

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

September 23,
2016

2. Department

California Health Benefit Exchange/Covered California

3. Organizational Placement (Division/Branch/Office Name)

Administrative Services Division/Human Resources Branch

4. CEA Position Title

Chief, Human Resources Branch

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The mission of the California Health Benefit Exchange/Covered California (Exchange) is to increase the number of insured Californians, improve health care quality, lower costs, and reduce health disparities through an innovative, competitive marketplace that empowers consumers to choose the health plan and providers that give them the best value. The Chief, Human Resources Branch is responsible for setting effective and efficient policy for delivery of human resources and labor relations services that is critical to ongoing operations and Covered California's ability to meet its primary mission of providing health care to uninsured Californians and small businesses.

6. Reports to: (Class Title/Level)

Deputy Chief Operations Officer (Exempt)

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain): Advises executives on human resources and labor relations policy issues in a new, unique state organization.

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

This position is responsible for the overall direction, administration, planning, development and implementation of policies and protocol related to Covered California's Human Resources and Labor Relations programs on a statewide basis. The incumbent interprets and enforces compliance with legal and legislative mandates, and control agency directives as appropriate, and serves as a subject matter expert for all human resources and labor relations matters to meet Covered California's growing and evolving needs. The incumbent has an elevated level of responsibility as it is participating in CalHR's full delegation pilot. The responsibility in the area of Position Control and Exempt appointment/compensation is also heightened as Covered California is continuously appropriated and has authority to establish its own civil service and exempt positions. The incumbent is:

Responsible for personnel management policy, practices and protocol development, standardization, implementation and enforcement enterprise-wide. Such policies are in the areas of classification and pay, payroll and benefits; pre-employment background; position control; return to work; workers' compensation; selection; certification and other human resources functions. The incumbent serves as a subject matter expert and advises management at the executive level on matters such as organizational development and structure as well as executive/exempt compensation, including development of a performance based executive compensation program. As there is a large permanent intermittent workforce in the Service Centers, an example of this policy development includes policy criteria for transition to full time from Permanent Intermittent and/or reductions in force consistent with the success of Covered California.

Responsible for labor relations policy and protocol development, standardization, implementation and enforcement enterprise-wide. Such policies are in the areas of employee relations and performance management. The incumbent is responsible for developing strategy for collective bargaining with the unions, interpretation and application of labor contract provisions, developing labor contract proposals and providing input on negotiations with CalHR and the union on policies affecting working conditions. As delegated by CalHR, the incumbent may meet directly with the unions, and may negotiate regarding Covered California-specific working conditions and contract provisions.

Makes recommendations at the Executive level on complex and sensitive human resources policies and labor matters, provides executive level advice on interpretation and application of civil service laws, regulations, policies, procedures and labor contracts, exempt salary survey methodology/contracting and serves as a subject matter expert. The incumbent works with internal and external stakeholders and control agencies to ensure a collaborative approach to the development and implementation of any new personnel management or labor relations policies. Also contributes to development of long and short term strategic goals and initiatives having a personnel management/labor impact. Makes presentations to Covered California Leadership and Board as required on human resources and/or labor issues.

Provides management direction, oversight, mentoring, development and evaluation of the subordinate management team responsible for these functions. Through the subordinate managers ensures quality customer service, assigns work and priorities, adjusts priorities as needed and ensures ongoing workload as well as critical assignments are completed on a timely basis. May represent Covered California as required before the legislature, control agencies, or other professional organizations on Human Resource/Labor Relations issues. Manages the Branch's budget, promoting efficient and effective use of resources, and advocates for additional resources to meet strategic goals and objectives.

Participates as a senior management sponsor, lead or team member in enterprise-wide projects. Champions Covered California initiatives such time-sheet automation to improve human resource services and products, building and implementing a comprehensive performance management system and other enterprise-wide efforts. Provides consistent leadership and support for improvement of human resource and organizational development issues throughout Covered California. Keeps apprised of project status and budget.

Represents, interacts and negotiates on behalf of Covered California with control agencies such as the CalHR, State Personnel Board, State Controller's Office, and the Public Employees Retirement System. Actively participates with statewide committees, Boards, and Ad Hoc groups to promote civil service reform through policy and legislative changes. Participates in Board meetings and delivers formal written and oral presentations on human resources, performance management, and organizational development matters as required. Makes written and oral presentations to the general staff and other organizations on a regular and ad hoc basis.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: Critical human resources and labor relations programs directly affect all programs within Covered California, through selection, appointment, payroll, benefits, progressive discipline and labor relations activities, providing qualified staff necessary to carry out Covered California's mission of providing health care to Californians.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

The enabling legislation established Covered California as an independent public entity governed by a five-member board. Covered California is the State's health insurance purchasing pool for small business and individuals. The enabling statute imposes requirements on participating and non participating health plans and insurers. It also requires an integrated enrollment system that provides seamless coverage to impacted program participants of other State administered health coverage programs (Healthy Families, Medi-Cal, Access for Infants and Mothers, etc). Covered California represents an important component of health care reform.

The legislative goals are unparalleled to any prior change in the health care field and the time frames to accomplish the work are aggressive. The unprecedented legislative, regulatory, policy and program development work needed to establish the Exchange and to continue its successful operation demand intensive, high level, policy and program development in all areas, especially Human Resources.

While Covered California is in its third year of operation it is still developing. Operational decisions are made on a daily basis as more information is garnered, management operational decisions made, and issues/challenges are identified and resolved. Additionally, Covered California has grown to a medium size agency from a core staff of less than 20 in a little over two years. This phenomenal growth alone has driven many human resources policy decisions required to effectuate initial establishment of the executive management structure (exempt, CEA and civil service), establishment of operational programs (Marketing, Health Plan Contracting, Program Integrity, Financial Management, Communications and Public Relations, Sales and Outreach, to mention a few), two call centers, establishment of a fully functioning human resources operation and establishment of attendant policies, protocols and procedures for all the human resource operations, including classification and pay, labor relations, selection, transactions, health and safety, employee discipline, workers' compensation, reasonable accommodation, etc.

This level of policy development will remain intense for the foreseeable future as the Exchange is unique in State Government and its operations will continue to be defined over the next few years. The senior level executive management and associated organizational structure will continue to evolve as well, requiring completion of research, salary studies, and policy proposals to modify the management structure and establish a performance based executive compensation program for exempt, CEA and civil service managerial positions, similar to other comparable agencies such as CalPERS. It should be noted that the majority of the Senior Management Team, and many of the subordinate managers and supervisors are from outside state service. This factor elevates the complexity of the CEA's responsibilities as it is required to educate and advise the Senior Executives on human resource and labor relations matters. The many complexities associated with California's civil service system and collective bargaining agreements are unparalleled in the private sector. As the Exchange is a new entity, this position provides direction and training to managers at all levels, from the top down, to ensure uniform and consistent application of human resources and labor relations policies and procedures and compliance with associated laws, rules and bargaining agreements.

Covered California has reassessed its management structure to ensure that the management team is at the level commensurate with the current and anticipated level of responsibility which will only increase as we continue to clarify our operations based on the evolving understanding of our complete responsibility. Consequently, the CEA level more appropriately fits the duties and policy development/implementation responsibilities of the position.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

Examples of Covered California-specific policy that the position has developed are listed below. These examples as well as any future policies developed by the CEA will directly impact all staff of Covered California on a statewide basis.

- New Employee Orientation - this policy established the information to be shared with new employees regarding Covered California's vision, mission and operations, administrative requirements, as well as civil service benefits, timekeeping and payroll processes they need to be aware of.
- Pre-employment Background Policy and Program - this policy determined which positions in Covered California require background investigations due to responsibilities involving access to financial and personal information.
- Compensation policies such as a pay differential for call center staff - this policy decision was presented to the Executive Director and the Board to obtain their consensus to establish the pay differential for Exchange Call Centers to provide a competitive payscale for staff performing these duties.
- Telecommuting Policy - this policy communicates that telecommuting is currently not allowed at Covered California due to the current developmental phase.
- Alternate Work Schedule - this policy will offer flexible work hours and schedules to employees while continuing to maintain operating efficiency, productivity, and effective service to the public.

Additionally, the CEA publishes Personnel Information Bulletins that communicate Human Resources and Labor Relations policies, procedures and information enterprise-wide.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The CEA position's scope encompasses all Human Resources and Labor Relations activities previously enumerated, on a statewide basis. The position has full decision making authority in assigned program areas, and has received delegation from CalHR. This enhanced responsibility gives the incumbent increased authority to make decisions that previously were the purview of the control agency, CalHR.

Additionally, as Covered California is continuously appropriated, and has statutory authority to establish positions without Department of Finance and/or Legislative approval, the CEA will exercise broader independence of action with regard to position establishment and control as Covered California operates independently, and without oversight, from the Department of Finance and the Legislature in this regard.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The position will be developing and implementing new policy as well as implementing and modifying existing policy. New policies will be developed as required to meet the unique operational needs of Covered California. Existing policies will be reviewed and updated as required, commensurate with program changes of Covered California and external changes impacting State Government human resources and labor relations activities.