

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

4/12/2019

2. Department

Department of Pesticide Regulation (DPR)

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

Administrative Services Division (ASD)

4. CEA Position Title

Assistant Director, ASD

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 Chief Deputy Director, Department of Pesticide Regulation (DPR), the CEA acts as the Assistant Director and serves as the principal policymaker who is responsible for managing, directing, providing leadership, and formulating and recommending policy related to the Administrative Services Division (ASD), which consists of the Human Resources Branch (HRB) and the Fiscal, Audits, and Business Services Branch (FABS).

6. Reports to: (Class Title/Level)

Chief Deputy Director

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.

Under the administrative direction of the Chief Deputy Director, Department of Pesticide Regulation (DPR), the CEA acts as the Assistant Director and serves as the principal policymaker who is responsible for managing, directing, providing leadership, and formulating and recommending policy related to the Administrative Services Division (ASD), which consists of the Human Resources Branch (HRB) and the Fiscal, Audits and Business Services Branch (FABS). The Assistant Director interfaces with the California Environmental Protection Agency (CalEPA or Agency) on the Department's Continuity of Operations Plan and is responsible for the uniform application of departmental policies and procedures that affect departmental operations. The position provides the highest level of consultation, advice, and strategic planning to the Director, Chief Deputy Director, and other Assistant Directors on program and policy issues, risk assessment, and program improvement related to programs within the ASD, including but not limited to personnel, recruitment, upward mobility, training and development, health and safety, employee recognition, strategic and operational planning, facilities/telecom services, contracts, accounting, budgeting, auditing, and revenue-collection programs for DPR.

Develops, promulgates, and oversees the implementation of departmental administrative programs, policies, and procedures affecting the entire Department, as well as those applicable only to the ASD. Ensures development and implementation of departmental program goals and the definition of performance measures. Serves as a key policy advisor to the Directorate on actions to be taken in resolving sensitive and urgent issues in program areas. Develops strategic and operational planning processes that proactively determine the Department's direction for the future, as well as identifying and addressing any operational structures or processes that require improvement to assist the Department in meeting its responsibilities and objectives.

Provides innovative leadership, policymaking, decision-making, and efficacy monitoring on administrative programs that affect DPR staff and stakeholders statewide, including but not limited to the Mill Assessment Fee Collection Program (MillPay), the Budget Office, the Accounting Office, the Business Services Office (BSO), the Transactions/Benefits section, the Labor section, the Classification and Pay/Exams Unit, the Training/Development section, and the Health and Safety Unit.

Oversees the sensitive and critical preparation of the administration and implementation of the departmental administrative program operations, including representing the Department in discussions and negotiations with internal and external control agencies, (e.g. CalEPA, County Agricultural Commissioners, Department of Finance, California Department of Human Resources, State Personnel Board, Department of General Services, Bureau of State Audits, the Legislature, Legislative Analyst Office, State Controller Office, vendors/consultants, etc.). Oversees the Administration Services Division's budget of approximately 7.2M per year.

Serves as a pivotal member of the Director's executive staff, attending Agency Secretary meetings and serving as the Department's frontline spokesperson on all administrative matters. Coordinates directly, or through delegation to subordinate managers, the Department's administrative priorities having highly sensitive political and resource impact through means of program evaluation, refinement, annual operational planning, and the development of performance metrics/outcomes consistent with the Department's Strategic Plan and expectation of the California State Legislature, stakeholders, and the public. Identifies workforce development forecasting needs, trends, and predictions. Develops succession planning strategies, analysis of critical positions and expected vacancies, and identification of current and future position competencies. Develops leadership transition, program measurement, and assessment mechanisms. Defines, develops, and sustains organizing frameworks and systematic evaluation to map multiple leadership and succession efforts, and identifies and clarifies gaps, redundancies, and priorities for future program refinement.

Coaches and mentors staff; works with subordinate managers, supervisors, and lead staff to build an effective team; provides guidance and leadership to subordinate managers and lead staff to develop and strengthen their team building and interpersonal skills. Addresses personnel management/equal employment opportunity functions, including recruitment and hiring of staff, implements attendance and leave programs, and develops program performance metrics. Communicates to staff new or changes to existing policies and procedures in a timely manner to ensure subordinates are kept informed of State, Agency, Department, and Division priorities. Attends and holds regular staff meetings to assign, discuss, and prioritize workload.

**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: DPR's mission is to protect human health and the environment by regulating pesticide sales and use, and by fostering reduced-risk pest management. DPR regulates all aspects of pesticide sales and use, recognizing the need to control pests while protecting human health and the environment, and fostering reduced-risk pest management strategies.

The CEA formulates and implements departmental programs, procedures, and policies related to the ASD, which provides support to the other divisions/branches within the Department which in turn has a direct affect on DPR operations, facilities, security, and personnel. Administrative programs under this CEA's oversight include the budget office, accounting, business services office, transactions/benefits, labor relations, performance management, classification and pay, examinations, training/development, and health and safety, which all provide personnel and logistical support to ensure that DPR staff are able to perform their jobs.

The CEA also oversees the Mill Assessment section, which collects various fees that fund the majority of the Department's budget.

The CEA serves as one of the Director's administrative policy advisors and formulates, implements, and represents the Department on various administrative policy issues to support DPR's mission.

**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 federal, state, and local pesticide regulations have grown, the complexity of DPR's programs, policies, and procedures have continually increased. This CEA is responsible for the Administrative Services Division (ASD), which currently includes the Human Resources Branch (HRB) and the Fiscal, Audits and Business Services Branch (FABS). In 1999, this position was approved for a CEA, Level 2, which is now considered a CEA, Level A. At this time, the CEA was responsible for the Mill and Audits Program. However, in 2006, DPR created a new branch, the Product Compliance Branch (PCB), and moved this program to PCB, which was overseen by a different CEA in the Pesticide Programs Division. Then, in 2017, to more efficiently and effectively surveil sales of pesticide throughout the State, DPR went through a reorganization and moved the Mill and Audits Program back to ASD.

The CEA oversees the typical administrative financial programs (Budget Office and Accounting Office), but has taken on the Mill Assessment as well, which collects fees that provide 94% of the Department's overall budget. This fee program functions most efficiently under the direction of the CEA who is responsible for overseeing, creating, and implementing policy for all departmental financial funding, monitoring, and budgeting functions. This includes oversight and policy implementation for fee collection responsibilities, stakeholder outreach, stakeholder communications, and database management.

Due to a change in Section 6302 of the California Code of Regulations in 2017, the Mill and Audits Program review of registrants has increased in complexity. Since July 1, 2017, DPR requires each company with products made from pesticide impregnated materials and sold under their own company name, into or within California, to register the products as a pesticide. The requirement for registering pesticide impregnated materials which bear pesticide claims has increased review of these entities immensely. Pursuant to 40 CFR 152.25, the products made from pesticide impregnated materials and bearing pesticide claims include textiles (socks, tents, jackets), brass, and paints are not considered treated articles, and therefore, must be registered with DPR. Auditing these companies has been more problematic because these companies are not familiar with California law with regards to the registration of pesticide products. The Mill and Audits Program is responsible for maintaining a level playing field by ensuring all entities follow California's pesticide laws.

In addition, the CEA will formulate and implement current and new policies and procedures for DPR in the areas of strategic planning and risk management that includes an effective system of internal review. The State Leadership Accountability Act (SLAA) requires internal control reporting to the Department of Finance. The CEA will ensure the development and continual review of DPR's administrative policies and procedures, including collaboration with the executive management team to prevent, detect, mitigate, and/or eliminate and monitor risks that pose vulnerabilities. SLAA is a mandated report (G.C. 13400-13407).

### **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 CEA exercises independence and authority in developing, implementing, directing, and evaluating DPR's statewide administrative policies and programs. In coordination with the Director and Chief Deputy Director, identifies inconsistent policies and/or procedures within the branches, and develops and implements strategies to enhance program operations. This position provides consultation to the Director and Chief Deputy Director on mission-critical program and policy issues with respect to key services such as facilities, personnel, financial operations, fee collection, and planning. The incumbent develops policy and provides direction to subordinate managers with an emphasis on compliance with relevant laws, rules, and regulations, as well as aligning program performance with departmental strategic goals and objectives.

Examples include developing policy related to statewide and departmental workforce challenges that significantly impact departmental staff and how they perform their duties, including but not limited to: hiring policies, including anti-nepotism; policies related to conditions of employment, such as telework and alternate work schedules; policies and initiatives related to equity and inclusion; and the development of robust and comprehensive health and safety programs to minimize the risk of workplace injury or illness to staff working in potentially hazardous situations.

A specific example is directing and overseeing DPR's Employee Training Policy to enhance the job performance of its workforce so that the quality of service rendered by DPR staff throughout the state is continually improved. It is DPR's policy to provide employees with training designed to increase job proficiency and career opportunities within the limits of financial/budgetary resources and to promote a capable, efficient, and service-oriented workforce by developing employee's skills and abilities through effective, quality training programs per Government Code Section 19995. The training program enables DPR's workforce to excel and achieve the mission, vision, and goals of DPR's strategic plan and to strengthen ties with DPR's partners.

Another example is directing and overseeing the development of comprehensive, accurate, and timely financial/budgetary reports and revenue and fee forecasting for purposes of advising and informing the Director and Chief Deputy Director. Reports include, but are not limited to, financial statements, financial analysis, and revenue and fee forecasts to ensure sound and timely fiscal decisions are made. Without comprehensive, accurate, timely financial/budgetary reports, sound revenue, and fee forecasting, DPR's ability to make sound operational and financial decisions and its ability to ensure fiscal integrity is at risk.

Another example is directing and overseeing a fiscally prudent administration of DPR's \$108 million departmental budget, ensuring resources are utilized effectively and efficiently. This includes developing annual budget allotments to programs, leading the development of budget proposals for additional resources, and interpreting and administering budget drills and instructions issued by the Department of Finance. The Assistant Director will provide expert consultation on all administrative DPR matters internally to DPR's directorate, executive staff, and DPR's programs as well as externally to the California Environmental Protection Agency, the Department of Finance, the Legislative Analyst's Office, the Legislature, State Controller's Office, State Treasurer's Office, and various stakeholders including the County Agricultural Commissioners.

The CEA is also responsible for overseeing the maintenance and implementation of the statutory regulations for the Mill and Audits Program. While the mill fee is at its statutory cap of 21 mills, if a fee increase is required, it is incumbent on the CEA and FABS management to monitor and make the necessary recommendations to pursue a 2/3's vote of the legislation to increase the mill. The Mill and Audits Program is responsible for maintaining a level playing field that follow California's pesticide laws.

The CEA will also develop and implement current and new policies and procedures related to SLAA's requirement that each state agency maintain effective systems of internal control, evaluate and monitor the effectiveness of these controls on an ongoing basis, and biennially report on the adequacy of the agency's systems of internal control. This includes Biennial internal control reviews required by SLAA and Section 2000 et seq. of the State Administrative Manual (SAM).

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

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

The CEA is responsible for ensuring that the activities and functions pertaining to the administrative branches result in thoroughly and efficiently meeting the Department's mission, vision, and goals. Decisions and recommendations from the CEA significantly impact statewide agency operations, DPR management, pesticide programs, and inter-agency operations. The CEA assists the Chief Deputy Director in representing DPR with other State and Federal agencies on unique programs and initiatives that require joint interpretation and implementation, such as inter-agency cooperative efforts with CalEPA and control agencies, including but not limited to: California Department of Human Resources, State Personnel Board, Department of Finance, State Controller's Office, Department of General Services, CalPERS, and Fi\$Cal.

The CEA is a key member of DPR's Executive Management team and has full management responsibility for planning, organizing, and directing the administrative functions for DPR. This position is responsible for formulating and administering administrative policies, procedures, and practices, as well as implementing and monitoring them to ensure compliance. The CEA is also responsible for providing the necessary managerial and leadership skills in order to continuously meet and improve administrative goals and objectives, and address administrative challenges. The CEA will represent DPR with the Department of Finance, the Department of Human Resources, the State Controller's Office, and other agencies related to the administrative functions. In addition, the CEA is responsible for the coordination and implementation of complex administrative issues that impact all DPR programs. The CEA also works collaboratively with the other Assistant Directors to ensure consistent implementation of all policy decisions that affect the Department.

In the absence of the Director or Chief Deputy Director, the CEA is sometimes called upon to make final decisions on urgent and sensitive matters, such as issues related to human resources, financial integrity practices, facilities, employee health and safety, and emergency situations that require an immediate response.

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

The CEA is responsible for providing feedback on, interpreting, developing, and implementing policies, as well as consulting with and recommending policy to DPR executive management (Director and Chief Deputy Director). In addition to supporting executive management's overall policy decisions, the CEA has significant independent responsibility to create and implement policy and procedure that affects all DPR staff. As laws, rules, and regulations that affect the administrative programs change, the CEA must remain flexible and revise, develop, and implement new and existing policies on an on-going basis.