

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

11/5/2019

2. Department

Justice

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

Division of Operations/Office of Human Resources (OHR)

4. CEA Position Title

Assistant Director, Human Resources Program Management

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

Under the general direction of the Director, Office of Human Resources (OHR), the Assistant Director plans, organizes and directs activities associated with the following OHR programs: Classification and Pay, Liaisons, Adverse Actions, Performance Management, Labor Relations, Risk Management, Executive Program Support, Payroll and Benefits, Position Management, Family Medical Leave Act (FMLA) and Special Leaves, and Office Support. The incumbent is the enterprise policy advisor for all OHR management issues related to the aforementioned programs and ensures that assigned programs are working in cohesion to support the Attorney General (AG) and the Department of Justice's (DOJ) sustainable workforce practices.

6. Reports to: (Class Title/Level)

Director, Office of Human Resources

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): As a member of Executive Leadership, the CEA will act as a staff resource to the OHR Director, the Chief of Operations, Chief Deputy to the Attorney General, and the Attorney General.

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.

Direct the development and implementation of policies and programs within the Human Resources Program Management. Provide leadership, management and policy direction for the work activities and performance of staff managing Classification and Pay, Liaisons, Adverse Actions, Performance Management, Labor Relations, Risk Management, Executive Program Support, Payroll and Benefits, Position Management Services, FMLA and Special Leaves Unit, and Office Support. Ensures that OHR's internal business operations and policy directions are implemented to support DOJ and the AG's overall mission and goals for the future.

Consult with the Director of OHR on organizational changes, personnel management issues, and allocation of resources. Serve as enterprise policy advisor for all human resources management issues related to the aforementioned programs. Provide extensive policy and program consultation and advice to the Director of OHR and Executive Leadership in rendering sensitive human resources, performance management, workforce strategy and organizational restructuring decisions. Direct the implementation and improvement of new and existing policies, processes, and procedures while ensuring program integrity specific to the AG's goals, strategic vision, legislative mandates, business direction, and OHR service and performance objectives. Continually assess assigned human resources programs for risks to ensure the sustainability of critical business processes and develop and implement risk mitigation strategies.

Consult with the Director of OHR on sensitive and time-critical policy issues. Collaborate with control agencies to ensure that the DOJ and the AG's interests are included in the decision-making process. Ensure compliance with policies, procedures, and processes that are consistent with the organization's goals, objectives, federal and state laws, and the rules of the California Department of Human Resources (CalHR), State Personnel Board (SPB), the State Controller's Office (SCO), and other state business partners. Monitor and make policy recommendations on the impacts of legislation and regulation on DOJ and AG programs.

Represent DOJ and the AG at control agencies or other professional organizations on human resources issues. Participate in control agency activities that support civil service improvements. Serve as a member of Executive Leadership and participate in program and policy direction and the development of the AG and DOJ's Strategic Plan.

Assist the Director with the oversight of the development of Justice HR to support and address the organization's current and future needs. Develop and maintain effective partnerships with Executive Leadership to ensure their operational needs are considered when process and/or procedure changes are being explored. Participate as a senior management sponsor, business lead, or team member in enterprise-wide projects. Align human resources operations programs with key projects. Champion initiatives such as the development of talent acquisition strategies, health and safety initiatives, leveraging technology to improve human resources services and products, building and implementing a comprehensive performance management system and other enterprise-wide efforts.

Act on behalf of the Director of OHR in his/her absence. Represent OHR at meetings and conferences.

**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 Human Resources Program Management is critical in supporting the AG's mission. The AG is the state's chief law enforcement officer and has the responsibility of ensuring the laws of California are uniformly and adequately enforced, which is fulfilled through the diverse programs at the DOJ. The DOJ is responsible for providing skillful and efficient legal services on behalf of the people of California. The AG represents the people in all matters before the Appellate and Supreme Courts of California and the United States; serves as legal counsel to state officers, boards, commissioners, and departments and represents the people in actions to protect the environment, consumers, antitrust and civil laws; and assists district attorneys in the administration of justice. The DOJ provides oversight, enforcement, education, and regulation of California's firearms/dangerous weapon laws; provides evaluation and analysis of physical evidence; regulates legal gambling activities in California; supports telecommunications and data processing needs of the California criminal justice community; and pursues projects designed to protect the people of California from fraudulent, unfair, and illegal activities. The Assistant Director will develop policies, programs, and strategies in order to achieve these goals by employing and retaining the best and brightest attorneys, law enforcement, information technology, forensic services, and crime analyst staff.

**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 role of OHR is moving from a primarily customer service/transactional role to the role of strategic business partner. Over the past two budget cycles, the DOJ has increased positions by approximately 423. These positions are a result of specific legislation to boost the DOJ's efforts on law enforcement transparency, changes to gun legislation, hate crimes, sex offender registry and human trafficking. Because of these changes, it is imperative that the DOJ hire and retain individuals with very unique skill sets and help management grow their skills to retain and train existing and new staff.

Due to these efforts, OHR has been directed to take on additional programs including the Office of Professional Development (OPD), Organizational Development, Diversity and Inclusion, and Legal Hiring. These four areas are new to the office, and will report to the Director of OHR. The Office of Professional Development is the DOJ's training program, formerly part of the Division of Operations; the Organizational Development Unit will coordinate organizational design, work, and employee behavior around personal and organization effectiveness; the Diversity and Inclusion Unit is responsible for overseeing the development and implementation of the DOJ's diversity and inclusion initiatives; and the Legal Hiring initiative is a pilot program at the direction of the Attorney General to introduce some significant changes to the existing hiring process for attorneys. Due to these changes, OHR is gaining additional staff and resources, and this requires a restructure of management to better manage and support the Attorney General and the Chief Deputy to the Attorney General's efforts.

In recognition of continued growth and the operational complexity of its programs, OHR seeks to establish a CEA, titled Assistant Director, to provide leadership and oversight for the Human Resources Program Management which include: Classification and Pay, Liaisons, Adverse Actions, Performance Management, Labor Relations, Risk Management, Executive Program Support, Payroll and Benefits, Position Management Services, FMLA and Special Leaves Unit, and Office Support. OHR provides strategic consultation to Executive Leadership on enterprise strategic planning, enterprise projects, business transformation activities, sensitive human resources management, workforce strategy and performance management decisions. As OHR strategies continue to emerge as a top focus for strategic planning in support of the mission and operations of the DOJ, OHR has been elevated in organizational visibility with prominence in overall operations and the DOJ's focus on the future.

The Assistant Director will be responsible for the programs that mitigate operational risks that may hinder long-term sustainability and efficiency. OHR is challenged to meet critical business functions due to potential loss of subject matter experts and loss of critical staff knowledge. Additionally, emphasis is also needed to address the potential for staff and leadership turnover resulting in long-term instability. The Assistant Director will be charged with addressing these risks through the development and implementation of hiring, performance management, risk management and how to sustain existing employees with overall efforts to enhance workforce strategies, succession plans, the development and enhancement of talent management and talent acquisition strategies that ensure the DOJ is recruitment ready in the event of critical position vacancies. The Assistant Director will oversee the consultation with divisions throughout the organization in developing solutions to recruit, retain, and manage employee performance to best meet the demands of each program's unique workforce needs.

### **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 Assistant Director is responsible for providing program and policy direction, including formulating and implementing department-wide policies for those areas that this position manages. Specific examples of these policies include but are not limited to the following:

1) Revisions to the classification plan with which the department accomplishes its work. Decisions to modify the current classification system impacts employees and management throughout the entire organization depending on the specific change. The most recent example is the establishment of the Crime Analyst series which will help to expand our candidate groups for the specialized work performed by a substantial amount of positions within both the Division of Law Enforcement and the California Justice Information Services Division. The department has historically used six classes to perform functions related to investigative, identification and intelligence gathering. The recently adopted board item consolidates these into three classifications, establishes a deep class to eliminate the requirement to test as often, and also expands the MQs to allow for education to be used to enter the series. This in addition to more focused recruitment is anticipated to provide a more substantial candidate group from which management will draw from to manage their workforce. By deep classing two of the classifications, it also provides a clear career path for our potential employees. This will help address some of the recruitment and retention issues the department has been encountering for the past several years.

2) Revisions to the policy the department uses to determine the level of accommodations it can provide to employees seeking reasonable accommodations. For example, peace officer applicants who have some restriction that may impact their ability to perform the full range of duties within the department. The processes used to reach these decisions and the policies that govern the entire process will be modified. Recently the department has been challenged with respect to providing reasonable accommodation to peace officer candidates, and it has forced the department to be more flexible in addressing these issues. This includes establishing a formal review committee which will be comprised of supervisors/managers and attorneys who can consistently review these cases to enable to best outcome for the applicant as well as the department. This impacts divisions statewide with respect to the hiring and placement of their sworn staff, our candidates, and could even impact the general public depending on the level of the accommodation.

3) Revisions to policy regarding Workers Compensation settlements. The department is working with the State Compensation Insurance Fund and the Chief Deputy to the Attorney General to revise policy to allow for a more systematic approach to reaching settlements. This has far reaching impact to the department to include financial impact. It will impact departmental employees and management. It is a high priority of the current administration and the proposed CEA will be overseeing this process of change. The CEA must keep the Director of OHR apprised on the proposed changes, work with the Chief Deputy to ensure an understanding of the process and the factors that will be considered during the evaluation process, and inform Executive Leadership so they understand the impact to their programs.

4) Revisions to policy regarding the level and duration of discipline taken on employees for misconduct and any proposed settlement agreements with respect to imposed discipline. These decisions are highly scrutinized by employees and management. The Chief Deputy to the Attorney General is extremely interested in how decisions are made, what is taken into consideration, and consistency when possible. The proposed CEA will work with the Chief Deputy on any settlement agreements as there is great interest from the Executive Division on how the department administers discipline, and also what is weighed and considered when determining settlement agreements. This impacts all divisions of the department throughout the state and all employees for which discipline is imposed. It can also reach the media as in the case cited in question number 32 and be subject to PRA requests.

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

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

The Assistant Director will serve as the enterprise advisor for all human resources management issues for the following HR Programs directly: Classification and Compensation, Liaisons, Performance Management, Adverse Actions, Labor Relations, Risk Management, Executive Program Support, Payroll and Benefits, Position Management Services, FMLA and Special Leaves, and Office Support.

The Assistant Director will set policy for the aforementioned programs and serve as advisor to the Director of OHR. The Assistant Director will work closely with the programs that report to the Director, and coordinate the development and implementation of their policies and strategies to align staff and operational activities with DOJ's mission and strategic goals. It is critical that both the Director and the Assistant Director share their knowledge and roles, and work as a team. The Assistant Director will help to develop training as well as oversee consistent enforcement of compliance violations related to DOJ's policies. The Assistant Director will identify appropriate action following the identification of misconduct and policy compliance violations which may result in policy changes throughout the DOJ or the impacted program area, while ensuring adherence and compliance with state civil service rules and regulations. As necessary, the Assistant Director will partner with the Attorney General and Director and work with investigators in the identification of misconduct and policy compliance violations in the aforementioned areas.

As the Assistant Director, this position may act on behalf of the Director in their absence and will have the same level of authority when needed.

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

The Assistant Director will formulate and direct the development of new and/or existing policy in the aforementioned program areas to meet the DOJ's goals of employing and retaining talented personnel. In addition, the Assistant Director will work with the Executive Leadership team to develop training and strategies for management to retain and secure succession planning for the future.