Safety and Health Standards Board in preparing both health- and specialized safety-related standards for adoption by the Board; certifies the loss-control consultation services provided by workers' compensation insurers to their insureds; and certifies asbestos consultants and site surveillance technicians, approves Asbestos Hazard Emergency Response Act trainers, and registers asbestos contractors.

Summary of Division-specific Workforce Succession Concerns

The DOSH uses a variety of engineering professionals in several separate disciplines within the Division; and in most cases the number of incumbents age 55 or older is 36% or higher. The percentage of incumbents 55 or older goes up with the supervising and managerial classifications within the various engineering disciplines. Thus, the overall impact is an aging work force at both the journey levels and the higher levels within the engineering series. These statistics only serve to emphasize the need for workforce succession planning throughout the engineering disciplines within the Division.

PROJECT MANAGER'S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Associate Safety Engineer, Associate Safety Engineer (Elevators), Associate Safety Engineer (Mining and Tunneling), Associate Safety Engineer (Pressure Vessels)

The Associate Safety Engineer classes make-up the heart of DOSH physical inspection and enforcement programs. In terms of the numbers of employees that may be retiring during the next two to five years, please see the following chart:

Class	Total # Employees	Age 55 or older	%
Assoc Safety Eng.	220	81	36.82
AS Safe Eng (Elev)	63	32	51.61
AS Safe Eng (M/T)	14	7	50.00
AS Safe Eng (P/V)	25	9	36.00
Totals	322	129	40.06

The DOSH is going to continue to need skilled individuals in the class of Associate Safety Engineer, with the various parentheticals, to perform the work place safety inspections to ensure the safety of California's working population. When you look at the table above, the first thing

that comes to mind is that with respect to these program classes, there is a danger that many of these employees may elect to exercise their retirement options leaving the safety inspection and consultation programs in need of capable engineering staff with the requisite skills to continue the program. The DOSH has already realized that there could be an issue in the near future of trying to fill a number of vacancies at the Associate Safety Engineer level, so they have already engaged themselves in a very active recruitment program at several colleges in the state that have strong engineering disciplines. They have established relations with Cal Poly in Pomona, California State University, Fullerton, California State University, Northridge, and the University of California, Los Angeles (UCLA) and have been working with these schools for more than three years in establishing a recruitment program. Usually, they hire students as interns and give them an opportunity to see if they like the work DOSH performs, and it gives DOSH management an opportunity to determine if these students are capable of successfully performing the duties of engineering personnel within the Division. If it works out, they are usually brought in at the Junior Engineer level, and then eventually promote up to the Assistant and Associate Safety Engineering levels.

The Professional Engineers in California Government (PECG), representing Bargaining Unit 09, has received some substantial raises for their membership during recent bargaining. The management at DOSH now believes that the salaries that are offered to incumbents in these classes is now competitive with the salaries that are paid to those engineers performing similar duties in other governmental jurisdictions and in the private sector. The salaries that the state now pays Associate Safety Engineers, combined with the benefits and the retirement program offered by the state, now make engineering positions more attractive than ever before. DOSH now believes that administering examinations for these classes on an “open” basis will attract top quality candidates who could come to state civil service and perform the full range of duties with very little on-the-job training.

The DOSH staff has also done some extensive recruitment to hire Associate Safety Engineers (Elevators). They now advertise the examinations for this class in a journal called Elevator World. This journal goes out all over the United States. An added incentive that will help DOSH fill vacancies in the Elevator parenthetical is the fact that Personnel just recently obtained approval from the Department of Personnel Administration (DPA) to hire new employees into the class at the third step, Hire-Above-Minimum (HAM). Thus, the advertisement and recruitment efforts, plus the competitive salary and benefits, along with the third step HAM have served to create an environment conducive for effectively hiring candidates at the Associate Safety Engineer (Elevators) level; and with an active outreach program that DOSH has already started, it is hoped that it will be possible to more reliably fill positions at the Associate Safety Engineer (Elevators) level.

The DOSH has also indicated that they believe that the class specifications for the Assistant Safety Engineer level should be updated. The current minimum qualifications for the class of Assistant Safety Engineer are as follows:

Either I

Experience: One year of experience performing the duties of a Junior Safety Engineer in the California state service.

Or II

Experience: Two years of experience as a Safety Technician II in the California state service.

Or III

Experience: Two years of experience in another State or Federal Occupational Safety and Health Program performing duties comparable to Assistant Safety Engineer; **or**

Experience: Two years of full-time experience directly related to safety enforcement in industrial or commercial plants and/or construction sites; **and**

Education: Equivalent to graduation from college with a degree in engineering. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

You will note in reviewing the above minimum qualification patterns for the class of Assistant Safety Engineer that all of the patterns require that the applicant have at least one or more years of experience in safety engineering work. DOSH management believes that if an applicant has graduated from college with an engineering or science degree he/she should be allowed to be appointed to the Assistant Safety Engineer class without having completed any kind of relevant work experience; that the degree should be an adequate substitute for the required experience. This is certainly different from the minimum qualification requirements from other classes in the Engineering and Allied Services Schematic Group of classes, but the primary difference is that there is no “registration” requirement for the Safety Engineer series, whereas there is such a requirement for other engineering classes. If you look at the above minimum qualification patterns, they all require some degree of experience. If there was a minimum qualifications pattern that allowed graduating students to enter into state service at the Assistant Safety Engineer level without experience, DOSH could exam and appoint these students to the class and expedite the process of filling positions at this level.

Senior Safety Engineer (Various Parentheticals) and Principal Safety Engineer (Various Parentheticals)

In most of the Senior Safety Engineer classes (Various Parentheticals) the number of incumbents within the class at 55 years of age or older is quite high; it ranges from a low of 46.15% for Senior Safety Engineers (Industrial) to a high of 88.89% for Senior Safety Engineers for the class of Senior Safety Engineer (Elevators). Clearly the Division is somewhat vulnerable at this level. DOSH believes that an aggressive advertisement campaign, coupled with the administration of an “open” examination, should produce an eligible list for the Senior Safety Engineer level of classes that would meet the needs of the Division. This advertisement and recruitment plan would include advertising the examinations with the American Society of Safety Engineers (ASSE), and the American Industrial Hygiene Association (AIHA). Both of these organizations have Journals that come out periodically where examination bulletins may be reprinted in them that would give the examination a great deal of exposure within an interested community. While it is not that usual to administer an open examination for a class at this level within the Division, DOSH believes that with the effective supervision and management of those candidates who are hired via the open examination process by the Principal Safety Engineers there is no reason why

these open candidates could not be successful in the position. If successful in the examination, they should come to DOSH with valuable outside subject matter expertise, some knowledge and understanding of the compliance program that is administered by the Division, and perhaps experience as a client of the DOSH safety program who knows what it takes to work within the structure of the laws, regulations, and policies that are administered by DOSH.

Principal Safety Engineer (Various Parentheticals) – The recruitment efforts identified above for the Senior Safety Engineer level should replenish the class with sufficient candidates to meet the promotional needs of the class of Principal Safety Engineer. If DOSH determines that they have a problem with filling positions at the Principal level after the successful recruitment efforts at the senior level, they can always elect to administer an examination for these classes on an “open” basis. At this time, DOSH is reserving judgment on the issue of whether it is necessary to hold open examinations for the Principal Safety Engineer position.

District Manager - DOSH

Incumbents working in positions of the District Manager – DOSH (DM) classification possess a background in the areas of either industrial hygiene or safety engineering and manage the Cal/OSHA Compliance offices on behalf of DOSH. The DOSH has suggested that the WSP Program Manager recommend that future examinations for this classification be administered on as open examinations, due to the recent salary-rate increase for the DM class.¹⁰ The salary rate for this classification is now comparable to that of its corresponding incumbent-counterparts working in other public-sector jurisdictions and the private-sector, whose duties and responsibilities are essentially the same. The administration of an open examination would allow for both state civil-service employees as well as employees from other public-sector jurisdictions and the private-sector to compete in the examination. Non state civil-service employees experienced in working as clients of DOSH may provide new perspectives and innovative ideas for improving the efficiency and efficacy of the Division’s operations if hired for positions of the DM classification.

Regional Manager - DOSH

Provided that the administration of the examination for the DM classification proves successful in filling vacant positions of the class, examinations for the class of Regional Manager-DOSH (RM) may be conducted on a promotional basis; however, DOSH is currently assessing the possibility of issuing open examinations for the RM classification.

Nurse Consultant III

The DOSH Medical Unit has no physician and only one position filled in the class of Nurse Consultant III. That incumbent is currently eligible for retirement. DOSH has been dealing with some difficult and unique medical situations in the work place that will take the continued expertise of the Nurse Consultant III to successfully deal with such issues. For example, there is a growing concern regarding methicillin-resistant staphylococcus aureus (MRSA), an antibiotic-resistant form of bacteria that has been causing significant disease in the prisons. This is a very

¹⁰ This increase is stipulated in the memorandum of understanding of the bargaining unit to which the DM classification belongs, Bargaining Unit 9.

devastating disease that can be fatal or cause significant permanent disability. It is difficult to treat and controlling its transmission is particularly difficult in institutional settings where crowded conditions exist, like the state's prison system. The DOSH is going to continue to need staff with medical expertise to manage this, heat-illness prevention, and many other medical issues in occupational settings. When the current Nurse Consultant III announces she will retire, DOSH plans to advertise to fill the position in such places as the American Industrial Hygiene Association, and similar associations and journals. The DOSH hopes to be able to use the TAU process, which will allow the Division to look at a broad cross section of candidates who have the requisite medical/occupational skills to perform successfully in the position. Once the examination is complete, the successful candidate will be appointed to fill the position.

Research Analyst II and Research Manager I

DOSH has one allocation to each of the above classes, and in both cases, the incumbents are currently eligible for retirement. The Departmental Personnel Office usually administers examinations for these classes, on an as needed basis. The Division of Labor Statistics and Research (DLSR) is another Division within the Department that uses these classes, along with the Division of Workers' Compensation (DWC). It is recommended that DOSH participate with the other divisions within the Department when the next examinations for these classes are given so they can have an opportunity to write the test questions and develop other testing materials that will assure that the needs of their Division will be addressed during the examination process.

The reader will note that in several cases above, a recommendation has been made to administer an open examination where in the past only promotional examinations have been given. This represents a change in the procedures from what has been done in the past. However, there has been a major change in the salary structure for the classes in Bargaining Unit 09. DOSH now believes with the recent salary increases that classes within this Bargaining Unit have enjoyed, they can now successfully attract top-notch candidates from other jurisdictions (*e.g.*, the Federal OSHA program and the private sector). This thinking is in concert with the trend that is now demonstrated by the control agencies of the Department of Personnel Administration (DPA) and the State Personnel Board (SPB). These agencies are now more receptive to administering the examinations for higher-level classes on an open basis. Recently, one state department administered an examination for the class of Staff Services Manager I on an open basis. With the aging population of the state's workforce, we must consider bringing in younger workers from the outside if we have any aspirations of developing a successful workforce succession plan.

Additional Classifications

In addition to the program classes identified above, DOSH also uses a number of departmental and/or service-wide classes within the Division. Those classes and the numbers in each class where the incumbents may be at retirement age are listed in the table on the following page.

Class	Total # Employees	Age 55 or older	%
Assoc Govtl Program Anal	8	5	62.50
Ind Rel Counsel III/SP	9	6	66.67
IND REL COUN III/SUP	1	1	100.00
INFO SYS TECH	9	4	44.44
Legal Secretary	7	4	57.14
Mgmt Services Tech	9	7	77.78
Off Ser Sup I (Typ)	2	1	50.00
Off Asst/Type	41	15	36.59
Secretary	2	2	100.00
Stenographer	3	2	66.67
Staff Svcs Mgr II/Sup	3	3	100.00
Word Process Tech	4	2	50.00

The Departmental Personnel Unit and/or the State Personnel Board usually maintain an adequate eligible certification list for the classes listed above. In those cases where there is no certification eligible list, vacancies in these classes can usually be filled by either a transfer of another candidate, a transfer change-in-class, or by the use of another department's eligible list. Since there are so many viable ways to fill these positions, a detailed plan was not developed for the above departmental or service-wide classes.

DIVISION OF WORKERS' COMPENSATION

Overview

The Division of Workers' Compensation (DWC) monitors the administration of workers' compensation claims and manages the exclusive judicial system in which industrial injury claims are resolved or adjudicated. DWC's goals are to ensure that the state's workers' compensation system functions as one in which injured workers receive the benefits to which they are entitled and with minimum expense to employers. There are over 900,000 industrial injuries that occur among California's workers annually. For those cases in which the injured worker and the employer cannot resolve disagreements that arise from and are associated with such injuries, DWC often resolves them through its adjudication process for these cases over which the Department holds exclusive jurisdiction.

Summary of Division-specific Workforce Succession Concerns

A detailed discussion on filling the various classes within this Division follows below. However, it should be emphasized that due to the uniqueness and complexity of the work within DWC, most of the positions, particularly at the higher levels within the Division, do not lend themselves to the traditional strategies of recruiting from outside the Division to fill positions. It takes several years of experience to become proficient in learning how to rate a case in terms of how much compensation an injured worker is entitled to; or to determine the amount of disability that is associated with a work-related injury. These skills are usually developed at the entry and journey levels within the Division.

Also, the work of this Division is complicated by the fact that recent legislative reforms to the workers' compensation system have created another level of complexity in resolving workers' compensation cases. A great deal depends on when the injured worker suffered the work-related injury and what set of laws were applicable at that time. Thus, an experienced Workers' Compensation Consultant has to be aware of the dates of the injury and what laws to apply in resolving the case and getting the injured worker his/her compensation.

Another factor that has added to the complexity of the positions within the Division, at virtually all levels, is the recent management decision to convert to a "paperless" court system, and allow all involved parties to access the status and records of the case via computer. This project is called the Electronic Adjudication Management System (EAMS). Again, you must have experience in the various program aspects of the Division to begin to understand how to use the EAMS program. These factors make it necessary to try to fill most of the positions within the Division by promoting experienced Workers' Compensation Consultants, and Workers' Compensation Compliance Officers to higher levels of responsibility within the Division.

PROJECT MANAGER'S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Workers' Compensation Judge and Presiding Workers' Compensation Judge

The Workers' Compensation Judges (WCJ) and the Presiding Workers' Compensation Judges (PWCJ) are the essential arbiters in DWC's judicial system. The judges serve the 25 district offices of the DWC located throughout the state, and a PWCJ supervises a group of WCJ's. In order to perform the duties of a WCJ you must have active membership in The State Bar of California and either two years of work as an attorney in the DWC or the Workers' Compensation Appeals' Board (WCAB) or five or more years in litigation before a trial court or quasi-judicial body involving the interests of adverse parties, at least three years of which shall be in workers' compensation law.

In order to be a PWCJ, you must have active membership with the State Bar of California, and one year of experience in the California state civil service performing the duties of a Workers' Compensation Judge. Because of the stringent minimum qualifications for these two classes (*e.g.*, active membership in the State Bar of California), the various creative measures staff can develop in trying to get people into these classes are limited. Therefore, emphasis must be focused on an active advertisement and recruitment campaign in order to get sufficient numbers of candidates in examinations for the class of WCJ.

Recent legislative changes to the workers' compensation system in an effort to make the system more responsive to the injured workers and the employers have had an impact on the interest of attorneys in the private sector resulting in additional considerations regarding coming to work for DWC as a Workers' Compensation Judge. Specifically, Senate Bill 899, Chapter 34, Statutes of 2004, has reduced elements of litigation, which has reduced the earnings attorneys receive while processing cases within the workers' compensation system. Since many of the fees attorneys receive are a percentage of the awards they obtain for their injured worker clients, and the awards have been reduced by legislation, attorneys representing injured workers are not earning as much now as they did before the reforms were enacted. As a result, the position of a WCJ appears to be more attractive to these attorneys who are working in the workers' compensation field. Therefore, staff believes that an active and ongoing recruitment campaign will produce sufficient numbers of viable applicants to meet the hiring needs of the Division. This recruitment campaign should include advertising open examinations with the California Workers' Compensation Defense Attorney Association and the California Applicant's Attorney Association. Information on open examinations should be posted prominently at all DWC district offices in areas where attorneys congregate. Open examination announcements should also be sent to WorkCompCentral, which is an online periodical which is read by attorneys and other professionals in the field of workers' compensation. If this type of advertising effort fails to produce the numbers of applicants and successful competitors that the DWC needs to fill vacant positions at the WCJ level, then the next thing to consider would be to start administering the examination for Workers' Compensation Judge on a "continuous-filing" basis until the eligible list has enough candidates to meet the hiring needs of the Division.

Since the position of a Presiding Workers' Compensation Judge is designated supervisory in state civil service, and experience as a Workers' Compensation Judge is required before you can

perform the duties of a PWCJ, no plan was developed for open hiring for this class. Existing PWCJ's and the Regional Manager, Claims Adjudication should start to mentor incumbents in the class of WCJ, give them opportunities to "act" as the PWCJ in the PWCJ's absence, and encourage them to apply for the examination of PWCJ when it becomes available.

Supervising Workers' Compensation Consultant and Workers' Compensation Manager

The classes of Supervising Workers' Compensation Consultant (SWCC) and Workers' Compensation Manager (WCM) are used to supervise program work in the DWC that does not include the adjudication process. Allocations to these classes supervise such program work as Claims Processing, Uninsured Employers' Fund, Death Without Dependents, Disability Evaluation Unit, the Medical Unit, Information and Assistance, and Training Programs. There are 10 allocations to the class of SWCC, 5 of which are age 55 or older; and 6 allocations to the class of WCM, 5 of which are 55 or older. However, the "feeder" class to promote into the SWCC is the mainline class of Workers' Compensation Consultant, and there are currently 148 incumbents in this class and 43 of that number are 55 years of age or older. Since the numbers in the primary class of Workers' Compensation Consultant are so plentiful, it is felt that there are sufficient numbers in this class to meet the promotional needs of the class of Supervising Workers' Compensation Consultant, and there will be sufficient staff at the SWCC level to meet the needs of the class of Workers' Compensation Manager.

Senior Workers' Compensation Compliance Officers and Supervising Workers' Compensation Compliance Officers

The classes in the Workers' Compensation Compliance Officer series are used to perform an audit function of private insurance companies, self-insured employees and third party administrators that administer workers' compensation claims. They look to see if the claims were processed in accordance with the workers' compensation laws, rules, regulations and policies and that the injured worker received the correct amount of compensation for his/her injury without unwarranted delay. The Audit Unit has offices in Sacramento, Oakland, Los Angeles, and Van Nuys. The breakdown of incumbents in the classes and the ages of those who may be retiring over the next 2-5 years are as follows:

Class	Total # Employees	Age 55 or older	%
Sup WCCO	3	2	66.67
Sr. WCCO	6	5	83.33
WCCO	25	2	8.00

You will note from the chart above, that at the Senior and Supervising levels within the Workers' Compensation Compliance Officer Series, the potential number of those employees who may be exercising retirement benefits over the next 2-5 years is rather high. However, there are sufficient numbers in the journey level class of Workers' Compensation Compliance Officer to meet the promotional needs for the class of Senior Workers' Compensation Compliance Officer; and, as these WCCO's promote up, they can eventually be considered for vacancies at the Supervising WCCO level. Thus, a recommendation is made to nurture those in the class of WCCO and expose them to some of the program elements of the work within the Audit Unit.

While the class of WCCO is designated as rank-and-file and incumbents cannot supervise, some may be designated as “lead” on some of the larger assignments to get them thinking about the duties of a supervisor, and some of the issues they may have to deal with at that level. These kinds of assignments should not only help to prepare the WCCO’s for the positions at the senior level, but they will also help them to prepare to compete – and pass - the examinations for the senior level.

Senior Legal Typist

There are 173 allocations to the class of Senior Legal Typist (SLT) within the Division, and of this number 56 (32.37%) are at retirement age. Keeping positions at this level filled is complicated by two factors. First, there are not a great many promotional opportunities available to incumbents in the class of SLT; and second, once incumbents realize that there are limited promotional opportunities available to them, they start looking for transfer opportunities that would lead to a class series that has a more extensive career ladder.

The minimum qualifications for the SLT class call for one year of experience in typing and clerical work, at least six months of which shall have been in work of a legal nature requiring the preparation of legal correspondence, petitions, briefs, motions, depositions, and various legal notices and forms. Most clericals within the Department do not meet this minimum requirement. Therefore, DWC has started to place interested candidates from the Office Assistant (Typing) class on T&D Assignments to the class of SLT. Sometimes this works out and sometimes it does not. However, in an effort to assure the success of those candidates who are placed on T&D Assignments into the position of SLT, the following information has been developed so all parties (*i.e.*, the Office Assistant (Typing), the Legal Support Supervisor, and the Presiding Workers’ Compensation Judge) will be aware of the training that is to be accomplished during the T&D Assignment period. Those tasks are as follows:

- 1. Transcribe and prepare various legal pleadings and reports for a Workers’ Compensation Administrative Law Judge (WCALJ), including findings of fact, awards, orders, opinions on decision, reports on reconsideration and related correspondence.**
 - a) From machine dictation from WCALJ, transcribe and type the Opinion on Decision, Findings of Fact, Award and/or Order and Report and Recommendation on Petitions for Reconsideration, and Removal or Disqualification, using the correct formatting, spelling, punctuation, terminology, case citations, etc. Proofread and make corrections before submitting the draft copy to WCALJ for review. Make any corrections to draft and submit to judge in final form for signature.
 - b) Prepare various legal orders for Petitions Motions and Requests that are submitted for WCALJ review. Oftentimes the Petitions are filed with a proposed order but in the event a proposed order is not included, the SLT should review the document and prepare the proposed order before routing the file to the judge for review. This would include but would not be limited to an Order Approving Compromise and Release, Order Joining or Dismissing a party to the case, the Award page on Stipulations with

Request for Award, Order for Attorney Fees, Order Appointing Guardian *ad Litem* and Trustee, etc.

2. File and serve various legal documents and enter the dispositions into the computer; process and serve the various minute orders and other orders and dispositions.

- a) After orders, awards, and correspondence are executed by the WCALJ, the SLT must serve the document on all parties to the case using the preferred method of service as indicated by the parties. This will include email, fax, and postal mail once the EAMS system is fully operational. Until such time, the SLT is to effect service on all parties as listed on the Official Address Record or effect service on a party in accordance with rule 10500. After service of the documents, the disposition must be entered into the online database. This is currently recorded by entering information on the type of order, date effected, and case location status in the online database. In EAMS the documents will be uploaded into the electronic file and the appropriate disposition entered into the EAMS database.
- b) Hearing dispositions should be recorded immediately following the proceeding to keep the database up to date with the most current information. The SLT is to record any orders the judge issues at the time of the proceeding into the database. The record is to be checked to add any additional parties to the action. Cases that are continued should be processed by updating the current hearing information in the online database and routing the case to the assigned judge.

3. Handle routine correspondence and telephone communications with parties, litigants and witnesses in connection with the calendaring and scheduling of cases for hearing. Pull files and match correspondence for purposes of calendaring cases for hearing and responding to communications, requests for continuance or requests for order taking off calendar from litigants and others involved in pending cases.

- a) The SLT is responsible for managing the active caseload of the WCALJ. This will include keeping track and maintaining cases set for hearing, matching correspondence to case files that are assigned to the judge and processing the requests from parties for status information, continuances, or Orders Taken Off Calendar. If necessary, they will obtain files from the clerical office for processing of such requests. Approved requests will be processed by preparing the necessary documents, effecting service and updating the online database. The SLT is also responsible for ensuring that tasks are completed in a timely manner, meeting the statutory and regulatory requirements. They will maintain “come-up” or “tickler” files for pending actions for follow-up. Act as liaison between the public and WCALJ to prevent the occurrence of *ex parte* communication.
- b) The SLT will also be responsible for routing files assigned to his or her supervising judge to the other internal units or office locations as necessary. Among these

include the Disability Evaluation Unit, Information & Assistance Unit, Reporter, Calendar, and Presiding Judge as examples. The file location is to be updated in the online database before routing the file for tracking purposes. Cases that are being transferred to another district office or sent to the Recon Unit likewise should be recorded in the online database.

The above information has been developed in an effort to let everyone know what training is to be accomplished by the Office Assistant (Typing) during the T&D Assignment period. Upon fully learning the above tasks, they should be competitive in and be able to successfully pass the examination for the SLT class and eventually receive a list appointment.

Legal Support Supervisor II

Of the two position allocations of the Legal Support Supervisor II classification, one of the incumbents is currently eligible to exercise retirement benefits. Within DWC, incumbents of this class typically – as the name of the classification suggests – support and supervise the operations of the administrative legal staffs with one incumbent dedicated to the Northern California region and the other to the Southern California region. The WSP Project Manager recommends that Personnel administer a promotional examination for the Legal Support Supervisor II classification to any of the sixteen Legal Support Supervisors I interested in filling positions of the former as these positions become vacant.

Hearing Reporter

There are currently 115 Hearing Reporters in DWC and 32 (27.83%) of them are at retirement age. Incumbents in this class usually take verbatim testimony during the workers' compensation appeal hearings held before a Workers' Compensation Administrative Law Judge. This class presents some interesting challenges on developing a plan to keep positions filled on an ongoing basis. DWC has experienced difficulty in recruiting people into some of the more remote district offices. They sometimes have difficulty in getting and keeping people in the metropolitan areas due to the fact that the municipal, county, state, and federal court jurisdictions usually have a higher salary structure than the state can offer.

Another factor that the Division has to contend with is the language in Labor Code section 5708, which states: "All oral testimony, objections, and rulings shall be taken down in shorthand by a competent phonographic reporter." This language prohibits the Division from taking advantage of some of the more modern techniques that are now used in court reporting.

Of the several different court-reporting methods from which one may choose, those whose use would be applicable to DWC are currently being explored by the Division. Such procedures include voice reporting, a method currently employed by both the superior court and the federal court systems. Using this method, the reporter speaks into a steno mask which has a software program that translates the digital voice print for each word into text. The computer transcribes the proceedings, and then the reporter further edits the electronic text site to produce a final work product. The current downside to this process is the voice training to speak rapidly to report proceedings verbatim and identify speakers as well as use this equipment takes about nine

months, and almost all of the training schools that train in this method are located on the East Coast.

Another method that is under consideration by DWC is a digital recording process. This method provides software that allows recording on different tracks and is digitally transcribed. As people talk, the Hearing Reporter types in an electronic file (which is time-stamped and linked with the audio file) an abbreviation of a speaker's name, and each person's testimony is recorded on a different digital track.

Simply put, current technology provides more alternatives to taking testimony through the use of phonographic reporting. The DWC is exploring ways to accomplish the statutory requirements stipulated of Hearing Reporters while at the same time maintaining compliance with the statutory intent of the corresponding Labor Code sections.

Additional work must be done in this area before a recommendation can be made regarding what course of action the Division should follow to address keeping Hearing Reporter positions staffed. Until that preliminary work is completed, the Division should continue working with Personnel in advertising exams for the class in such venues as the National Court Reporters Association, California Court Reporters Association, Deposition Reporters Association, Court Reporters Board of California of the Department of Consumer Affairs, and by direct mailings to certified shorthand reporters whose mailing address is within commutable distance to where vacancies exist. This recruitment effort, combined with administering the exams on a continuous basis may help to meet the Hearing Reporter needs of the Division.

Nurse Consultant II

The incumbent of DWC's single allocated position of the Nurse Consultant II classification is currently eligible to exercise retirement benefits. Not only does DIR rarely use this classification, but it also lacks staff members with the necessary expertise to create an examination for the class. As DIR has historically had to request the authorization to use the eligible list of the Departments of Public Health and of Health Care Services (formerly a single department, the Department of Health Services) in order to appoint qualified candidates to fill the positions of this classification, the WSP Project Manager recommends that DIR continue to utilize this method for filling positions of this class upon retirement of the position's incumbent.

Associate Medical Director

Of the two Associate Medical Directors on staff, one is currently at retirement age. The DWC has historically had trouble filling these positions. One of the reasons that it has experienced difficulty in filling positions at this level is due to the fact that the salary for the class is substantially less than a medical doctor can earn in private practice.

In the past, the traditional way of conducting the examination has not produced the quality of candidates on the eligible list that DWC has hoped to see. It is recommended that the approach to the examination and filling the position be changed. It is further proposed that DWC and Personnel advertise the vacancy extensively through such associations as the California Society

of Industrial Medicine Specialists, the California Orthopedic Association, the California Family Physicians, and possibly the California Medical Association. Once DWC has selected a suitable candidate to perform the duties of the position and made a request that Personnel appoint that candidate on a TAU basis, Personnel will administer the examination and appoint the candidate on a permanent, full-time basis.

This method avoids the problems that the Division has encountered in the past where they have administered the examination and had to deal with an eligible list of candidates where none of them were really acceptable to the Division. They have been faced with the alternatives of either appointing someone that they do not really want for the position or leaving the position vacant until they can abolish the list (a minimum waiting period of twelve months). Neither of these alternatives has been acceptable to DWC.

OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Overview

The Occupational Safety and Health Appeals Board is a three-member board that functions independently of the Division of Occupational Safety and Health (DOSH). The DOSH staff conducts workplace inspections to assess worker health and safety at the site of the workplace; when DOSH identifies violations of workplace health and safety laws and regulations, it issues the employer a citation that usually includes the assessment of a monetary fine. Should the employer disagree with the citation issued, it may appeal the citation to OSHAB. The primary responsibility of OSHAB is to hear the appeals from business, industry, and manufacturers and render a decision based on a careful analysis of evidence, testimony, and exhibits. Decisions reached by OSHAB may be appealed to a court if the employer feels strongly enough that the citation issued by DOSH and the decision reached by OSHAB were inaccurate.

Summary of Board-specific Workforce Succession Concerns

In discussing the workforce succession issues that confront OSHAB, it is important to note that the work of the Board may be seriously impacted by pending legislation, Assembly Bill 1988. If AB 1988 passes, appeal hearings will have to be conducted by OSHAB within 30-45 days from the time an appeal is docketed with the Board. If there is a serious health or safety issue noted in the citation, then the abatement issues must be addressed on an expedited basis. These appeals are to be conducted within the general geographical area of the employer. The requirement for expedited hearings must be coupled with the fact that OSHAB usually gets in excess of 440 new appeals each month and currently has a backlog of over 800 cases to be heard.

This means that the Appeals Board will probably have to employ additional Hearing Officers to comply with these new requirements. Currently, the Board has eight Hearing Officers I, six in the West Covina area, and two in Sacramento. They also have a Hearing Officer II located in Sacramento. If new staff is mandated to meet the guidelines of AB 1988, OSHAB will have to aggressively pursue staffing efforts to meet these new demands.

PROJECT MANAGER'S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Hearing Officer I-OSHAB

As mentioned earlier, the Hearing Officer I is one of the main program classes used by OSHAB. Currently, there are 8 incumbents in this class and six of them, or 75%, are eligible for retirement. In discussions with the Executive Officer of OSHAB, the history of filling positions in this class has been to borrow Hearing Officer eligible lists from other departments. While this process has produced candidates who have the requisite skills to perform the duties of the class, it has also produced an aging candidate pool which has led to the condition that most of the current Hearing Officers I are now eligible for retirement. It seems that many of the people who

take the exam for this class have served effectively in the legal field or as a Hearing Officer or some form of an adjudicator in the private sector, or in another governmental capacity, and then decide to come to work for the state. In order to try to recruit a younger group of Hearing Officers, it is recommended that OSHAB request that Personnel administer an examination for the class of Hearing Officer I–OSHAB and combine that examination effort with an active advertisement campaign. If successful, then perhaps OSHAB will be able to hire a younger candidate group into the class of Hearing Officer I–OSHAB that will lead to longevity for an extended period of time. However, it should also be noted that the Executive Officer has cited the fact that since OSHAB is essentially a small organization of approximately 30 staff, it has difficulty in retaining good, competent staff that is upwardly mobile. When these staff members determine that they have basically gone as far as they can go in a small organization, they sometimes start looking around for other career options. Although this may not be a workforce succession issue *per se*, it is important to note in this report.

Legal Secretary

The OSHAB has only one allocation to the class of Legal Secretary, and the incumbent is currently eligible to retire. The minimum qualifications for the class of Legal Secretary require one year of experience as a Senior Legal Typist, Range B. The DIR has about 178 incumbents in the class of Senior Legal Typist, and Personnel usually maintains an adequate eligible list for the class of Legal Secretary. When OSHAB learns that the incumbent in the class of Legal Secretary is about to retire, the first step would be to determine if there is a current eligible list available to certify to the organization. If so, then OSHAB can use that list to fill the vacant Legal Secretary position. Also, in the Sacramento area, OSHAB should have no trouble in filling the position via a transfer from another department. If both of these options fail to produce the caliber of candidate that OSHAB is seeking, it can consider downgrading the position to the class of Senior Legal Typist for recruitment purposes, then return the position to the level of Legal Secretary once that candidate takes and passes the examination for Legal Secretary and becomes reachable on the eligible list for that class. Because this is a service-wide class that is used by many state departments, and the position is located in Sacramento, filling the position is not expected to be a problem once it becomes vacant.

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Overview

The Occupational Safety and Health Standards Board (OSHSB) is the standards-setting agency within the Cal/OSHA Program and is the only agency in the state with the authority to adopt, amend, or repeal occupational safety and health standards and orders. Additionally, OSHAB is charged with the responsibility of maintaining standards and enforcing them in certain occupational safety and health fields which fall outside of the federal government's jurisdiction; the standards and their enforcement in these fields include those which apply to elevators, aerial passenger tramways, amusement rides, pressure vessels, and mine safety training.

The OSHSB is vested with the authority to consider petition requests for new or revised safety and health standards submitted by the general public. Working closely with the industry's stakeholders, subject-matter experts, and DOSH in developing standards that safeguard the health and safety of California workers, OSHSB frequently conducts advisory committee meetings.

Summary of Board-specific Workforce Succession Concerns

The Standards Board is going to try to promote the positive aspects of working for this Unit by making sure applicants know they will not be performing an enforcement role, which is characteristic of DOSH. But, there is a real need and benefit to writing standards that will help to ensure the safety of workers in California's businesses, industries, and manufacturing operations.

PROJECT MANAGER'S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Principal Safety Engineer, Senior Safety Engineer, Associate Safety Engineer

There is one allocation to the class of Principal Safety Engineer at the Standards Board and that incumbent serves as a critical part of the management team for OSHSB. The incumbent is also currently eligible for retirement. The incumbent has informed the management that he will not retire without reasonable notice.

There are four allocations to the class of Senior Safety Engineer–Industrial; and one allocation to the class of Associate Safety Engineer. All these employees are currently eligible for retirement; however OSHSB management has not been advised that any of these incumbents currently plans to retire. These classes are discussed jointly, because the approach developed for filling these positions is applicable to all of the classes.

The OSHSB's plan for filling these potential vacancies involves a recruitment campaign, a mentoring process, and the use of applicable recruitment lists. The recruitment campaign would

include publicity highlighting the importance of developing workplace laws and regulations to protect the health and safety of employees. The campaign should be taken to such entities as the American Society for Safety Engineers and the American Industrial Hygienist Association, with a recruitment presence at the annual conferences for those associations, as well as other appropriate contacts. Partnering with DIR at job fairs and other such events would further this recruitment effort.

Mentoring is a means of identifying individuals who are in the formative stages of their occupational safety and health careers and have not yet made a commitment to practice in either the public or private sector. The OSHSB staff would meet with and encourage such candidates who may possess the requisite skills OSHSB needs. Mentoring efforts by OSHSB staff should be encouraged and supported by OSHSB management and to the extent possible by DIR.

The OSHSB and DOSH both feel that with recent pay raises to the engineering classes in state civil service, open examinations could now successfully attract and recruit engineering candidates in the private sector or from other governmental jurisdictions into positions at OSHSB. If the recruitment efforts and the open examination processes are successful, the workforce succession issues of the Standards Board in the above civil service classes should be adequately addressed.

Industrial Relations Counsel III (Specialist)

The OSHSB has one allocation to the class of Industrial Relations Counsel III (Specialist), and the incumbent is at retirement age. The Personnel Unit usually tests frequently for this class, on an open basis, and maintains an ample eligible list for this class. It is not anticipated that filling this position would be much of a problem when the current incumbent retires. When the current incumbent decides to retire, OSHSB should put out both a transfer opportunity bulletin and order a certified eligible list from Personnel to fill this position. This multifaceted approach should give OSHSB sufficient candidates to select from when filling the vacancy at this level.

This recruitment process may be time-consuming, and during the time taken up by that process, OSHSB's need for legal services must be met – especially with regard to variances. The Industrial Relations Counsel III (Specialist) serves as the variance hearing officer and has many other variance-related duties. In recent years, OSHSB has had more than 200 docketed variance applications per year. A contingency plan should be developed with OD-Legal, whereby a DIR attorney would be loaned to OSHSB until an appointment to the vacant position had been made.

Staff Services Analyst

The Standards Board has one allocation to the class of Staff Services Analyst (General), and that incumbent is at retirement age. The State Personnel Board usually maintains a very large eligible list for this class. There should be no trouble in filling this position, particularly in Sacramento, with a qualified replacement.

SELF INSURANCE PLANS

Overview

The Self Insurance Plans Program (SIP) certifies qualifying employers to provide their own workers' compensation coverage. The Director of Industrial Relations is responsible for certifying self-insurers in both private and public sectors, including individual claims adjusters and third-party claims-adjusting agencies that administer self insurance programs. Over 2,400 self-insured entities exist within the state and they provide coverage for more than 3.4 million members of California's workforce. Staff from SIP conducts various audits of self-insured employers and claims adjusters throughout the year; when SIP find that liabilities have been understated, they have the authority to take corrective measures.

Summary of Program-specific Workforce Succession Concerns

The staff performing the program duties in the Self Insurance Program is generally allocated to the class of Workers' Compensation Compliance Officer (WCCO). However, they are not performing the full range of WCCO duties, which makes them less competitive in the promotional exams for the Senior Workers' Compensation Compliance Officer class. A classification audit needs to be performed on these positions to determine whether the WCCO is the correct classification for the allocation of these responsibilities or whether another classification would be more appropriate for the duties and responsibilities that are currently being performed by the staff in SIP.

PROJECT MANAGER'S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Workers' Compensation Compliance Officer

The primary class used by SIP is the Workers' Compensation Compliance Officer. There are fifteen allocations to this class at SIP and of total five (33%) are age 55 or older. Filling vacant positions of this class is complicated by the following factors: first, most auditors within the insurance industry that have the required work experience in both the public and private sector can earn a great deal more working for other employers and SIP consequently experiences a great deal of difficulty in trying to recruit people from outside of state civil service; second, the work of the WCCO class is very exacting and detail-orientated, so not just anyone can step into these positions and perform the full range of duties without a significant amount of training.

Incumbents in the WCCO class at SIP must be able to go through claim files, attach a dollar amount associated with an injury and corresponding percentage, estimate the cost of future liability, and make sure that the self-insured employer or claims adjuster has set aside enough funds to cover his or her liability. Training to learn most of the required background knowledge to do this work is available and offered by the Insurance Institute or the Insurance Education Association. The seven core courses offered by the Insurance Institute usually take an individual

a couple of years complete. While the work involved with these courses is considered job-related training, the courses are usually offered in the evening since most of the participants work during the day and it is very difficult to get WCCO's to make the commitment to take these courses on their own time. This situation places the burden on the Supervising WCCO to try to train incumbents in the class of WCCO while on the job. While there is no "formal" on-the-job training program, management tries to select those candidates who may have had some experience in this line of work, or those who demonstrate the potential to learn the process of estimating the amount associated with a claim that is going to be paid out over a period of several years when there is a vacancy in the WCCO class. While the Supervising WCCO's provide the on-the-job training, there should be a more formal training program for newly-hired WCCO's. The problem lies within the fact that there is no way to force new hires to take the training courses that are offered during the evening over a period of approximately two years; without a viable means of enforcing this required training, the process of becoming a fully competent WCCO able to independently perform the full range of duties of this class in SIP takes more time than necessary and is an inefficient use of the Department's funds.

Workers' Compensation Assistant

There are five allocations to the class of Workers' Compensation Assistant (WCA) in the SIP, and of that number two (40%) are at retirement age. When vacancies occur at this level, if no eligible list exists for the classification, SIP can put out a transfer opportunity bulletin to fill the position either for another WCA within the Department or for a transfer as a change-in-class opportunity. If that fails to produce a satisfactory candidate for the position, then SIP may request that Personnel administer an examination to establish an eligible list for the WCA class. In the case that the administration of an examination for this class is not a high priority for Personnel, then perhaps the eligible list for Staff Services Analyst may be used as an appropriate alternative eligible list. The State Personnel Board usually maintains a very extensive eligible list for the Staff Services Analyst class, so filling any upcoming vacancies in the class of WCA by using the Staff Services Analyst list should not be problematic.

WORKERS' COMPENSATION APPEALS BOARD

Overview

The primary role of the Workers' Compensation Appeals Board (WCAB) is to review petitions for reconsideration of decisions issued by DWC's Administrative Law Judges. The WCAB also participates in appellate proceedings before district courts, the court of appeals, and the Supreme Court of California. Not only does the Board promulgate regulations governing the practice and procedures of its (and DWC's) adjudicative hearing proceedings, but its seven Senate-confirmed gubernatorial appointees of whom the Board consists also render *en banc*¹¹ precedential decisions on novel issues which serve to guide and establish adjudicative hearing procedures that promote a uniform approach in the issuance of the aforementioned decisions on novel issues.

Summary of Board-specific Workforce Succession Concerns

The WCAB has some difficult issues to address with respect to workforce succession. The primary problem facing the WCAB is the fact that the Board is comprised of seven Commissioners who have to make decisions on appeals of workers' compensation cases. All of these Commissioners are exempt appointees of the Governor and sometimes these Commissioners are not attorneys with any legal background. This makes the work of the Commissioners especially challenging; however, WCAB also has three "Deputy Commissioners" who are civil service employees and must be attorneys who have passed the State Bar with at least five years of experience in the practice of workers' compensation cases and the appellate process. These minimum qualifications narrow the candidate group of those who can apply for the position of Deputy Commissioner. These positions are allocated to the Career Executive Assignment (CEA) level and only existing state employees are eligible to apply for an examination of this class. The fact that a candidate must also have at least five years in the practice of workers' compensation cases also tends to unnecessarily narrow the candidate group, making positions at this level especially difficult to fill. The Deputy Commissioners provide the continuity of the program while the exempt Commissioners come and go.

PROJECT MANAGER'S CLASSIFICATION-SPECIFIC RECOMMENDATIONS:

Career Executive Assignment – Deputy Commissioner, WCAB

At this time, all of the Deputy Commissioners are at retirement age, and one has already announced he will retire later this year. This places WCAB in the very delicate position of trying to fill this position with an attorney who is familiar with workers' compensation laws and the appellate process. The fact that the candidate must be an attorney with five years of experience in the practice of workers' compensation cases makes filling this position – and future vacancies at this level – extremely difficult. Internally, the potential candidate group will consist of

¹¹ *Id est*, all nine board members jointly render these decisions.

Workers' Compensation Judges, Presiding Workers' Compensation Judges, and Regional Manager, Claims Adjudication, and Industrial Relations Counsel series. The State Compensation Insurance Fund (SCIF) may also have competitive candidates who may be interested in this position. There may be others that would have the requisite experience to apply for this test, so Personnel will have to do a good job in making sure that the advertisement for filling this position receives maximum exposure in all areas of state government. Since the position is allocated to the Career Executive Assignment class, it may not be filled from outside of state civil service and thus the focus will be making sure that all state civil-service employees know about the vacancy when WCAB is ready to fill the position.

Associate Governmental Program Analyst

The WCAB also has one position allocated to the class of Associate Governmental Program Analyst (AGPA) which may become vacant at some point during next five years due to the retirement of the position's current incumbent. The incumbent provides administrative services for WCAB (*e.g.*, personnel, budgeting, accounting and business services). The Personnel Unit usually maintains an eligible list for this class that is sufficient to meet the needs of the Department. The WCAB may want to see if it can get a "transfer" candidate to fill this position that has served as an administrative liaison in another division or program. If WCAB proves unsuccessful in filling the position with a transfer, then it may want to consider the Department's promotional eligible list for the AGPA class. Most of the candidates from the eligible list will be from the class of Staff Services Analyst, and they may not have the experience in all of the administrative areas. If that is the case, then WCAB should consider appointing the candidate with the most potential to be trained in all of the administrative areas, and then possibility training this candidate to take over the duties and responsibilities of the position. The ideal situation would be if the current incumbent can teach the candidate the duties and responsibilities of the position. When the current incumbent announces retirement from the position, WCAB management should immediately start the process of filling the position and fill it as soon as possible. That way, the current incumbent may train the replacement. Since this would involve budgeting ramifications by have two people working in a single allocated position, fiscal concerns would exist in paying the replacement; however, it would be worth the investment should the current incumbent be afforded time to train his or her replacement and share the institutional knowledge that he or she has developed by having worked in the position for several years.

Legal Support Supervisor I

The WCAB has two Legal Support Supervisors I (LSS I) positions, and both incumbents are eligible for retirement. Incumbents in these positions help to keep the paperwork moving through the Division. The best incumbents will be those candidates who have workers' compensation filing experience. These candidates could come from either the WCAB, or one of DWC's 24 district offices. Those who have worked for an attorney within the Department or from other departments within state civil service may be other viable candidates. When these positions become vacant, WCAB can pursue filling them by either advertising for a transfer candidate or looking at the eligible list for the Legal Support Supervisor I class. One of these alternatives should produce a qualified candidate to fill a position at the LSS I level.

CONCLUSION

This workforce succession plan has provided the Department's chiefs, managers, and supervisors a point from which they may begin or continue preparing for the obstacles faced by the inevitable consequences of workforce succession. Such planning is an ongoing process that must develop on a continual basis, focusing on long-term approaches to face these consequences both adequately and effectively.

Although its information is only as current as its last update, the Departmental Profile is an invaluable tool that will assist all hiring managers and supervisors in preparing for the aforementioned obstacles. The Project Manager strongly recommends that the Profile be updated and distributed appropriately on a quarterly basis or more frequently as needed. This allows for hiring managers and supervisors to analyze the current allocations of the positions of their staff as well as to monitor changes and trends over an extended period of time; the intended result would be a well-balanced and stable staff that would assist in a proactive approach to workforce succession.

Several Departmental hiring managers and supervisors have decided to focus on recruiting younger candidates and college graduates as one approach to confront workforce succession obstacles. Such an approach would likely provide the Department with a higher retention of candidates capable of successfully filling the vacancies of higher-ranking, specialized staff over time. Other Departmental hiring managers and supervisors have yet to implement any approaches to confront workforce succession obstacles. Certain obstacles to achieving a balanced workforce exist for which no approaches are sufficient to confront them; these obstacles result from circumstances that are beyond the immediate control of the Department, including but not limited to passing the State Bar Examination or possessing of any number of licenses or certificates requisite of the minimum qualifications for a given position. An additional obstacle remains the lower salary rates offered by state civil service relative to those offered by both public-sector jurisdictions and the private-sector for positions in which essentially the same work is being performed. The Department maintains little control over such obstacles. Despite these obstacles, hiring managers and supervisors may choose to emphasize the positive benefits afforded to state civil-service employees when interviewing or recruiting potential candidates. Comprehensive health, dental, and vision coverage, generous retirement options, extensive opportunities throughout the state which facilitate an employee's relocation, and substantial job security along with ample opportunities for upward mobility and training constitute but a few of the state's generous civil-service benefits.

It is critical to note that a method or procedure be implemented in order to assist hiring managers and supervisors to ensure the option exists for filling the position vacancies of higher-ranking, specialized staff by subordinate staff. One possibility would involve the initiation of a cross-training arrangement of employees upon receiving advanced notice by a higher-ranking or specialized staff member of his or her intent on retiring. Such an arrangement would allow a subordinate employee exposure to the skills and techniques the higher-ranking or specialized staff member employs and has developed over time in order that the institutional knowledge

developed by the retiring incumbent be shared with those staff members working in the organization.

An alternative or auxiliary method or procedure to the one illustrated above would be the development of “operations manuals” which would provide extensive, detailed explanation about the operations, processes, and procedures as they relate to the Departmental division or program and its respective unit and office. Such manuals would be made position-specific, including the supplemental information pertaining to the position itself. Even though operations manuals would not prove wholly sufficient in preparing subordinate employees for the duties and responsibilities requisite of higher-ranking or specialized staff members soon to exercise retirement benefits, they could play an integral role in the training of subordinate employees.

Now that you, as hiring managers and supervisors, have been provided with the information needed to make informed hiring decisions and to develop adequate approaches to face the obstacles workforce succession poses, the challenge is clearly before you to balance your workforce. Go get 'em!

EXHIBIT I

DEPARTMENTAL PROFILE

Class Title ¹	Division	Total # EE's	≥55	%	50-54	%	35-49	%	≤34	%
A INFO SYS AN	ADMIN	11	2	18.18%	1	9.09%	6	54.55%	2	18.18%
ACCOUNT CLERK II	ADMIN	2	1	50%	1	50%	0	0%	0	0%
ACCOUNTING TECH	ADMIN	5	2	40%	2	40%	1	20%	0	0%
ACCT ADM III	ADMIN	1	1	100%	0	0%	0	0%	0	0%
ACCT ADMIN I/SUP	ADMIN	3	2	66.67%	1	33.33%	0	0%	0	0%
ACCT ANALYST	ADMIN	1	0	0%	0	0%	1	100%	0	0%
ACCT I/SP	ADMIN	6	3	50%	1	16.67%	1	16.67%	1	16.67%
ACCT OF/SPL	ADMIN	7	4	57.14%	0	0%	3	42.86%	0	0%
AS INFO SYS AN/SP	ADMIN	18	3	16.67%	1	5.56%	11	61.11%	3	16.67%
AS PROG ANALYST/SP	ADMIN	11	1	9.09%	4	36.36%	3	27.27%	3	27.27%
ASO BUDGET ANALYST	ADMIN	3	0	0%	0	0%	2	66.67%	1	33.33%
ASO GOVRL PROG ANL	ADMIN	17	4	23.53%	6	35.29%	5	29.41%	2	11.76%
ASO PERSONNEL ANLT	ADMIN	7	3	42.86%	2	28.57%	2	28.57%	0	0%
ASST GEN COUNSEL	ADMIN	1	0	0%	0	0%	1	100%	0	0%
C.E.A.	ADMIN	5	4	80%	0	0%	1	20%	0	0%
CH DEP DIR	ADMIN	1	1	100%	0	0%	0	0%	0	0%
DATA PROC MGR II	ADMIN	1	1	100%	0	0%	0	0%	0	0%
DATA PROC MGR III	ADMIN	2	1	50%	1	50%	0	0%	0	0%
DATA PROC MGR IV	ADMIN	1	0	0%	0	0%	1	100%	0	0%
DEP DIRECTOR	ADMIN	1	0	0%	0	0%	1	100%	0	0%
DIRECTOR	ADMIN	1	0	0%	1	100%	0	0%	0	0%
EXEC A	ADMIN	2	0	0%	0	0%	2	100%	0	0%
EXEC SEC I	ADMIN	2	0	0%	2	100%	0	0%	0	0%
IND REL CN III/SP	ADMIN	13	5	38.46%	1	7.69%	7	53.85%	0	0%
IND REL COUN I	ADMIN	4	0	0%	0	0%	3	75%	1	25%
IND REL COUN II	ADMIN	2	0	0%	1	50%	1	50%	0	0%
IND REL COUN IV	ADMIN	12	7	58.33%	1	8.33%	4	33.33%	0	0%
INF OF I/SP	ADMIN	2	2	100%	0	0%	0	0%	0	0%
INFO SYS TC	ADMIN	6	0	0%	0	0%	2	33.33%	4	66.67%
KEY DATA OPERATOR	ADMIN	1	1	100%	0	0%	0	0%	0	0%
LEGAL COUNSEL	ADMIN	1	0	0%	0	0%	0	0%	1	100%
LEGAL SECRETARY	ADMIN	14	5	35.71%	1	7.14%	5	35.71%	3	21.43%
LEGAL SUPPRT SUP I	ADMIN	2	0	0%	1	50%	1	50%	0	0%
MG SVS TECH	ADMIN	1	1	100%	0	0%	0	0%	0	0%
OFF ASST/GEN	ADMIN	5	2	40%	2	40%	1	20%	0	0%
OFF ASST/TYPE	ADMIN	5	2	40%	0	0%	1	20%	2	40%
OFF TECH (TYPING)	ADMIN	12	3	25%	1	8.33%	4	33.33%	4	33.33%
OFF TECHNICN (GEN)	ADMIN	1	0	0%	1	100%	0	0%	0	0%
PERSNL SP	ADMIN	13	0	0%	5	38.46%	6	46.15%	2	15.38%
PERSNL SUP I	ADMIN	2	0	0%	0	0%	1	50%	1	50%
PERSNL SUP II	ADMIN	1	0	0%	0	0%	1	100%	0	0%
SENIOR ACCOUNT CLK	ADMIN	2	2	100%	0	0%	0	0%	0	0%
SPEC INV I	ADMIN	5	1	20%	1	20%	2	40%	1	20%
SR ACCT OF/SP	ADMIN	4	1	25%	2	50%	0	0%	1	25%
SR ACCT OF/SUP	ADMIN	5	2	40%	1	20%	2	40%	0	0%
SR INFO SYS AN/SUP	ADMIN	1	1	100%	0	0%	0	0%	0	0%
SR LEGAL TYPIST	ADMIN	4	0	0%	0	0%	1	25%	3	75%
SR PERSNL SP	ADMIN	3	0	0%	0	0%	3	100%	0	0%
SR PROG ANALYST/SUP	ADMIN	2	0	0%	1	50%	1	50%	0	0%
SR SPEC INVESTIGTR	ADMIN	7	1	14.29%	2	28.57%	3	42.86%	1	14.29%
ST INFO SYS AN/SP	ADMIN	3	0	0%	2	66.67%	1	33.33%	0	0%
ST INFO SYS AN/SUP	ADMIN	1	0	0%	0	0%	1	100%	0	0%
ST PROG ANALYST/SP	ADMIN	5	1	20%	3	60%	1	20%	0	0%
STAFF SER AN (GEN)	ADMIN	17	1	5.88%	2	11.76%	6	35.29%	8	47.06%

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EXHIBIT I DEPARTMENTAL PROFILE

Class Title ¹	Division	Total # EE's	≥55	%	50-54	%	35-49	%	≤34	%
STAFF SVS MANGER I	ADMIN	11	3	27.27%	4	36.36%	3	27.27%	1	9.09%
STAFF SVS MGR III	ADMIN	5	4	80%	0	0%	1	20%	0	0%
STF SVS MGR II/SUP	ADMIN	1	1	100%	0	0%	0	0%	0	0%
STOCK CLERK	ADMIN	1	1	100%	0	0%	0	0%	0	0%
STUDENT ASSISTANT	ADMIN	10	0	0%	0	0%	0	0%	10	100%
SUP SP INV I	ADMIN	2	1	50%	0	0%	1	50%	0	0%
SUP WRK COMP C OF	ADMIN	2	0	0%	1	50%	1	50%	0	0%
SYS SF SP I/TECH	ADMIN	6	1	16.67%	1	16.67%	4	66.67%	0	0%
SYS SFTW SP III/S	ADMIN	1	0	0%	0	0%	1	100%	0	0%
SYS SFTWR S II/TC	ADMIN	1	0	0%	0	0%	1	100%	0	0%
WKR COMP C OF	ADMIN	12	5	41.67%	4	33.33%	3	25%	0	0%
WKR COMP JDG	ADMIN	1	1	100%	0	0%	0	0%	0	0%
WORKERS' COMP ASST	ADMIN	5	2	40%	1	20%	2	40%	0	0%
CONCILIATOR D/IR	CSMCS	10	8	80%	1	10%	1	10%	0	0%
OFF TECH (TYPING)	CSMCS	1	0	0%	0	0%	0	0%	1	100%
PRES CON/DIR	CSMCS	2	2	100%	0	0%	0	0%	0	0%
SPVR/CONC D/IR CEA	CSMCS	1	0	0%	1	100%	0	0%	0	0%
STAFF SER AN (GEN)	CSMCS	1	0	0%	0	0%	1	100%	0	0%
STUDENT ASSISTANT	CSMCS	1	0	0%	0	0%	0	0%	1	100%
ASO GOVRL PROG ANL	CHSWC	2	1	50%	0	0%	1	50%	0	0%
EXEC OFCR	CHSWC	1	1	100%	0	0%	0	0%	0	0%
GRAD STUDENT ASST	CHSWC	1	0	0%	0	0%	0	0%	1	100%
IND REL COUN II	CHSWC	1	1	100%	0	0%	0	0%	0	0%
MEMBER	CHSWC	8	5	62.50%	1	12.50%	2	25%	0	0%
RES ANLY I GENERAL	CHSWC	1	0	0%	0	0%	1	100%	0	0%
RES PROG SPECT II	CHSWC	2	1	50%	0	0%	1	50%	0	0%
STAFF SER AN (GEN)	CHSWC	2	0	0%	0	0%	1	50%	1	50%
STAFF SVS MANGER I	CHSWC	1	0	0%	0	0%	1	100%	0	0%
STUDENT ASSISTANT	CHSWC	2	0	0%	0	0%	0	0%	2	100%
YOUTH AID	CHSWC	1	0	0%	0	0%	0	0%	1	100%
APPRNTSHIP CONSLT	DAS	24	12	50%	6	25%	6	25%	0	0%
AREA ADMR D/AP STD	DAS	3	1	33.33%	0	0%	2	66.67%	0	0%
ASO GOVRL PROG ANL	DAS	1	0	0%	0	0%	1	100%	0	0%
C.E.A.	DAS	1	0	0%	0	0%	1	100%	0	0%
EXEC SEC I	DAS	1	1	100%	0	0%	0	0%	0	0%
IND RELATIONS REP	DAS	8	1	12.50%	1	12.50%	5	62.50%	1	12.50%
MEM APPREN COUN	DAS	12	7	58.33%	2	16.67%	2	16.67%	1	8.33%
OFF ASST/TYP	DAS	7	2	28.57%	1	14.29%	1	14.29%	3	42.86%
OFF TECH (TYPING)	DAS	11	7	63.64%	2	18.18%	2	18.18%	0	0%
SPEC ASST	DAS	1	0	0%	0	0%	1	100%	0	0%
SR APPRNTSHP CNSLT	DAS	8	4	50%	3	37.50%	1	12.50%	0	0%
ST PROG ANLYST/SP	DAS	1	1	100%	0	0%	0	0%	0	0%
STUDENT ASSISTANT	DAS	5	0	0.00%	0	0%	1	20%	4	80%
ASO GOVRL PROG ANL	DLSE	2	1	50%	0	0%	1	50%	0	0%
ASST CHIEF COUNSEL	DLSE	1	0	0%	0	0%	1	100%	0	0%
ASST CHIEF DIV LSE	DLSE	2	1	50%	1	50%	0	0%	0	0%
C.E.A.	DLSE	1	0	0%	1	100%	0	0%	0	0%
CH COUN	DLSE	1	0	0%	0	0%	1	100%	0	0%
CH DIV/LAB LAW ENF	DLSE	1	0	0%	1	100%	0	0%	0	0%
DEP LABOR COMM II	DLSE	35	15	42.86%	9	25.71%	10	28.57%	1	2.86%
DEP LABOR COMM III	DLSE	33	14	42.42%	8	24.24%	11	33.33%	0	0%

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EXHIBIT I DEPARTMENTAL PROFILE

Class Title ¹	Division	Total # EE's	≥55	%	50-54	%	35-49	%	≤34	%
DEP LABOR COMMR I	DLSE	126	35	27.78%	27	21.43%	54	42.86%	10	7.94%
DEP LABOR COMMR IV	DLSE	4	1	25%	2	50%	1	25%	0	0%
EXEC SEC I	DLSE	1	0	0%	0	0%	0	0%	1	100%
GRAD STUDENT ASST	DLSE	1	0	0%	0	0%	0	0%	1	100%
IND REL CN III/SP	DLSE	11	2	18.18%	2	18.18%	7	63.64%	0	0%
IND REL COUN II	DLSE	1	0	0%	0	0%	1	100%	0	0%
IND REL COUN IV	DLSE	6	4	66.67%	2	33.33%	0	0%	0	0%
IND RELATIONS REP	DLSE	34	4	11.76%	3	8.82%	13	38.24%	14	41.18%
LEGAL SECRETARY	DLSE	17	4	23.53%	6	35.29%	5	29.41%	2	11.76%
MG SVS TECH	DLSE	9	3	33.33%	0	0%	4	44.44%	2	22.22%
OF SER SUP II (GN)	DLSE	1	0	0%	1	100%	0	0%	0	0%
OFF ASST/TYPE	DLSE	40	11	27.50%	3	7.50%	13	32.50%	13	32.50%
OFF TECH (TYPING)	DLSE	53	14	26.42%	8	15.09%	15	28.30%	16	30.19%
PAY AUD/DIV LSE	DLSE	6	0	0%	1	16.67%	4	66.67%	1	16.67%
SENIOR STENOGRPHER	DLSE	1	0	0%	1	100%	0	0%	0	0%
SP A	DLSE	1	1	100%	0	0%	0	0%	0	0%
SR LEGAL TYPIST	DLSE	1	0	0%	0	0%	0	0%	1	100%
SR SPEC INVESTIGTR	DLSE	4	2	50%	0	0%	2	50%	0	0%
STAFF SER AN (GEN)	DLSE	2	0	0%	0	0%	1	50%	1	50%
STAFF SVS MANGER I	DLSE	2	0	0%	1	50%	1	50%	0	0%
STENOGRAPHER	DLSE	2	0	0%	1	50%	1	50%	0	0%
STUDENT ASSISTANT	DLSE	4	0	0%	0	0%	0	0%	4	100%
ASO GOVRL PROG ANL	DLSR	2	1	50%	0	0%	1	50%	0	0%
C.E.A.	DLSR	1	0	0%	1	100%	0	0%	0	0%
CH DIV/LAB STA&RES	DLSR	1	1	100%	0	0%	0	0%	0	0%
GRAD STUDENT ASST	DLSR	1	0	0%	0	0%	0	0%	1	100%
OFF ASST/GEN	DLSR	2	2	100%	0	0%	0	0%	0	0%
OFF ASST/TYPE	DLSR	4	0	0%	0	0%	2	50%	2	50%
OFF TECH (TYPING)	DLSR	2	2	100%	0	0%	0	0%	0	0%
RES ANLY II GENERL	DLSR	2	0	0%	1	50%	1	50%	0	0%
RES ANLYST I/ECON	DLSR	8	0	0%	0	0%	0	0%	8	100%
RES ANLYST II/ECON	DLSR	3	0	0%	0	0%	0	0%	3	100%
RES MGR I/ECON	DLSR	1	0	0%	0	0%	1	100%	0	0%
RES MGR II/ECON	DLSR	2	1	50%	0	0%	1	50%	0	0%
RES PRO SP I/ECON	DLSR	1	0	0%	0	0%	0	0%	1	100%
RES PROG SPECLST I	DLSR	1	0	0%	1	100%	0	0%	0	0%
STUDENT ASSISTANT	DLSR	8	0	0%	0	0%	1	12.50%	7	87.50%
WORD PROC TECH	DLSR	1	0	0%	1	100%	0	0%	0	0%
A IND HYGIENIST	DOSH	3	0	0%	0	0%	1	33.33%	2	66.67%
A SAFE ENG	DOSH	6	1	16.67%	0	0%	5	83.33%	0	0%
AR MGR CL/OSHA C S	DOSH	10	2	20%	6	60%	2	20%	0	0%
AS IND HYGIENIST	DOSH	6	4	66.67%	0	0%	0	0%	2	33.33%
AS SAFE ENG/ELEVAT	DOSH	63	32	51.61%	13	20.63%	17	26.98%	1	1.59%
AS SAFE ENG/M T&M	DOSH	14	7	50%	1	7.14%	5	35.71%	1	7.14%
AS SAFE ENG/PR VES	DOSH	25	9	36%	7	28%	8	32%	1	4%
AS SAFTY ENG	DOSH	220	81	36.82%	39	17.73%	86	39.09%	14	6.36%
AS SAFTY ENG/AR	DOSH	6	1	16.67%	0	0%	5	83.33%	0	0%
ASO GOVRL PROG ANL	DOSH	8	5	62.50%	1	12.50%	2	25%	0	0%
CH/DOSHA	DOSH	1	1	100%	0	0%	0	0%	0	0%
DEP C SAFE/OSHA	DOSH	1	0	0%	1	100%	0	0%	0	0%
DIS MGR/DOSH	DOSH	22	7	31.82%	3	13.64%	12	54.55%	0	0%
GRAD STUDENT ASST	DOSH	1	0	0%	0	0%	0	0%	1	100%
IND REL CN III/SP	DOSH	9	6	66.67%	1	11.11%	2	22.22%	0	0%

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EXHIBIT I DEPARTMENTAL PROFILE

Class Title ¹	Division	Total # EE's	≥55	%	50-54	%	35-49	%	≤34	%
IND REL CN III/SUP	DOSH	1	1	100%	0	0%	0	0%	0	0%
IND REL COUN I	DOSH	1	0	0%	0	0%	1	100%	0	0%
IND REL COUN II	DOSH	2	0	0%	0	0%	1	50%	1	50%
INFO SYS TC	DOSH	9	4	44.44%	0	0%	4	44.44%	1	11.11%
INSTRMNT TECH/AR Q	DOSH	1	0	0%	1	100%	0	0%	0	0%
JR INDUSTRIAL HYGNST	DOSH	2	0	0%	1	50%	0	0%	1	50%
JR SAFETY ENGINEER	DOSH	2	0	0%	0	0%	0	0%	2	100%
LEGAL SECRETARY	DOSH	7	4	57.14%	1	14.29%	2	28.57%	0	0%
MG SVS TECH	DOSH	9	7	77.78%	0	0%	1	11.11%	1	11.11%
NURS CON III SP	DOSH	1	1	100%	0	0%	0	0%	0	0%
OF SER SUP I (TYP)	DOSH	2	1	50%	0	0%	1	50%	0	0%
OFF ASST/GEN	DOSH	1	0	0%	1	100%	0	0%	0	0%
OFF ASST/TYPE	DOSH	41	15	36.59%	9	21.95%	14	34.15%	3	7.32%
OFF TECH (TYPING)	DOSH	83	17	20.48%	12	14.46%	36	43.37%	18	21.69%
PRINC SFTY ENG ELV	DOSH	1	1	100%	0	0%	0	0%	0	0%
PRINC SFTY ENGR PV	DOSH	1	0	0%	0	0%	1	100%	0	0%
PRINCP SAF E MIM&T	DOSH	1	1	100%	0	0%	0	0%	0	0%
PRINCP SAFTY ENG I	DOSH	2	1	50%	1	50%	0	0%	0	0%
PRINCP SFTY ENG SS	DOSH	1	0	0%	1	100%	0	0%	0	0%
REG MGR/DOSH	DOSH	6	3	50%	2	33.33%	1	16.67%	0	0%
RES ANLY II GENERAL	DOSH	1	1	100%	0	0%	0	0%	0	0%
RES MGR I GENERAL	DOSH	1	1	100%	0	0%	0	0%	0	0%
SECRETARY	DOSH	2	2	100%	0	0%	0	0%	0	0%
SFTY ENG TECH	DOSH	1	0	0%	0	0%	1	100%	0	0%
SR IND HYGIENIST	DOSH	2	1	50%	1	50%	0	0%	0	0%
SR SAFETY ENGR P V	DOSH	6	4	66.67%	2	33.33%	0	0%	0	0%
SR SAFTY ENG/AR	DOSH	2	1	50%	0	0%	1	50%	0	0%
SR SAFTY ENGR ELEV	DOSH	9	8	88.89%	0	0%	1	11.11%	0	0%
SR SFTY ENG INDSTR	DOSH	26	12	46.15%	4	15.38%	10	38.46%	0	0%
SR SFTY ENG MNG&TU	DOSH	5	3	60%	1	20%	1	20%	0	0%
SR SPEC INVESTIGTR	DOSH	4	2	50%	1	25%	1	25%	0	0%
STAFF SER AN (GEN)	DOSH	6	2	33.33%	2	33.33%	1	16.67%	1	16.67%
STAFF SVS MANGER I	DOSH	3	0	0%	1	33.33%	2	66.67%	0	0%
STENOGRAPHER	DOSH	3	2	66.67%	1	33.33%	0	0%	0	0%
STF SVS MGR II/SUP	DOSH	3	3	100%	0	0%	0	0%	0	0%
STUDENT ASSISTANT	DOSH	5	0	0%	0	0%	0	0%	5	100%
STUDENT AST ENG&AS	DOSH	2	0	0%	0	0%	0	0%	2	100%
SUP SP INV I	DOSH	1	0	0%	0	0%	1	100%	0	0%
WKR COMP C OF	DOSH	2	0	0%	1	50%	1	50%	0	0%
WORD PROC TECH	DOSH	4	2	50%	2	50%	0	0%	0	0%
YOUTH AID	DOSH	3	0	0%	0	0%	0	0%	3	100%
ADM DIR	DWC	1	0	0%	1	100%	0	0%	0	0%
AREA SUPVR REHAB B	DWC	1	0	0%	1	100%	0	0%	0	0%
AS INFO SYS AN/SP	DWC	1	1	100%	0	0%	0	0%	0	0%
AS MED DIR	DWC	2	1	50%	1	50%	0	0%	0	0%
ASO GOVRL PROG ANL	DWC	7	1	14.29%	3	42.86%	3	42.86%	0	0%
C.E.A.	DWC	5	2	40%	2	40%	1	20%	0	0%
CH COUN	DWC	1	0	0%	0	0%	1	100%	0	0%
CH HRNG REPORTER	DWC	1	0	0%	1	100%	0	0%	0	0%
CHIEF REHAB BUREAU	DWC	1	1	100%	0	0%	0	0%	0	0%
COURT ADM	DWC	1	0	0%	0	0%	1	100%	0	0%
EXEC MED DIR	DWC	1	0	0%	1	100%	0	0%	0	0%
EXEC SEC II	DWC	1	0	0%	0	0%	1	100%	0	0%
HEARING REPORTER	DWC	115	32	27.83%	25	21.74%	54	46.96%	4	3.48%

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EXHIBIT I DEPARTMENTAL PROFILE

Class Title ¹	Division	Total # EE's	≥55	%	50-54	%	35-49	%	≤34	%
IND REL CN III/SP	DWC	13	4	30.77%	5	38.46%	3	23.08%	1	7.69%
IND REL COUN II	DWC	1	1	100%	0	0%	0	0%	0	0%
IND REL COUN IV	DWC	1	0	0%	1	100%	0	0%	0	0%
INF OF I/SP	DWC	1	0	0%	0	0%	1	100%	0	0%
LEGAL SECRETARY	DWC	5	0	0%	0	0%	3	60%	2	40%
LEGAL SUPPRT SUP I	DWC	16	4	25%	4	25%	6	37.50%	2	12.50%
LEGAL SUPRT SUP II	DWC	2	1	50%	1	50%	0	0%	0	0%
MB WK COMP APLS BD	DWC	3	3	100%	0	0%	0	0%	0	0%
MG SVS TECH	DWC	31	7	22.58%	5	16.13%	13	41.94%	6	19.35%
NURS CON II	DWC	1	1	100%	0	0%	0	0%	0	0%
OF S SUP III (GEN)	DWC	2	1	50%	0	0%	1	50%	0	0%
OF SER SUP II (GN)	DWC	19	4	21.05%	3	15.79%	9	47.37%	3	15.79%
OFF ASST/GEN	DWC	1	0	0%	0	0%	1	100%	0	0%
OFF ASST/TYPER	DWC	45	17	37.78%	5	11.11%	15	33.33%	8	17.78%
OFF TECH (TYPING)	DWC	193	43	22.28%	27	13.99%	65	33.68%	58	30.05%
PROG TECH	DWC	2	2	100%	0	0%	0	0%	0	0%
PRS WKR COMP JDG	DWC	25	18	72%	6	24%	1	4%	0	0%
R S I/S/B S	DWC	1	0	0%	0	0%	1	100%	0	0%
REGIONAL MGR	DWC	1	1	100%	0	0%	0	0%	0	0%
RES ANLY I GENERAL	DWC	1	1	100%	0	0%	0	0%	0	0%
RES ANLY II GENERAL	DWC	1	0	0%	0	0%	1	100%	0	0%
RES ANLYST I/ECON	DWC	1	0	0%	0	0%	0	0%	1	100%
RES PROG SPECLT II	DWC	5	0	0%	3	60%	1	20%	1	20%
SR LEGAL TYPIST	DWC	173	56	32.37%	31	17.92%	66	38.15%	20	11.56%
SR SPEC INVESTIGTR	DWC	4	2	50%	1	25%	0	0%	1	25%
SR WRK COMP C OF	DWC	6	5	83.33%	1	16.67%	0	0%	0	0%
STAFF SER AN (GEN)	DWC	9	2	22.22%	1	11.11%	4	44.44%	2	22.22%
STAFF SVS MANGER I	DWC	1	0	0%	1	100%	0	0%	0	0%
STAFF SVS MGR III	DWC	1	1	100%	0	0%	0	0%	0	0%
STUDENT ASSISTANT	DWC	43	0	0%	0	0%	1	2.33%	42	97.67%
SUP WKRS COMP CON	DWC	10	5	50%	1	10%	4	40%	0	0%
SUP WRK COMP C OF	DWC	3	2	66.67%	1	33.33%	0	0%	0	0%
WKR COMP C OF	DWC	25	2	8%	7	28%	15	60%	1	4%
WKR COMP JDG	DWC	174	114	65.52%	33	18.97%	27	15.52%	0	0%
WKRS COMP CON	DWC	148	43	29.05%	30	20.27%	62	41.89%	13	8.78%
WKRS COMP MGR	DWC	6	5	83.33%	1	16.67%	0	0%	0	0%
WORKERS' COMP ASST	DWC	21	4	19.05%	0	0%	12	57.14%	5	23.81%
WORKRS COMP REH C	DWC	11	7	63.64%	1	9.09%	3	27.27%	0	0%
YOUTH AID	DWC	32	0	0%	0	0%	0	0%	32	100%
GRAD STUDENT ASST	IWC	1	0	0%	0	0%	0	0%	1	100%
IND WELF COM	IWC	4	2	50%	0	0%	2	50%	0	0%
CHM OSHA APLS BD	OSHAB	1	0	0%	1	100%	0	0%	0	0%
EXEC OF/OSHA BD	OSHAB	1	0	0%	0	0%	1	100%	0	0%
EXEC SEC I	OSHAB	2	0	0%	1	50%	1	50%	0	0%
HEARG OF II OS&HAB	OSHAB	1	0	0%	1	100%	0	0%	0	0%
HEARNG OF I OS&HAB	OSHAB	9	6	66.67%	1	11.11%	2	22.22%	0	0%
IND REL CN III/SP	OSHAB	1	0	0%	0	0%	1	100%	0	0%
IND REL CN III/SUP	OSHAB	1	1	100%	0	0%	0	0%	0	0%
LEGAL ANALYST	OSHAB	1	0	0%	1	100%	0	0%	0	0%
LEGAL SECRETARY	OSHAB	1	1	100%	0	0%	0	0%	0	0%
LEGAL SUPPRT SUP I	OSHAB	1	0	0%	0	0%	1	100%	0	0%
MEM OSHA APLS BD	OSHAB	1	1	100%	0	0%	0	0%	0	0%
OFF ASST/GEN	OSHAB	1	1	100%	0	0%	0	0%	0	0%

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EXHIBIT I DEPARTMENTAL PROFILE

Class Title ¹	Division	Total # EE's	≥55	%	50-54	%	35-49	%	≤34	%
OFF ASST/TYPING	OSHAB	2	0	0%	0	0%	1	50%	1	50%
OFF TECH (TYPING)	OSHAB	4	1	25%	1	25%	2	50%	0	0%
SR LEGAL TYPIST	OSHAB	5	0	0%	1	20%	4	80%	0	0%
AS SAFE ENG/INDUST	OSHSB	1	1	100%	0	0%	0	0%	0	0%
ASO GOVRL PROG ANL	OSHSB	2	0	0%	0	0%	2	100%	0	0%
EX OF OSHA STDS BD	OSHSB	1	0	0%	1	100%	0	0%	0	0%
EXEC SEC I	OSHSB	1	0	0%	0	0%	1	100%	0	0%
IND REL CN III/SP	OSHSB	1	1	100%	0	0%	0	0%	0	0%
MEM OSHA STDS BD	OSHSB	7	3	42.86%	3	42.86%	1	14.29%	0	0%
OFF TECH (TYPING)	OSHSB	2	0	0%	0	0%	2	100%	0	0%
PRINCP SAFTY ENG I	OSHSB	1	1	100%	0	0%	0	0%	0	0%
SR SFTY ENG INDSTR	OSHSB	4	4	100%	0	0%	0	0%	0	0%
STAFF SER AN (GEN)	OSHSB	1	1	100%	0	0%	0	0%	0	0%
OFF ASST/GEN	SIP	1	1	100%	0	0%	0	0%	0	0%
OFF TECH (TYPING)	SIP	3	0	0%	0	0%	3	100%	0	0%
SUP WRK COMP C OF	SIP	2	0	0%	1	50%	1	50%	0	0%
WKR COMP C OF	SIP	14	5	35.71%	5	35.71%	4	28.57%	0	0%
WKR COMP JDG	SIP	1	1	100%	0	0%	0	0%	0	0%
WORKERS' COMP ASST	SIP	5	2	40%	1	20%	2	40%	0	0%
ASO GOVRL PROG ANL	WCAB	1	1	100%	0	0%	0	0%	0	0%
C.E.A.	WCAB	1	1	100%	0	0%	0	0%	0	0%
CHRPN/WCAB	WCAB	1	1	100%	0	0%	0	0%	0	0%
IND REL CN III/SP	WCAB	4	1	25%	1	25%	2	50%	0	0%
IND REL COUN I	WCAB	1	0	0%	0	0%	0	0%	1	100%
IND REL COUN II	WCAB	4	3	75%	0	0%	0	0%	1	25%
IND REL COUN IV	WCAB	1	0	0%	1	100%	0	0%	0	0%
LEGAL SUPPRT SUP I	WCAB	1	1	100%	0	0%	0	0%	0	0%
MB WK COMP APLS BD	WCAB	2	2	100%	0	0%	0	0%	0	0%
OFF ASST/TYPING	WCAB	1	0	0%	1	100%	0	0%	0	0%
SR LEGAL TYPIST	WCAB	5	1	20%	1	20%	1	20%	2	40%
STUDENT ASSISTANT	WCAB	1	0	0%	0	0%	0	0%	1	100%
WKR COMP JDG	WCAB	2	2	100%	0	0%	0	0%	0	0%
TOTALS		2832	960	33.89%	505	17.75%	938	33.12%	429	15.29%

¹Orange highlight indicates classes that require immediate attention; yellow, data supporting such indications.

EXHIBIT II

