

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

2. Department

California Department of Fish and Wildlife

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

Office of Equity Compliance

4. CEA Position Title

Office of Equity Compliance Officer

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

Under the administrative direction of the Director and functional guidance and direction from the Assistant Director, Chief Deputy Director, the Office of Equity Compliance (OEC) Officer will lead the California Department of Fish and Wildlife (CDFW) OEC Office. The OEC Officer is responsible for performing and executing high-level and complex administrative, management, and policy development implementation as it relates to Equal Employment Opportunity (EEO) and Civil Rights. The OEC Officer will serve as the principal maker of inclusive policies relating to engagement and communication, not only ensuring adherence to EEO standards but also proactively addressing emerging challenges, fostering a culture of equity, and aligning policies with the evolving needs of our diverse workforce.

6. Reports to: (Class Title/Level)

Director, 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*):

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 Office of Equity Compliance (OEC) Officer will possess the authority, responsibility to make independent decisions related to EEO policies, and be held accountable for outcomes. The CEA will develop, implement, maintain, & evaluate the operation of the CDFW' s OEC programs, including policy, operations, & management oversight. OEC Policy Development & Implementation: The CEA will serve as an integral member & advisor to the CDFW' s Executive Management Team, assuming oversight of the CDFW' s OEC Office. The CEA will act as consultant & advisor to the Director and Assistant Director, Chief Deputy Director (CDD) in matters pertaining to the OEC program, participate in high-level Executive briefings, settlement conferences, legal proceedings, committee meetings, & planning sessions, necessitating a high degree of tact, subject matter expertise, & comprehensive Departmental knowledge to ensure programs adhere to EEO policy guidelines. While ensuring steadfast compliance with CDFW' s overarching mission & vision, all state, federal, and local laws, & Memorandum of Understandings (MOU), the CEA will strategically plan, coordinate, & oversee the alignment of OEC policies encompassing EEO/employment discrimination, workforce diversity, workforce analysis, Americans with Disabilities Act (ADA), Upward Mobility program, Employee Mediation Program (EMP), Whistleblower Protection Act program, compliance review, or Uniform Services Employment & Reemployment Rights Act. As a CDFW OEC representative, the CEA will engage in state government-wide forums, initiatives, workgroups, with high levels of state government, as well as comparable levels in federal & local jurisdictions, particularly in addressing matters of an exceptionally sensitive nature that could have potential fiscal & legal ramifications. This includes the State Personnel Board (SPB), Equal Employment Opportunity Commission (EEOC), Department of Fair Employment and Housing (DFEH), Department of Rehabilitation (DOR), and other agencies on EEO matters. This CEA will be responsible for ensuring the consistent interpretation & rigorous enforcement of policies, which encompasses the intricate provisions outlined in Title VII of the Federal Civil Rights Act, the Fair Employment & Housing Act (FEHA), the Americans with Disabilities Act (ADA), Executive Orders, & numerous other statutes governing EEO and Civil Rights laws, rules, & regulations. This CEA will establish a collaborative partnership with Office of General Counsel (OGC), Human Resources (HR) Office, and Labor Relations Unit to navigate the nuances inherent in policy interpretation & facilitate their execution. The CEA will implement initiatives & strategies in support of Executive Order N-16-22 to track racial equity in the Department' s hiring process to promote equity among underrepresented populations. To ensure CDFW compliance with Executive order N-16-22, the CEA will advance Diversity, Equity, and Inclusion (DEI) policies specific to CDFW' s distinct exigencies, objectives, & goals. This will necessitate conducting comprehensive assessments to identify gaps in DEI framework, as well as discernment of specific challenges & opportunities inherent to CDFW. Employing a comprehensive methodology encompassing surveys, focused group inquiries, & an exhaustive analysis of workforce data, inclusive of metrics related to recruitment, hiring, promotions, and employee retention rates, shall facilitate the accrual of critical intelligence, revealing pertinent trends & disparities while pinpointing areas primed for enhancement, ultimately formulating actionable DEI strategies. This will identify non-job-related barriers hindering candidates' access to employment opportunities. This examination will delve into factors such as systemic bias, diversity within recruitment pipelines, & accommodations for individuals with disabilities. A crucial aspect of this mission involves close collaboration w/ HR & a network of other vested stakeholders, aimed at planning & executing highly targeted outreach initiatives. Administration Oversight: The CEA will act as principal administrator & chief advisor to the Director and Assistant Director, CDD concerning matters pertaining to EEO policy formulation & the allocation of resources. To acquire & allocate resources the CEA will diligently formulate Budget Change Proposals (BCPs), comprehensive statistical reports, & strategic plans that support and reinforce the CDFW' s multifaceted initiatives. In matters under the purview of the OEC, the CEA will examine & grant approval to responses meticulously prepared for endorsement by the CDFW Director or Assistant Director, CDD. Assuming the pivotal role of representing & negotiating, the CEA will engage in high level deliberations with state federal or local governmental agencies or within various other forms & arenas of discourse. Will critically evaluate legislation that bears significance to EEO, Civil Rights, or has programmatic impact, providing expert testimony before legislative committees. Spearhead CDFW' s Disability Advisory Committee (DAC), oversees similar committees with commitment to advancing objectives & mandates. The CEA will provide high-level guidance & expert recommendations on extremely sensitive matters, including but not limited to, cases of sexual harassment, workplace violence, bullying, discrimination, complaints, merit issue grievances, unlawful appointments, and request from oversight agencies for compliance reviews. Partnering with CDFW' s HR Office, OGC, & Law Enforcement Division, will formulate comprehensive responses to violence in the workplace, harassment, and discrimination complaints, aligning efforts to ensure a secure & equitable work environment. CEA will oversee the formulation and execution of EEO information security strategies, meticulously tailored to safeguard the confidentiality of both employee & departmental data, in strict adherence to state regulations & CDFW policies.

## 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:** Department of Fish and Wildlife employees are committed to managing and protecting California's diverse wildlife and habitats upon which they depend. California is one of the most biodiverse places on the planet. As such, the Department of Fish and Wildlife values diverse employees working together to protect nature for all Californians. CDFW is committed to fostering an inclusive work environment where all backgrounds, cultures and personal experiences can thrive and connect others to our critical mission. This position is critical to CDFW's mission and commitment to promoting a diverse, inclusive, and equitable work environment. When employees feel valued, respected, and supported, they are more likely to be motivated, productive, and innovative. Diversity of thought and perspectives also leads to better problem-solving and decision-making, driving improved outcomes and better results for the State of California and the management and protection of its wildlife and habitats. This position assumes a pivotal role in the context of CDFW's overarching mission and unwavering dedication to fostering a workplace environment characterized by diversity, inclusivity, and equity. When employees experience a sense of being valued, respected and well supported it invariably catalyzes heightened levels of motivation, productivity and innovation. Additionally, varied perspectives and cognitive approaches engendered by diversity invariably enhance an organization's capacity for effective problem solving and decision making, consequently yielding superior outcomes and enhanced results for the State of California, particularly in the realm of wildlife and habitat management and preservation. It is instrumental in advancing principles of fairness, preventing instances of discrimination and cultivating an environment where employees can not only flourish but also contribute using their full potential. Neglecting the imperative task of addressing EO matters carries significant legal and financial repercussions for the department. The OEC Officer has a pivotal role in mitigating these potential risks through proactive engagement with EEO concerns. This proactive approach serves a dual purpose, safeguarding the department from legal and financial ramifications while manifesting a resolute commitment to principles of equality and inclusivity. The OEC CEA is instrumental in guaranteeing the department's unwavering compliance with all legal mandates pertaining to EEO, including the California Fair Employment and Housing Act (FEHA) and federal laws like Title VII of the Civil Rights Act. Compliance with these laws not only safeguards the department from legal liabilities and financial penalties but also upholds its ethical and legal obligations.

## **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.

CDFW has effectively identified significant deficiencies within its EEO program and proposes to address them by transitioning from the utilization of Staff Services Manager I (SSMI) classification to that of an CEA. The SSMI is the first working supervisor level, and employees at this level supervise a small group of analysts performing journey person level work and personally perform the most difficult or sensitive work. This transition from SSMI to CEA is an imperative step toward aligning the OEC program with the appropriate classification, thus ensuring the optimal execution of its pivotal functions. This transition will potentially yield a substantial and more influential EEO program, poised to make significant and enduring impacts within the department.

**Expanded Responsibilities:** A high-ranking OEC Officer at the CEA level will formulate comprehensive statewide departmental policies, designed to facilitate support of all CDFW staff, investigate complaints, and establish an inclusive environment. The CEA will be responsible for monitoring and staying well informed on the multifaceted aspects of federal, state, and local EEO laws, regulations, and trends of how these changes impact CDFW. The CEA will possess the requisite expertise and authority to navigate intricate EEO matters and implement appropriate solutions. CDFW currently does not have an individual at this elevated level, capable to take on these expansive responsibilities.

**Special Attention to Field Personnel:** Field employees contend with unique risks and challenges, particularly in remote locations or isolated locations. CDFW found field employees are vulnerable to a range of EO related issues, notably instances of sexual harassment and hostile environments. These situations are unique to workplace sexual harassment and the creation of hostile environments. These challenges are uniquely nuanced within the context of workplace harassment and hostility due to the often isolated and remote settings in which field employees carry out their duties. The CEA will focus on developing and implementing tailored policies and procedures to address the safety concerns of field employees. This includes providing specialized training on personal safety, establishing effective reporting mechanisms, and collaborating with relevant programs to ensure appropriate protocols are in place. Outreach and education for field employees and developing best practices for gathering aggregate or volunteered data to troubleshoot issues for policy revisions, conflict resolution, compliance measures, and reporting requirements.

**Resource Allocation:** The CEA will advocate for and allocate the necessary resources to support CDFW's EEO efforts. This includes budgeting for training programs, conducting thorough investigations, implementing preventive measures, and providing ongoing support and guidance to ensure compliance with EEO laws and regulations. This leadership role for the department would provide the adequate level of oversight for highly sensitive issues and will serve as the go between representing Department needs and the employees served, who in turn also serve local communities (examples include trainings for staff when adapting new OEC policies – for license counters, Tribal consultations, etc.). The CEA will revise policies in alignment with CDFW's Strategic Plan for FY 2023 – 2026, CDFW's mission, vision and goals, and implement studies to analyze vulnerabilities where gaps in services exist within geographic areas. This includes remote and/or underserved demographics known to have improvement needs for disability or reasonable accommodations or language services. In order to identify policy revisions, the CEA would advocate for updated operation and data tools to enhance community engagement in geographic areas.

**Enhanced Presence and Visibility:** A CEA-level OEC Officer can establish and represent a stronger presence and visibility of the OEC equity function. This involves actively engaging with other state agencies, EEO entities, and employees, providing the most current guidance and support, and raising awareness about OEC policies and initiatives. Being readily accessible and visible, the OEC Officer can promote a culture of inclusivity, accountability, and trust within the department. The CEA will serve as an advocate, mentor and resource on OEC issues and collaborate with local regional offices, program offices, tribal partners, other state and federal agencies. The CEA will have significant responsibility in equipping program managers with a working knowledge of civil rights and ensuring they have the proper tools to meet the department's diversity, equity, and inclusion objectives.

**Preventing Potential Violations:** A CEA-level OEC Officer can proactively ensure employees are aware of their rights, reporting mechanisms, and CDFW's commitment to preventing harassment and discrimination. By implementing robust policies, conducting thorough investigations, and promoting education and awareness, the OEC Officer can help prevent potential EEO violations and foster a supportive work environment.

## 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.

The OEC Officer will be responsible for implementing, overseeing, and enforcing policies related to equal employment opportunity and non-discrimination within the CDFW. Specific policies include:

**Equal Employment Opportunity Policy:** The OEC Officer is responsible for developing and implementing a department-wide policy that promotes equal employment opportunity, prohibits discrimination, and ensures fair and equitable treatment of all employees and job applicants. This policy should outline the organization's commitment to creating a diverse and inclusive workplace free from discrimination based on factors such as race, color, religion, sex, national origin, disability, or age.

**Anti-Discrimination and Harassment Policies:** The OEC Officer is responsible for identifying statewide departmental shortcomings and needs, developing policies to address these needs, and enforcing policies that prohibit any form of discrimination, harassment, or retaliation in the workplace. These policies should clearly define what constitutes discriminatory or harassing behavior, provide procedures for reporting and addressing complaints, and outline the disciplinary actions that may be taken against individuals found to have violated these policies. Existing policies would be re-examined for revisions and updates to address the unique challenges faced in-the-field or for training employees when engaging members of the public.

**Reasonable Accommodation Policy:** The OEC Officer is responsible for developing and implementing policies related to providing reasonable accommodations for prospective employees and members of the public with disabilities or religious beliefs that may require accommodations. These policies outline the procedures for requesting and assessing accommodation requests and ensure that all individuals are provided with the necessary support to perform their job duties effectively.

**Diversity and Inclusion Policy:** The OEC Officer will also be responsible for developing and promoting diversity and inclusion policies within the organization as they relate to EEO and Civil Rights. These policies aim to foster an inclusive work environment that values and respects the differences and unique perspectives of employees. They may include initiatives such as diversity training, mentoring programs, employee resource groups, or diversity recruitment strategies.

**Compliance and Reporting Policies:** The OEC Officer is responsible for establishing policies and procedures for monitoring, documenting, and reporting compliance with equal employment opportunity laws and regulations. The OEC Officer will collaborate with partnerships to devise policies pertaining to ethical data collection relating to the management of voluntary EEO information such as race, gender, and/or ethnicity data in the department, develop best practices for obtaining such data addressing any specific sensitivities in managing or reporting on such data. These policies ensure that the organization collects and analyzes data related to its workforce demographics, hiring practices, promotion rates, and other relevant metrics to identify potential areas of concern and take corrective actions if necessary.

**Upward Mobility Program:** The OEC Officer is responsible for the department-wide Upward Mobility Program. This program aims to develop and deliver training programs aimed at enhancing employees' skills, competencies, and knowledge to support their upward mobility. This may include providing training on career planning, goal setting, networking, mentoring, and professional development opportunities. This includes the OEC Officer working closely with the Talent Acquisition team to identify high-potential employees from underrepresented groups and ensure they are considered for advancement opportunities. This can involve implementing processes and strategies to identify and develop talent, creating succession plans to fill key positions with diverse candidates, and monitoring the progress and effectiveness of these initiatives.

**Environmental Equity, Community Outreach and Engagement:** The EOC Officer will develop policies with consideration of environmental equity embedded in CDFW strategies, promoting fair access to and benefits from environmental resources for all communities.

With a focus on proactive policy development, this executive position will contribute significantly to mitigating risks associated with potential discrimination claims and promote an inclusive environment conducive to attracting a diverse workforce. The OEC Officer will play a central role in tailoring policies to meet the diverse needs of the communities CDFW serves. By understanding local perspectives and challenges, the OEC CEA will create policies that resonate with and benefit the varied populations that interact with CDFW. Additionally, the OEC Officer will lead efforts to advocate for inclusive policies within and beyond CDFW, contributing to the broader discourse on environmental equity and spearheading educational initiatives to raise awareness about the importance of inclusive policies in the conservation sector.

The OEC Officer will develop and implement policies and programs relating to community partnerships and volunteer programs, establishing a commitment to long-term partnerships with local organizations and addressing environmental issues. These policies will include elements such as Inclusive Participation, Partnership Development, Community Education and Outreach with a focus on Underserved Communities, and involving communities in conservation initiatives. These programs will enhance awareness of CDFW programs and environmental issues in underserved communities.

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

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

**Policy Development:** The OEC Officer plays a key role in developing, implementing, and reviewing OEC policies and procedures that have statewide impact on the department. They will contribute to shaping the department's approach to equal employment opportunity, non-discrimination, and diversity and inclusion. The OEC Officer will have decision-making authority in recommending changes or updates to existing policies or proposing new policies to promote OEC compliance.

**Compliance Oversight:** The OEC Officer is responsible for monitoring and ensuring the department's compliance with federal, state, and local EEO laws and regulations. They will have decision-making authority in interpreting legal requirements, conducting audits or investigations related to EEO compliance, and recommending corrective actions or remedies in cases of non-compliance.

**Complaint Handling:** The OEC Officer oversees the department's complaint handling process related to discrimination, harassment, or retaliation. They will have decision-making authority in reviewing complaints, assessing the merits of the allegations, conducting investigations, and recommending appropriate resolutions or disciplinary actions.

**Training and Education:** The OEC Officer will have decision-making authority in designing, developing, and delivering EEO training programs and initiatives. They can determine the content, format, and target audience for training sessions and make decisions regarding the allocation of resources to support education and awareness efforts.

**Data Analysis and Reporting:** The OEC Officer will be responsible for analyzing workforce data, such as demographics, hiring practices, promotion rates, and pay equity, to identify trends or disparities related to EEO objectives. They will have decision-making authority in recommending actions or strategies to address any identified gaps or imbalances directly to the Director and Assistant Director, Chief Deputy Director.

**Collaboration and Consultation:** The OEC Officer will collaborate with senior leaders, HR professionals, and other stakeholders to provide guidance and consultation on EEO-related matters. While they may not have direct decision-making authority in all areas, their expertise and recommendations carry weight and influence decision-making processes.

**Disability Advisory Committee (DAC):** The OEC Officer will provide leadership and guidance to the DAC and is responsible for ensuring the department maintains an active DAC.

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

The department currently has several outdated policies pertaining to EEO that will require complete updates. This includes Workplace Bullying and Sexual Harassment. The OEC Officer will also be required to establish new policies and procedures relating to Bilingual Services Program, Limited Examination and Appointment Program (LEAP), and Upward Mobility. The OEC Officer will also monitor the effectiveness of the Reasonable Accommodation policy and program. The OEC CEA would also be dedicated to shaping inclusive policies and fostering community relationships. Intertwining Equal Employment Opportunity (EEO) principles with community outreach and engagement creates a comprehensive approach that not only ensures fair and inclusive practices within the organization but also extends those principles to interactions with diverse external communities.

Governor Newsom's Executive Order N-16-22 directed state agencies and departments to take action on leading the nation in "building community resilience through equity and opportunity, including supporting communities that experience the greatest social and health inequities from climate change;" amongst these directives, a specific emphasis is placed on taking substantive measures to address "unequal starting points and drive equal outcomes so all Californians may reach their full potential..." This multifaceted directive necessitates an in-depth exploration of geographic disparities and accesses to services or programs with historically underserved or marginalized populations. To address this directive effectively, the OEC Officer would be tasked with the development of policies and implementation of training programs for staff members. Employing data metrics and information gathered from collaborative partnerships, the CEA would identify existing disparities in opportunities accessible to employees or the public they serve, with the ultimate aim of optimizing their capacity to fulfill their roles and responsibilities.