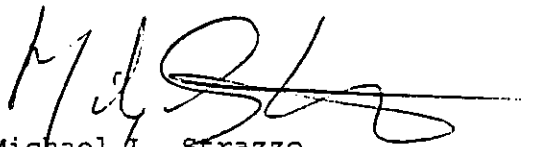




PML97-010
March 28, 1997
Page 2

In addition, the proposed regulation changes will improve the clarity and organization of the regulations. If you have any questions or comments regarding these proposed changes, please contact Susan Coats at (916) 324-4055. Comments must be received no later than May 2, 1997, to be considered by DPA before we adopt these amendments.

A handwritten signature in black ink, appearing to read "M. L. Strazzo", with a long horizontal flourish extending to the right.

Michael L. Strazzo
Deputy Division Chief

Attachments



STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 7-90)

| | | | | |
|------------------|--------------------|--------------------------|------------------|-----------------------------------|
| OAL FILE NUMBERS | NOTICE FILE NUMBER | REGULATORY ACTION NUMBER | EMERGENCY NUMBER | PREVIOUS REGULATORY ACTION NUMBER |
| | 297-0307-02 | | | |

PML 97-010
 Attachment A
 Page 1

For use by Office of Administrative Law (OAL) only

| | |
|------------------------------|------------------|
| RECEIVED FOR FILING | PUBLICATION DATE |
| MAR - 7 '97 | MAR 21 '97 |
| Office of Administrative Law | |
| NOTICE | REGULATIONS |

| | |
|----------------------------------------|-----------------------------|
| AGENCY | AGENCY FILE NUMBER (if any) |
| Department of Personnel Administration | |

1. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

| | | | |
|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------|
| 1. SUBJECT OF NOTICE | TITLE(S) | FIRST SECTION AFFECTED | 2. REQUESTED PUBLICATION DATE |
| Training | 2 | 599.815 | |
| 3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other | 4. AGENCY CONTACT PERSON | TELEPHONE NUMBER | |
| | Susan Coats | (916) 324-4055 | |
| OAL USE ONLY | ACTION ON PROPOSED NOTICE | | NOTICE REGISTER NUMBER |
| | <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn | | PUBLICATION DATE: |

3. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics-related)

| | |
|-------------------|--------|
| SECTIONS AFFECTED | ADOPT |
| | AMEND |
| | REPEAL |
| TITLE(S) | |

2. TYPE OF FILING

Regular Rulemaking (Gov. Code, § 11346)
 Resubmittal
 Changes Without Regulatory Effect (Cal. Code Regs., title 1, § 100)
 Emergency (Gov. Code, § 11346.1(b))

Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Government Code §§ 11346.4 - 11346.8 prior to, or within 120 days of, the effective date of the regulations listed above.

Print Only
 Other (specify)

3. DATE(S) OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §§ 44 and 45)

4. EFFECTIVE DATE OF REGULATORY CHANGES (Gov. Code § 11346.2)

Effective 30th day after filing with Secretary of State
 Effective on filing with Secretary of State
 Effective other (Specify)

5. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399)
 Fair Political Practices Commission
 State Fire Marshal
 Other (Specify)

6. CONTACT PERSON

| | |
|--|------------------|
| | TELEPHONE NUMBER |
|--|------------------|

I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

| | |
|--------------------------------------|--------|
| SIGNATURE OF AGENCY HEAD OR DESIGNEE | DATE |
| David J. Tirapelle | 3/4/97 |
| TYPED NAME AND TITLE OF SIGNATORY | |
| David J. Tirapelle, Director | |

INSTRUCTIONS FOR PUBLICATION OF NOTICE AND SUBMISSION OF REGULATIONS

The revised form STD. 400 replaces form STD. 398 (REV. 3/85) (Face Sheet for Filing Notice of Proposed Regulatory Action in the California Administrative Notice Register) and form STD. 400 (REV. 8/85) (Face Sheet for Filing Administrative Regulations with the Office of Administrative Law). Use the new form STD. 400 for submitting notices for publication and regulations for Office of Administrative Law (OAL) review.

ALL FILINGS

Enter the agency name and agency file number, if any.

NOTICES

Complete Part A when submitting a notice to OAL for publication in the California Regulatory Notice Register. Submit two (2) copies of the STD. 400 with four (4) copies of the notice and, if a notice of proposed regulatory action, one copy each of the complete text of the regulations, the statement of reasons and a list of small businesses to whom the notice will be mailed, if any. If the notice is approved, OAL will return the STD. 400 with a copy of the notice and will check "Approved as Submitted" or "Approved as Modified" and place a number in the box marked "Notice File Number." If the notice is disapproved or withdrawn, that will also be indicated in the space marked "Action on Proposed Notice." Please submit a new form STD. 400 when resubmitting the notice.

REGULATIONS-

When submitting regulations to OAL for review, fill out STD. 400, Part B. Use the form that was previously submitted with the notice of proposed regulatory action which contains the "Notice File Number" assigned, or, if a new STD. 400 is used, please include the previously assigned number in the box marked "Notice File Number." In filling out Part B, be sure to complete the certification including the date signed, the title and typed name of the signatory. The following must be submitted when filing regulations: seven (7) copies of the regulations with a copy of the STD. 400 attached to the front of each (one copy must bear an original signature on the certification) and the complete rulemaking file with index and sworn statement. (See Government Code § 11347.3 for rulemaking file contents.)

RESUBMITTAL OF DISAPPROVED OR WITHDRAWN REGULATIONS

When resubmitting previously disapproved or withdrawn regulations to OAL for review, use a new STD. 400 and fill out Part B, including the signed certification. Enter the number of the previously disapproved or withdrawn filing in the box marked

"Previous Regulatory Action Number" at the top of the form and submit seven (7) copies of the regulation to OAL with a copy of the STD. 400 attached to the front of each (one copy must bear an original signature on the certification). Be sure to include an index, sworn statement, and (if returned to the agency) the complete rulemaking file. (See Government Code §§ 11349.4 and 11347.3 for more specific requirements.)

EMERGENCY REGULATIONS

Fill out only Part B, including the signed certification, and submit seven (7) copies of the regulations with a copy of the STD. 400 attached to the front of each (one copy must bear an original signature on the certification). (See Government Code § 11346.1 for other requirements.)

NOTICE FOLLOWING EMERGENCY ACTION

When submitting a notice of proposed regulatory action after emergency filing, use a new STD. 400 and complete Part A only. Please insert the OAL number for the original emergency filing in the box marked "Emergency Number" at the top of the form. OAL will return the STD. 400 with the notice upon approval or disapproval. If the notice is disapproved, please fill out a new form when resubmitting for publication.

CERTIFICATE OF COMPLIANCE

When filing the certificate of compliance for emergency regulations, fill out Part B on the form that was previously submitted with the notice, or, if a new STD. 400 is used, please include the previously assigned numbers in the boxes marked "Notice File Number" and "Emergency Number." The materials indicated in these instructions for "REGULATIONS" must also be submitted.

EMERGENCY REGULATIONS - READOPTION

When submitting previously approved emergency regulations for reoption, use a new STD. 400 and fill out Part B, including the signed certification, and enter the OAL number of the original emergency filing in the box marked "Emergency Number" at the top of the form.

If you have any questions regarding this form or the procedure for filing notices or submitting regulations to OAL for review, please contact the Office of Administrative Law at (916) 323-6225 or ATSS 473-6225.

CALIFORNIA CODE OF REGULATIONS
TITLE 2. ADMINISTRATION
ARTICLE 17. TRAINING

NOTICE OF PROPOSED REGULATORY ACTION

The Department of Personnel Administration (DPA) proposes to adopt the regulatory action described below after considering all comments, objections, or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

Notice is hereby given that DPA intends to amend Article 17 (Training), Subchapter 1, Chapter 3 of Title 2 of the California Code of Regulations pursuant to Government Code Section 19995.1. Article 17 Sections 599.815 through 599.824 will be amended to reflect the amendments made to Government Code Section 19995.1 by Assembly Bill 1464 (1995-Kaloojian).

DPA has prepared a written explanation of the reasons for amending Article 17 and has available the text and all of the information upon which the amendments is based. Copies of the Statement of Reasons and the text of proposed Article 17 may be obtained from:

Department of Personnel Administration
Attention: Teresita Madani
1515 S Street, North Building, Suite 105
Sacramento, California 95814
(916) 324-4047

Any interested person may present written comments concerning the proposed code amendment to:

Department of Personnel Administration
Attention: Susan Coats
1515 S Street, North Building, Suite 105
Sacramento, California 95814
(916) 324-4055

Comments must be received no later than 5:00 p.m. May 5, 1997, to be considered by DPA before we adopt the amendments to Article 17. Training.

Any inquiries concerning the proposed amendments should be directed to Susan Coats, (916) 324-4055.

PUBLIC HEARING

No public hearing on this matter will be held unless any interested person or his/her representative requests, no later than 15 days prior to the close of the written comment period, that a public hearing be held. If a hearing is requested, it will be held at the



State Training Center, at the address above on May 9 at 9:00 a.m. to 12:00 noon. To request a hearing, contact Susan Coats at (916) 324-4055.

FEDERAL REGULATIONS

There are no existing federal regulations or statutes that are comparable to this proposed action. Therefore, there is no need to address this issue in the informative digest.

SMALL BUSINESS

The regulations covered by this proposal have no impact on small business since they apply only to the training of State employees.

LOCAL AGENCY AND SCHOOL DISTRICT MANDATE

The Department of Personnel Administration has determined that since these rules pertain only to training for State employees, they do not impose a mandate on local agencies or school districts that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

COSTS OR SAVINGS

The Department of Personnel Administration has determined that this proposed action does not:

- Cause significant cost or savings for State agencies, local agencies, or school districts.
- Impose nondiscretionary costs or savings on local agencies.
- Cause costs or savings in federal funding to the State.

BUSINESS/PRIVATE PERSON IMPACT

The Department of Personnel Administration has determined that since the impact of this rulemaking action is limited to training for State employees, it does not impact business or private persons in this state. Specifically, it will not:

- Affect the ability of California business to compete with business in other States.
- Create or eliminate jobs in California
- Create, expand, or eliminate businesses in California.
- Impose additional costs, other adverse economic impacts, or any additional regulations or requirements on businesses or private persons in California.



CONSIDERATION OF ALTERNATIVES

The Department of Personnel Administration must determine that no alternative considered by it would be more effective in carrying out the purpose of this rulemaking action or would be as effective and less burdensome to affected persons than this action.

HOUSING IMPACT

This rulemaking action will not affect housing costs.

AVAILABILITY OF CHANGES

If the text of the proposed regulations is changed during or after the comment period or hearing (if any), the full text of the revised regulations will be made available for public review at least 15 days before adoption.

AUTHORITY AND REFERENCE

Government Code Section 19815.4(d) authorizes DPA to adopt, amend and repeal rules pertaining to the administration of the State's personnel system, which includes employee training.

Government Code Sections 19995 and 19995.1 specifically refer to DPA's responsibility for the State's training program and direct DPA to develop plans, conditions, and requirements for its administration.



INFORMATIVE DIGEST
AMENDMENTS TO TITLE 2, ARTICLE 17. TRAINING

Until 1995, Government Code Sections 19995.1 required that the Department of Personnel Administration rules on training contain specific conditions and requirements. In 1995 this law was amended to provide more discretion to DPA regarding the content of these rules. As a result, this rulemaking action would amend the current training rules, as follows:

599.815. Scope

Current training rules do not reflect the growing emphasis on quality management principles in state government. The proposed rule changes reflect a more global view of the purpose of training and development, which is the promotion of an efficient and effective civil service workforce through effective, quality training programs.

599.817. Definitions

The current definitions provide for career-related and upward mobility training. The proposed changes will combine these categories into one category of career-related.

The existing rule also places certain conditions and requirements on obtaining out-service training. The proposed rule eliminates the provisions for out-service training to allow departments to choose the most cost-effective way to administer training.

In addition, this rule change would make various other changes to improve the clarity and organization of these rules.

599.818. Training Policy, 599.819. Training Plan, and 599.821.
Training Evaluation

These Sections have been combined as Section 599.818 Training Policy, Plan and Evaluation, in order to reduce and simplify the regulations. The current language in these Sections gives specific directions on the purpose of the Training Policy, Plan and Evaluation. The proposed language includes only the most critical and important elements regarding these requirements and gives departments more flexibility in implementing these rules.



599.822. Allocation of Resources

This rule currently specifies what resources may be allocated for training purposes as well as what priority those resources must be allocated. Because there is such a wide disparity in training opportunities for employees outside the Sacramento area, the training rules need to provide enough flexibility to open up training to all employees, regardless of their geographic location. By eliminating this rule, departments have more flexibility in making training opportunities more equitable for their employees in all locations.

599.823. Reimbursement for Training Expenses

This rule would be renumbered 599.819 to sequentially follow the combined sections for Training Policy, Plan and Evaluation described above. This section would remain the same except for various minor changes to improve the clarity and organization of these rules.

599.824. Conditions and Restrictions. Out-Service Training

This rule would be abolished to be consistent with the recent change in the law regarding out-service training (Government Code Section 19995.1), AB 1464 (Stats. 1995, ch. 288).



INITIAL STATEMENT OF REASONS
TITLE 2, ARTICLE 17, TRAINING

PUBLIC PROBLEM, ADMINISTRATIVE REQUIREMENT, OR OTHER CONDITION OR
CIRCUMSTANCE THAT THE REGULATION IS INTENDED TO ADDRESS

Amendment of Title 2, Article 17, Training

This proposal brings the training regulations into compliance with the provisions of AB 1464 (Stats. 1995, ch. 288), and reduces the number of administrative regulations.

SPECIFIC PURPOSE OF THE REGULATION

Article 17. Training

Section 599.815. Scope

Current training rules do not reflect the growing emphasis on quality management principles in state government. This new emphasis is reflected in the Governor's Executive Order on Quality (W-47-93). In response, the DPA proposes to amend this rule to incorporate the concepts of the Governor's Executive Order. In addition, the language in the proposed rule reflects a more global view of the purpose of training and development, which is the promotion of an efficient and effective civil service workforce.

Section 599.817. Definitions

DPA proposes abolishing the Upward Mobility Training Category and utilizing the Career-Related Training Category for both upward mobility and career-related training. The Upward Mobility Program was created to move employees from lower-paying classifications (typically clerical), into technical and professional classifications. The Upward Mobility Training Category was created to address this specific group. Over the years, departments have confused the upward mobility training category with the career-related training category, and have misused the upward mobility category (e.g., movement from a Staff Services Manager I to a Staff Services Manager II). This amendment provides flexibility to departments to treat upward mobility and career-related training needs the same, or, if they have a need to separate the two categories, they can establish both in their departmental training plans. For reimbursement purposes, there is no impact since the Upward Mobility and Career-Related categories were treated the same, which also contributed to the confusion and misuse of these categories.

The words "efficiency or effectiveness" have replaced the term "job proficiency" in defining job-related training in order to provide a broader view of employees' responsibilities on their jobs. Rather than looking only at an employees' specific job classification when making training decisions, the appointing power should consider the effectiveness of the individual towards the accomplishment of its mission.



This amended section also abolishes the definitions of Training Types and Sources because all reference to in-service and out-service training have been deleted from the law (Government Code Section 19995.1), to allow departments to choose the most cost-effective way to administer training. Departments will no longer be required to consider in-service before out-service training; therefore, employees will have more equal access to training dollars, regardless of their geographic location.

The proposed definition of the Individual Development Plan omits the word "formal" from the definition of training to encourage departments to include all types of training, including on-the-job and other informal means of training in their plan.

Sections 599.818. Training Policy, (formerly 599.819.) Training Plan, and (formerly 599.821.) Training Evaluation

These Sections have been combined as Section 599.818 (Training Policy, Plan and Evaluation) in order to reduce and simplify the regulations. These regulations have also been rewritten to take a more global view of the purpose of these regulations and to allow departments more flexibility in their administration.

Section 599.818(a), (Training Policy), has been modified to eliminate the specific requirements placed on the appointing power in setting their training policy. The language that has been eliminated is the requirement that the training activity promote efficiency and a quality level of service to the public; improve job skills, knowledge and abilities; and encourage and facilitate upward mobility. The language dealing with efficiency and quality has been moved to the Training Plan portion of the rules; the language regarding improving job skills, knowledge and abilities is discussed in the Definition Section describing the different training categories; and the language referring to upward mobility has been abolished, as also discussed in the Definition Section. The language left in the Policy Section requires that the appointing power ensure that training resources are utilized efficiently and distributed equitably among employees, include all categories of training as defined in Section 599.817, and specify the amount of payment and release time allowed for training. These changes will result in rules that convey key training concepts more clearly and concisely.

The proposed Section 599.818(b), (Training Plan), is virtually the same as the old Section. It has been rewritten in paragraph form and language referring to the assurance of program efficiency and effectiveness has been added in order to emphasize the employees' role within the department's mission, versus the employees' specific job description. This is also consistent with the language in Section 599.817, Definitions.



Section 599.818(c), (Training Evaluation), has been modified somewhat by substituting the language that the training evaluation shall include a check on whether the training was appropriate for the intended purpose. The old Section 599.821 (a)(2), which requires that participants meet the specifications of the group for whom the course was designed, has been omitted in order to remove any artificial screening methods which might preclude an employee from receiving needed training. All the rest of the language remains the same, but is rewritten in paragraph form.

599.822. Allocation of Resources

Current rules specify what resources may be allocated for training purposes as well as what priority those resources must be allocated. Because there is such a wide disparity in training opportunities for employees outside the Sacramento area, the training rules need to provide enough flexibility to open up training to all employees, regardless of their geographic location. By specifying which training category is allocated the resources, preference is given to training that is job-required or job-related. Training that is considered job-related or job-required is usually conducted at the Headquarters location, which is typically in Sacramento. Many times departments have no training money left for career-related training, such as college or university courses. This leaves employees in outlying areas with no training opportunities. By eliminating this rule, departments have more flexibility in making training opportunities more equitable for their employees in all locations.

599.823. Reimbursement for Training Expenses.

All reference to upward mobility training is abolished, in accordance with changes made in the definitions (Rule 599.817).

599.824. Conditions and Restrictions. Out-Service Training

Abolished to be consistent with the recent change in the law regarding to in-service and out-service training (Government Code Section 19995.1), AB 1464 (Stats. 1995, ch. 288).



**California Code of Regulations
Title 2. Administration
Chapter 3. Department of Personnel Administration**

Article 17. Training

599.815. Purpose

This article provides the basic structure for a State training program to promote a capable, efficient and service-oriented workforce by developing employees' skills and abilities through effective, quality training programs. If the provisions of this article are in conflict with the provisions of a memorandum of understanding, the memorandum of understanding shall be controlling.

Note: Authority cited: Sections 19815.4(d) and 19995.1, Government Code. Reference: Sections 19995 and 19995.1, Government Code.

599.817. Definitions.

(a) **Training.** Training is the process whereby State employees, either individually or in groups, participate in a program of instruction (with lesson plan, instructor, or instructional device) to acquire skills and knowledge for their current or future job performance.

(b) **Job-Required Training.** Job-required training is designed to assure satisfactory performance in a current assignment. This includes orientation training, training made necessary by new assignments or new technology, refresher training for the maintenance of ongoing programs, safety training, and training mandated by law or other State authority.

(c) **Job-Related Training.** Job-related training is designed to increase efficiency and effectiveness and improve performance above the level of competency established for a specific job assignment.

(d) **Career-Related Training.** Career-related training is designed to facilitate upward mobility and assist in the development of career potential and is intended to help provide an opportunity for self-development while also assisting in the achievement of a department's or the State's mission. Career-related training may be unrelated to a current job assignment.

(e) **Individual Development Plan.** An Individual Development Plan is any written plan describing training or development programs in which the employee intends to participate and which is approved by the employee's supervisor.

Note: Authority cited: Sections 19815.4(d) and 19995.1, Government Code. Reference: Sections 19995 and 19995.1, Government Code.



599.818. Training Policy, Plan and Evaluation.

(a) To ensure that training resources are utilized effectively, the appointing power shall establish a training policy, which shall include all categories of training as defined in Section 599.817, and shall specify the amount of payment and release time allowed for training.

(b) The appointing power shall develop an annual training plan which identifies organizational problems and goals that should be resolved or accomplished through training, appropriate training methods to assure program effectiveness and efficiency, and training target populations to be served by training programs. The training plan should also estimate training costs and establish criteria for evaluating training programs.

(c) The appointing power shall evaluate its training programs to determine if training activities are meeting the needs of the organization and its employees and training resources are properly allocated. In addition, each specific training program shall be evaluated to ensure that the course content supports the course objectives and that the training is appropriate for the intended purpose.

(d) Training policies, plans and evaluation methods may be reviewed by the Department to provide assistance and guidance and to resolve conflicts which may occur.

Note: Authority cited: Sections 19815.4(d) and 19995.1, Government Code. Reference: Sections 19995 and 19995.1, Government Code.

599.819. Reimbursement for Training Expense

(a) In assigning individuals to attend training, the appointing power shall establish policies regarding reimbursement for training expenses. Such policies must provide for the following:

(1) When participation is identified by the appointing power as job-required, full reimbursement shall be provided for tuition and other necessary expenses, including the allocation of time with pay.

(2) When participation is identified by the appointing power as job-related, full reimbursement may be provided for tuition and other necessary expenses, including the allocation of time with pay.

(3) When an employee participates in career-related training, with the approval of the appointing power, reimbursement may be for tuition, books, and supplies. Reimbursement for travel and per diem shall not be allowed. Reimbursement for such training may be made only if the employee has successfully completed all course requirements as specified by the training provider.

(4) For full-time training of more than 60 days, the appointing power may require the employee to agree in writing to



reimburse the State for tuition and other expenses paid by the State if, after completion of the training assignment, the employee does not continue employment in State service for a period of six months or twice the period of training, whichever is greater. Such reimbursement shall be made within two years after separation from State service and shall be for an amount proportionate to the specified period of service not completed.

(b) If the provisions of this rule are in conflict with the specific training reimbursement provisions contained in a memorandum of understanding, the memorandum of understanding shall be controlling.

Note: Authority cited: Section 19815.4(d) and 19995.1, Government Code. Reference Sections 19995 and 19995.1, Government Code.



TRAINING REGULATIONS

599.815. Scope. Purpose.

This article provides the basic structure for a State training program to shall promote a capable, efficient and service-oriented workforce by govern the developmenting employees' skills and abilities through of effective, and economical quality training programs, ~~consistent with the interest of the public, the State and individuals employed by the State.~~ If the provisions of this article are in conflict with the provisions of a memorandum of understanding, the memorandum of understanding shall be controlling.

Note: Authority cited: Sections 19815.4(d) and 19995.1, Government Code. Reference: Sections 19995 and 19995.1, Government Code.

599.817. Definitions.

(a) Training. Training is the process whereby State employees, either individually or in groups, participate in a ~~formalized~~ program of instruction (with lesson plan, instructor, or instructional device) to acquire skills and knowledge for their current or future job performance.

~~(b) Training categories are as follows:~~

~~(1)~~ (b) Job-Required Training. Job-required training is designed to assure adequate performance in a current assignment. This includes orientation training, training made necessary by new assignments or new technology, refresher training for the maintenance of ongoing programs, safety training, and training mandated by law or other State authority.

~~(2)~~ (c) Job-Related Training. Job-related training is designed to increase ~~job proficiency or efficiency or effectiveness~~ and improve performance above the acceptable level of competency established for a specific job assignment.

~~(3) Upward Mobility. Upward Mobility training is designed to provide career movement opportunity for employees within classifications designated as upward mobility per Government Code Sections 19400 and 19401.~~

~~(4)~~ (d) Career-Related. Career-related training, is designed to facilitate upward mobility and assist in the development of career potential and is intended to help provide an opportunity for self-development while also assisting in the achievement of a department's or the State's mission. Career-related training may be unrelated to a current job assignment.

~~(e) Training Types and Sources. The following definitions apply to the types and sources of training:~~

~~(1) "In-service training" is sponsored and administered by the State for employees of the State, wherein the State maintains a high degree of control over course content. Such training includes courses or activities:~~

~~(A) Designed and administered by State departments individually or in joint agreement;~~

~~(B) Offered by the Department of Personnel Administration;~~

~~(C) Designed or contract exclusively for the State through~~



~~private consultants or firms, accredited colleges or universities, or other non State agencies.~~

~~(2) "Out service training" is sponsored by a non State agency, is open to the public as well as persons employed by the State, and sponsoring agencies, rather than the State, maintain control over the course content. Such training includes courses or activities:~~

~~(A) Offered through accredited colleges or universities;~~

~~(B) Conducted by private consultants or firms or other non State agencies.~~

~~(d)(e) Individual Development Plan. An Individual Development Plan is any written plan describing formal training or development programs in which the employee intends to participate and which is approved by the employee's supervisor.~~

~~Note: Authority cited: Sections 19815.4(d) and 19995.1, Government Code, Reference: Sections 19404(e), 19995 and 19995.1, Government Code.~~

~~599.818. Training Policy.~~

~~(a) To ensure equitable treatment of employees, the appointing power shall establish a training policy, which shall include all categories of training as defined in Section 599.817(b).~~

~~(1) The policy shall indicate the appointing power's intention to sponsor employee activities that:~~

~~(A) Promote efficiency and a quality level of service to the public.~~

~~(B) Improve job skills, knowledge and abilities.~~

~~(C) Encourage and facilitate upward mobility.~~

~~(2) The policy shall specify the amount of payment and release time allowed for training, except as provided for in Section 599.823.~~

~~(b) Training policies may be reviewed by the Department.~~

~~Note: Authority cited: Sections 19815.4(d) and 19995.1, Government Code. Reference: Sections 19995 and 19995.1, Government Code.~~

~~599.819. Training Plan.~~

~~(a) The appointing power shall prepare a training plan to be used in planning and implementing its training program. The training plan shall:~~

~~(1) Identify organizational and individual problems or goals that should be resolved or accomplished through training.~~

~~(2) Identify employee groups to be served by training.~~

~~(3) Estimate costs.~~

~~(b) Training plans may be reviewed by the Department.~~

~~Note: Authority cited: Sections 19815.4(d) and 19995.1, Government Code. Reference: Sections 19995 and 19995.1,~~



~~599.821. Training Evaluation.~~

~~(a) The appointing power shall evaluate training courses to ensure that:~~

~~(1) Course content supports course objectives.~~

~~(2) Participants meet the specifications of the group for whom the course was designed.~~

~~(b) The appointing power shall evaluate its total training program to ensure that:~~

~~(1) Training activities are meeting the needs of the organization and its employees.~~

~~(2) Training resources are effectively utilized and allocated appropriately.~~

~~(c) Training courses and programs may be reviewed by the Department.~~

~~Note: Authority cited: Sections 19815.4(d) and 19995.1, Government Code. Reference: Sections 19995 and 19995.1, Government Code.~~

599.818. Training Policy, Plan and Evaluation

(a) To ensure that training resources are utilized effectively, the appointing power shall establish a training policy, which shall include all categories of training as defined in Section 599.817, and shall specify the amount of payment and release time allowed for training.

(b) The appointing power shall develop an annual training plan which identifies organizational problems and goals that should be resolved or accomplished through training, appropriate training methods to assure program effectiveness and efficiency, and training target populations to be served by training programs. The training plan should also estimate training costs and establish criteria for evaluating training programs.

(c) The appointing power shall evaluate training programs to determine if training activities are meeting the needs of the organization and its employees and training resources are properly allocated. In addition, each specific training program shall be evaluated to ensure that the course content supports the course objectives and that the training is appropriate for the intended purpose.

(d) Training policies, plans and evaluation methods may be reviewed by the Department to provide assistance and guidance to our customers and to resolve conflicts which may occur.

Note: Authority cited: Sections 19815.4(d) and 19995.1, Government Code. Reference: Sections 19995 and 19995.1, Government Code.

~~599.822. Allocation of Resources.~~

~~For the purpose of meeting Government Code Sections 19995 and 19995.1, allocation of training resources shall be governed by the following:~~



- ~~(a) Resources include but are not limited to:~~
~~(1) Staff time~~
~~(2) Employee time~~
~~(3) Budget expenditures.~~
~~(b) Resources are to be allocated in the following priority order. These priorities apply to both in-service and out-service training:~~
~~(1) Job Required~~
~~(2) Job Related~~
~~(3) Upward Mobility~~
~~(4) Career related.~~

~~599.823, 599.819.~~ Reimbursement for Training Expenses.

(a) In assigning individuals to attend training, the appointing power shall establish policies regarding reimbursement for training expenses. Such policies must provide for the following:

(1) When participation is identified by the appointing power as job-required, full reimbursement shall be provided for tuition and other necessary expenses, including the allocation of time with pay.

(2) When participation is identified by the appointing power as job-related, full reimbursement may be provided for tuition and other necessary expenses, including the allocation of time with pay.

(3) When an employee participates in career-related ~~or upward mobility~~ training, with the approval of the appointing power, reimbursement may be for tuition, books, and supplies. Reimbursement for travel and per diem shall not be allowed. Reimbursement for such training may be made only if the employee has successfully completed all course requirements as specified by the training provider.

(4) For full-time ~~out-service~~ training of more than 60 days, the appointing power may require the employee to ~~shall~~ agree in writing to reimburse the State for tuition and other expenses paid by the State if, after completion of the training assignment, the employee does not continue employment in State service for a period of six months or twice the period of training, whichever is greater. Such reimbursement shall be made within two years after separation from State service and shall be for an amount proportionate to the specified period of service not completed.

(b) If the provisions of this rule are in conflict with specific training reimbursement provisions contained in a memorandum of understanding, the memorandum of understanding shall be controlling.

Note: Authority cited: Section 19815.4(d) and 19995.1, Government Code. Reference: Sections ~~19404(e)~~, 19995 and 19995.1, Government Code.



~~599.824. Conditions and Restrictions. Out Service Training.~~

~~Out service training must be of direct value to the State, be relevant to the employee's career development in State service, and be limited to providing knowledge or skills that cannot be economically provided through available in service training.~~

~~Note: Authority cited: Section 19815.4(d) and 19995.1, Government Code. Reference: Sections 19995 and 19995.1, Government Code.~~

