

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

9/23/16

2. Department

Department of Alcoholic Beverage Control

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

Northern/Southern/Headquarters Division

4. CEA Position Title

Deputy Division Chief

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

The Department of Alcoholic Beverage Control proposes to allocate five (5) Deputy Division Chief positions (2 Northern, 2 Southern and 1 Headquarters) to the CEA category, Level A. All of the positions have the same CEA concept. ABC's primary mission is to administer the provisions of the Alcoholic Beverage Control Act in a manner that fosters and protects the health, safety, welfare and economic well being of the people of the State. The Deputy Division Chief positions have policy influencing authority and function as policy advisors to the Division Chief and Director's Office on all proposed regulatory matters relating to the sale, manufacturing, and distribution of alcohol and the impact of such to the citizens of California and businesses. The Deputy Division Chiefs participate in the formulation and implementation of policies, rules, regulations, and procedures relative to the investigation of applicants, licensees, operating premises, and business practices.

6. Reports to: (Class Title/Level)

Division Chief (2nd level within organization)

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):

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.

Plan, direct and oversee the licensing and enforcement programs and administrative functions of those field offices and/or specialized units that are under his/her area of responsibility.

Participate in policy development, revision, recommendation, implementation, and oversight relative to core functions and administration. Assist in the development and implementation of rules and regulations that impact the Department. Confer with the Division Chief on policy issues.

Review reports, accusations and correspondence submitted by field office and/or specialized unit personnel for the purpose of assuring uniform application of, and compliance with, the ABC Act and rules and regulations relative to the investigation of applicants, licensees, premises and trade practice.

Develop and maintain active and open communication with stakeholders, including the public, members of the alcohol industry, allied agencies, public interest organizations and elected officials. Respond to industry and public inquiries, and represent the Division Chief at conferences and meetings.

Participate in personnel selection and make recommendations regarding allocations of resources. Develop staff through training and mentoring, prepare performance evaluations, and utilize the progressive discipline process when necessary.

Prepare detailed and comprehensive reports and correspondence.

Attend mandatory training to maintain P.O.S.T. standards. Respond to emergencies, and perform other duties as required.

This position is designated as a Peace Officer.

**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: The Department's Licensing and Enforcement programs, which are primarily overseen by Deputy Division Chiefs, are in fact critical, fundamental functions of its overall mission. All other programs of the department support these constitutionally mandated functions, and all its operational goals are related to effective, sound alcoholic beverage licensing and enforcement efforts.

**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.

As part of California Department of Human Resources (CalHR) consolidation efforts CalHR has recommended the Deputy Division Chief (DDC), ABC classification be allocated the the CEA category. As a result, CalHR has added Footnote 24 to the Deputy Division Chief classification (Pay Letter 16-08). Therefore, as each of the five (5) DDC positions become vacant the DDC will be reclassified to CEA Level A. Once all of the positions are vacant the DDC classification will be abolished.

### **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.

Deputy Division Chiefs play a key role in ensuring consistent, appropriate application of newly enacted laws. They are regularly assigned to develop and draft policy to address and implement provisions of newly enacted legislation and regulation within the ABC Act. Dozens of bills are enacted each legislative session that significantly impact the department's operations, often times with a certain degree of complexity, ambiguity and potential for misapplication if not accompanied by clear, sound direction to operations staff.

Deputy Division Chiefs are also regularly called upon to participate in working groups assigned to research and propose policy for improved efficiency, safety and professionalism for the department in its basic law enforcement role. This can include important, sensitive policy areas such as emergency vehicle operation, use of force and training. Their perspective and insight on developing needs and norms within the law enforcement community make Deputy Division Chiefs a critical part of improving public safety and reducing risk for the department.

Deputy Division Chiefs are continually called upon to consider, propose and implement policy that streamlines and improves methods for processing, investigating and reviewing the thousands of applications made each year for temporary and permanent alcoholic beverage licenses, while accounting for unique, complex and varying legal requirements that impact processes. Their expertise and understanding of priorities for processing applications makes Deputy Division Chiefs a critical part in the department's ongoing effort to protect local communities adequately without needlessly delaying or hindering entrepreneurial, economy-building projects in local communities throughout the state.

**C. ROLE IN POLICY INFLUENCE (continued)**

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

Deputy Division Chiefs have oversight of multiple district offices and/or specialized units, for which, on a daily and regular basis, they make executive level management decisions regarding mission-critical issues. This level handles issues that are deemed sensitive, political, high profile, critical, and involving liability; issues arising to this level are usually problematic. As such, on a daily basis, they make independent decisions to ensure such matters are handled efficiently and appropriately. The core functions of licensing and enforcement require fair and consistent application and adherence to statute; these positions ensure that we are doing so and we are consistent statewide.

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

Deputy Division Chiefs are instrumental in developing and implementing new policy for the department. They are regularly assigned to draft policy to address and implement provisions of newly enacted legislation and regulation within the ABC Act. They are also regularly called upon to participate in working groups assigned to research and propose policy for improved efficiency and professionalism for the department in its basic law enforcement role. In addition, Deputy Division Chiefs are continually called upon to consider, propose and implement policy that streamlines and improves methods for processing, investigating and reviewing the thousands of applications made each year for temporary and permanent alcoholic beverage licenses, while accounting for unique, complex and varying legal requirements that impact process. Deputy Division Chiefs will continue in this critical role of policy development/implementation.