

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 20,
2016

2. Department

Industrial Relations

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

Division of Administration

4. CEA Position Title

Chief of Human Resources

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

The Chief of Human Resources (CHR) has full responsibility for developing policies and decision-making authority in executing HR strategy in support of the overall mission, objectives, organizational plan and strategic direction of the organization, specifically in the areas of Classification and Pay; Examination; Certification; Transactions and Benefits; Performance Management; and Training and Development. The CHR oversees all aspects of human resource management, policies, practices and operations in the organization and provides strategic support to, and partnership with, the Director by and executive management team while ensuring adherence and compliance with the State of California's civil service rules and regulations. The CHR will have a proactive collaboration with the California Dept of Human Resources (CalHR) for all issues related to employee salaries and benefits, job classifications, civil rights, training, exams, recruitment and retention. DIR's mission is to improve working conditions for California's wage earners and to advance opportunities for profitable employment in California and it is the CHR's responsibility to provide personnel support and adequate staffing for DIR divisions and programs who administers and enforces laws governing wages, hours and breaks, overtime, retaliation, workplace safety and health, apprenticeship training programs, and medical care and other benefits for injured workers.

6. Reports to: (Class Title/Level)

Chief of Administration, CEA B

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.

The Chief of Human Resources (CHR) has full responsibility for developing policies and decision-making authority in executing HR strategy in support of the overall mission, objectives, organizational plan and strategic direction of the organization in the areas of Recruitment, Examination, Certification, Classification & Pay, Transactions & Benefits, Training & Development, Retention and Performance Management. The CHR oversees all aspects of human resource management, policies, practices and operations in the organization and provides strategic support to, and partnership with, the Director and executive management team while ensuring adherence and compliance with the State of California's civil service rules and regulations. The CHR proactively communicates and consults with the California Dept of Human Resources (CalHR) on HR matters under the control of CalHR. The CHR provides HR policy direction and support services to the executive staff, division Chiefs and managers in the Department of Industrial Relations - a mid level agency comprised of eight (8) appointing powers, approximately 2,976 employees in eleven (11) Bargaining Units in over 65 office locations throughout the State.

The CHR is directly responsible for overseeing the overall administration, improvement and modernization of its human resource functions through its six (7) units namely: (1) Classification and Pay unit- responsible for a full range of support for workforce planning for all DIR division and programs involving civil services classifications, Exempts, Career Executive Assignments (CEA) and the statewide compensation plan; (2). Examination unit- responsible for the administration of civil service exams as part of the selection process, and bilingual exams, enforcement and application of the LEAP program and the implementation of the CalHR Examination and Certification Online System (ECOS) system in Jan. 2017; (3) Certification unit - responsible for advertising vacancies via the ECOS system, distribution of Employment Inquiry (EI) letters to candidates, reviewing and evaluating employment applications to verify eligibility in accordance with SPB Rule 250, providing eligible applications, certification lists and hiring manager reports to divisions and programs, clearance of Surplus/State Restriction of Appointment (SROA)/Reemployment; (4) Transactions and Benefits unit- responsible for processing employees' pay, classification appointments in coordination with State Controllers' Office, including health benefits such as dental, vision, workers' compensation and other benefits (e.g. NDI, SDI, FMLA, etc.), processing retirements in consultation with the California Public Employees Retirement System (CalPERS), maintaining a database of the department's positions (position control); (5) Performance Management unit- responsible for assisting divisions and programs and providing advice and guidance on matters involving employer-employee relations including formal and informal actions, implementing the department's Workplace Violence and Bullying Policy and Program and conducts investigations as necessary; (6) Training and Development- responsible for the development, implementation and tracking of mandatory, non-mandatory and non-technical training for all employees, supervisors, managers and executive staff in DIR in compliance with the [Gov. Code, § 1146.1, § 11146.3, § 19995.4 subds. (b) and (c), § 12950.1 subd. (a)]; (7) Recruitment unit- responsible for assisting divisions and programs market their vacant positions and attract qualified candidates and retain the best employees, and participate in college or university job fairs.

Aligned with CalHR's Strategic Plan 2014-2018, the CHR will establish, implement, direct, and monitor policies and procedures related to the current and changing human resources practices and trends for each of the HR units' expanding functions:

1. HR Services- update and consolidation job classifications to align with the DIR's needs; implement delegated responsibilities; create and update accessible online resource of policies and procedures for employees.
2. State Employee Benefits- develop benefit information programs; create an information technology solution to provide employee access to benefits info and enrollment; pursue wellness initiatives to promote overall wellbeing of the state workforce.
3. State Employee Training- assess and prioritize training needs for the state workforce to enhance employee productivity, performance and development; establish and maintain quality, cost-effective training through In-house, CalHR and State Training Centers; development of IT solution for departments and employees to register.
4. Workforce Planning, Recruitment and Selection- re-engineering of the exam process and utilizing the best examination method for accessibility and efficiency; continued education of managers on hiring and retaining the best candidates; implementation of a workforce strategy to recruit and retain a diverse and high caliber workforce; provide guidance on succession planning; collect ongoing workforce demographic and statewide performance data to enhance recruitment, hiring, and retention approaches.
5. Organizational Effectiveness- improvement of business processes for increased efficiency, accountability and customer service HR initiated the following ongoing projects and services: HR Automation Projects in partnership with the Office of Information Services (OIS) to make available electronically and automate various HR documents, created a Position Control database through Salesforce, developed a tracking system for the Training and Development unit to monitor compliance of Basic Supervisory training, Leadership Training, and completion of Probationary Reports. The CHR will monitor the progress of each project and as well identify additional HR initiatives.

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: Established in 1927, DIR's mission is to protect and improve working conditions for California's wage earners and to advance opportunities for profitable employment in California. DIR administers and enforces laws governing wages, hours and breaks, overtime, retaliation, workplace safety and health, apprenticeship training programs, medical care and other benefits for injured workers. DIR also publishes materials and holds workshops and seminars to promote healthy employment relations, conducts research to improve its programs, and coordinates with other agencies to target egregious violators of labor laws and tax laws in the underground economy. Aligned with the mission of the department and the objectives of the Director, HR serves as a strategic partner to the Director, the division and program managers and provides critical and timely HR services in the areas of recruitment and retention, pay and benefits, examination and certification, workforce planning, training and development, and performance management while upholding the integrity of the State of California's civil service merit system. HR provides critical administrative services statewide necessary for the divisions and programs to meet its mission to uphold the California Labor Code.

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.

Various legislative mandates and corresponding budget change proposals have necessitated an expansion of the existing DIR workforce and as a result demands for HR support and services, through its cross-functional system, have increased. In FY 16/17, the Department of Finance approved approximately 57 additional DIR positions, and approximately 193 additional positions in FY 17/18 are expected to be allocated. DIR has the following within its purview:

I. Workers' Compensation-Division of Workers' Compensation (DWC), Workers' Compensation Appeals Board (WCAB), and Commission on Health and Safety and Workers' Compensation (CHSWC)

II. Workplace Safety-Division of Occupational Safety and Health (Cal/OSHA), Occupational Safety and Health Standards Board (OSHSB), Occupational Safety and Health Appeals Board (OSHAB, Commission on Health and Safety and Workers' Compensation (CHSWC)

III. Labor Law- Division of Labor Standards Enforcement (DLSE), and Industrial Welfare Commission (IWC)

IV. Apprenticeship

•Division of Apprenticeship Standards (DAS)

•California Apprenticeship Council

V. Office of the Director

•Office of Policy, Research, and Legislation

•Labor Enforcement Task Force

•Press Room

•Self Insurance Plans (SIP)

Each of these department's specialized functions require varied approaches to support and satisfy their specific human resources needs. The most recent legislative changes for DIR that entails increased staffing are:

1. Workers' Compensation reform through the implementation of SB899 and SB863- The reforms changed the existing Workers' Compensation System and necessitated the establishment of the Return to Work Fund and required significant information systems alterations and adjustments.

2. Division of Occupational Safety and Health (DOSH), where a series of catastrophic accidents promoted the expansion of the Process Safety Management unit to enforce the requirements of Title 8 sections of the Labor Code. Recently, 8CP7350-003-8CP-BR-2015-GB was approved for an increase of positions in the coming fiscal year to ensure enforcement and inspections in high hazard industries and to improve performance in meeting state and federal mandates and inspecting high-risk work sites.

3. SB 350- Clean Energy and Pollution Reduction Act of 2015

4. AB 1124- Workers' compensation: prescription medication formulary. This bill would require the administrative director to establish a drug formulary, on or before July 1, 2017, as part of the medical treatment utilization schedule, for medications prescribed in the workers' compensation system.

5. SB 836- The Labor Code Private Attorneys General Act (PAGA) authorizes aggrieved employees to file lawsuits to recover civil penalties on behalf of themselves, other employees, and the State of California for Labor Code violations. SB 836 became effective on June 27, 2016.

6. AB 1688- Car Wash Worker Fund. This fund is part of a registration program for the car washing and polishing industry that requires employers to keep specific records with regard to employee wages, hours, and working conditions in accordance with Labor Code section 2054 through 2065.

7. SB 588- Employment: nonpayment of wages: Labor Commissioner: judgment enforcement. This bill would enact special provisions for the enforcement of judgments against an employer arising from the employer's nonpayment of wages for work performed in this state. The bill would authorize the Labor Commissioner to use any of the existing remedies available to a judgment creditor and to act as a levying officer when enforcing a judgment pursuant to a writ of execution, as provided.

8. State Leadership Accountability Act (SLAA)-DIR submits a report on the review of systems of internal control and monitoring processes including HR internal and external operations.

The creation of CalHR in 2011 as part of Governor Brown's Reorganization Plan up to its recent phases of strategic plan implementation including the CalHR Delegation Project, Classification Consolidation Project, and ECOS roll-outs and other CalHR initiatives constituted additional HR work, staffing and oversight necessary through its self-delegation authority to provide exceptional human resources leadership and services with integrity and accountability. DIR HR is also responsible for working directly with the State Personnel Board's Compliance Review Unit staff and in implementing corrective actions as a result of the SPB's findings and recommendations. As a result of the recent SPB Audit, HR created a Training and Development Unit to monitor, follow up on, and ensure compliance with, ethics statutes and regulations that govern the official conduct of state officials. (Gov. Code, § 1146.1), new ethics filers must be trained within six months of appointment. (Gov. Code, § 11146.3); new supervisory training must be completed within twelve months of appointment. (Gov. Code, § 19995.4 subds. (b) and (c).); supervisory requirement to complete two hours of sexual harassment training every two years as new supervisors must be provided supervisory training within six months of appointment. (Gov. Code, § 12950.1 subd. (a).) In addition, the establishment of the Recruitment unit will provide strategic efforts to assist divisions and programs to compete with the private sector in attracting and retaining the best candidates. Based on the above compounding department changes, it is imperative for HR to be managed by a highly skilled, knowledgeable and innovative leader who can perform high administrative and policy influencing duties, adapt to changes, be an effective advisor and strategist and make the strategic decisions necessary to meet the operational, organizational, staffing and demographic needs and demands of the department.

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.

In accordance with applicable civil service rules and laws, the department's mission and the Director's objectives, the CHR will be the principle policy maker in the following HR areas:

1. DIR's Best Hiring Practices - the CHR will continue develop a written policy that outlines the responsibilities of HR and hiring divisions to ensure compliance with applicable laws, rules, and provisions of relevant bargaining contracts and help hiring divisions navigate through every phase of merit-based recruitment and selection process in order to hire the most qualified candidates. The purpose of this policy is to protect the department by helping hiring managers understand the principles behind the civil service rules and implement specific procedures necessary to avoid unlawful appointments, merit issue complaints and SPB violations that can adversely affect the department's delegated authority to administer, approve and make determinations on critical HR services -- therefore this is a critical policy that will have identifiable impact on the department.
2. Mandatory Trainings - the CHR will develop a policy and set of procedures to accurately track, proactively hold affected employees accountable and ensure compliance with the following mandatory trainings and completion of timely Probationary Reports: (1) Basic Supervisory Training for newly appointed supervisors/managers; (2) Sexual Harassment Training for supervisors -- to ensure new supervisors are properly trained and can carry out their supervisory roles and (3) Ethics Training in accordance with Fair Political Practices Commission and the Attorney General Gov. Code, § 11146.1, subd. (c) designed to promote accountability and transparency of DIR delegated filers as part of the Political Reform Act. Any state official who is suspected of violating the Act will be subject to investigation and maybe prosecuted or incur and an administrative penalty and may proliferate public distrust of DIR as a state agency. The purpose is to ensure department compliance with mandatory training requirements and completion of timely probationary reports to help new employees successfully perform the full scope of their duties and are given timely performance feedback -- therefore this is a critical policy that will have identifiable impact on the department.
3. Recruitment - The CHR will develop a recruitment policy and set forth guidelines to assist hiring managers attract the best qualified candidates who can support the mission of the department. The CHR will have Recruitment program management responsibility and continuous and direct interface with the Director, executive team and division managers and will provide strategic advice on workforce planning and recruitment needs including full-scale recruitment plans or activities to attract the best prospective employees, compete with the private sector, federal, and city and county and retain valuable employees. Having a strategic approach to recruitment and recruiting the best employees are fundamental to the success of the department in delivering its mission -- therefore this is a critical policy that will have identifiable impact on the department.
4. DIR HR Information Systems, Modernization and Automation - In order to enhance HR productivity, keep up with the technological advances in the field of human resources, and in consultation with the department's Office of Information Systems executive management team, the CHR will provide high-level direction and oversight to create and implement HR information systems and tools to automate HR services, records information, and HR forms in the areas of recruitment,examination, certification, classification and pay and transactions and benefits including attendance reporting and position, training and probationary report tracking. HR currently relies heavily on paper intensive manual processes and outdated databases. A human resource information system that will integrate and automate information for maintaining employee and position information will improve delivery of HR services to the divisions and programs that uphold the Labor Code and help deliver the mission of the department. This policy will be aligned with the State's Green California initiative of reducing its environmental footprint through sustainable state government.

C. ROLE IN POLICY INFLUENCE (continued)

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

The CHR will be responsible for making independent, strategic, key human resources management decisions that impact the department statewide in delivering and improving critical services and in resolving issues related to recruitment and retention, examination, certification, classification and pay, transactions and benefits, training and development and performance management. HR responsibilities have expanded and have gained higher visibility under the umbrella of the Labor and Workforce Development and with the Department of Finance relative to HR's responsibility to help divisions and programs with their recruitment and retention needs. The CHR will have a collaborative and consultative role as an advisor to the Director and executive management team and will decisively render advice and sound recommendations to develop action plans for aligning the divisions' goals with resources and civil service rules, and address organization, operational, staffing, succession planning and other HR-related needs. The CHR will make independent decisions related to employee growth strategy and implementing programs to train and upgrade employee skills, reduce turnover, and prevent and address employee relations issues.

The CHR will make high-level decisions to reengineer and restructure the HR office (a major function in the department) to ensure it is staffed appropriately in numbers and in employee skills and qualifications to meet the changing demands of the department. The CHR will develop or revise critical HR policies, and implement new or change HR procedures, processes or practices to ensure the department's HR needs are met. As the top level manager over the human resources office, the decisions made and implemented by the CHR can have the potential to affect the department's ability to enforce the labor code and meet its mission, and have potential legal or MOU ramifications and civil service laws and rules violations.

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

Yes, the CHR will develop and implement new policies and review, interpret and revise existing policies. The Chief of Human Resources (CHR) has full responsibility for developing policies in executing HR strategy to support the overall mission, objectives, organizational plan, operational needs and strategic direction of the organization in the areas of Recruitment, Examination, Certification, Classification & Pay, Transactions & Benefits, Training & Development, Retention and Performance Management. The CHR oversees all aspects of human resource management policies in order to meet the department's needs while ensuring adherence and compliance with the State of California's civil service rules and regulations. HR supports the department's operational, organizational, staffing, recruitment and retention needs and the CHR will develop policies specific to best hiring practices, recruitment, training and development, workforce and succession planning, and modernization and automation. The CHR will also review, interpret and revise (as necessary) existing HR policies on Alternate and Modified Work Schedules; Attendance, Courteous Behavior, Attire; Overtime Procedures; Incompatible Activities; and Sick Leave Verification.