

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

2025-04-30

2. Department

California Department of Corrections and Rehabilitation (CDCR)

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

Division of Correctional Policy Research and Internal Oversight, Office of Internal Affairs, Office of Civil Rights

4. CEA Position Title

Associate Director, Office of Civil Rights

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

CDCR, Division of Correctional Policy Research and Internal Oversight (CPRIO) is submitting a request for a major change and upgrade from the Chief, Civil Rights Operations, CEA A to Associate Director, Office of Civil Rights, CEA B. CDCR approved this change internally in 2019, however now that the position is vacant, CDCR is submitting a request to officially upgrade the position. The Associate Director serves as the highest-level advisor and statewide Equal Employment Opportunity (EEO) Officer and oversees CDCR's EEO/Sexual Harassment Prevention Program (SHPP), and Diversity, Equity, and Inclusion (DEI) programs.

6. Reports to: (Class Title/Level)

Deputy Director, Office of Internal Affairs (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*): Per CDCR Department Operations Manual (DOM), Section 31010.7, the Associate Director is the Department's EEO Officer and per Government Code Section 19795(a), reports directly to the Secretary on matters related to EEO and serves as CDCR's expert/key advisor and resource for management regarding EEO related issues.

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 Deputy Director, Office of Internal Affairs, the Associate Director (AD), Office of Civil Rights (OCR) serves as the highest-level advisor and manager of the Equal Employment Opportunity/Sexual Harassment Prevention Program (EEO/SHPP) and Diversity, Equity and Inclusion (DEI). Per CDCR's Department Operations Manual, Section 31010.7, the incumbent is the Department's EEO Officer and per Government Code Section 19795(a), reports directly to the Secretary, CDCR on matters related to EEO. Per Government Code Section 19795(a), the EEO Officer ensures departmental compliance with EEO/SHPP laws. The AD formulates, implements, and evaluates departmental EEO policies and procedures for the Department. The AD also formulates, implements, and evaluates SHPP policies and procedures and ensures staff receive EEO/SHPP related training.

The AD provides statewide program direction for the development and implementation of the Department's EEO practices and objectives in compliance with federal and state laws and departmental policies. Reviews and ensures departmental policies are non-discriminatory. Acts on behalf of the Secretary to maintain a Department free of discrimination, harassment, and retaliation; and serves as the Department's expert/key advisor and resource for departmental management regarding EEO, sexual harassment, discrimination, EEO/sexual harassment retaliation, and DEI workforce matters.

The AD manages and monitors the Department's EEO complaint review process to ensure the discrimination complaint process is conducted with independence, objectivity, and consistency statewide. Monitors the performance of EEO/SHPP coordinators and counselors. Provides input for investigations of EEO misconduct; and may consult with Department managers on the appropriate action to be taken in cases with sustained findings. Manages and provides oversight of OCR operations; formulating high-level policies and procedures which impact CDCR statewide; and coordinating the development and implementation of new policies and procedures as a result of legislation. Ensures statewide compliance regarding the interpretation and implementation of applicable laws, regulations, and best practices.

The AD facilitates the evaluation of the annual Workforce Analysis Report to pinpoint underutilization of certain racial/ethnic and gender groups and the development of an action plan to eliminate non job-related employment barriers. Works with management to ensure nondiscriminatory personnel policies and practices. Coordinates an annual evaluation of the Department's upward mobility program and utilization of persons with disabilities. Monitors the Department's Disability Advisory Committee and is responsible for the development and maintenance of EEO programs for persons with disabilities. Assists the Department in complying with the Americans with Disabilities Act and other related statutes.

The AD coordinates with CDCR's Office of Training and Professional Development and Office of Legal Affairs in the development and delivery of EEO/SHPP training to monitor and evaluate the effectiveness of such training. Participates with Peace Officer Selection and Employee Development to plan and evaluate upward mobility programs for departmental employees. Oversees the creation of training programs specific to the prevention or reporting of violations of employee civil rights, laws, regulations, and policies. Assures EEO objectives are not adversely affected by labor agreements reached through collective bargaining process, and provides consultation on grievances involving EEO issues.

The AD serves as liaison/facilitator with community and advocacy organizations related to EEO/sexual harassment and/or diversity issues. Acts as a liaison between the Department, the State Personnel Board, California Department of Human Resources, Department of Fair Employment and Housing, Office of the Attorney General, and other state or governmental agencies, including the U.S. Equal Employment Opportunity Commission, and private entities on EEO/sexual harassment and/or diversity matters. Monitors the composition of oral panels in departmental examinations to ensure diversity.

Serves as liaison/facilitator with community and advocacy organizations related to EEO/sexual harassment and/or diversity issues. Acts as a liaison between the Department, the State Personnel Board, California Department of Human Resources, Department of Fair Employment and Housing, Office of the Attorney General, and other state, or governmental agencies, including the U.S. Equal Employment Opportunity Commission, the Government Alliance on Race and Equity, and private entities on EEO/sexual harassment and/or diversity matters. Monitors the composition of oral panels in departmental examinations to ensure diversity.

Perform administrative duties including, but not limited to: adhere to Department policies, rules and procedures; submit administrative requests including leave, travel, and training in a timely and appropriate manner; accurately report time and submit time sheets by the due date.

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: CDCR's Mission Statement: To facilitate the successful reintegration of the individuals in our care back to their communities equipped with the tools to be drug-free, healthy, and employable members of society by providing education, treatment, rehabilitative, and restorative justice programs, all in a safe and humane environment.

CDCR DEI Statement: The CDCR and California Correctional Health Care Services (CCHCS) are committed to building and fostering a diverse workplace. We believe cultural diversity, backgrounds, experiences, perspectives, and unique identities should be honored, valued, and supported. We believe all staff should be empowered. CDCR/CCHCS are proud to foster inclusion and representation at all levels of both Departments.

OCR's mission statement, "A unified commitment to promote equal opportunities for all; creating a workplace free from discrimination and harassment through training and timely, impartial review of complaints in accordance with civil rights laws and CDCR policy", directly aligns with CDCR's DEI statement.

OCR is responsible for ensuring EEO and DEI exists for all applicants and CDCR employees; as well as, enforcing and promoting a professional work environment free from discrimination, harassment, and retaliation. OCR administers a statewide program for filing and resolving EEO complaints including review and analysis of complaints, developing policy and procedures, providing technical assistance, and conducting training to provide discrimination awareness and prevention.

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.

CDCR is requesting a major change to upgrade the CEA level based on its duties and the critical policy oversight for this position. CDCR is the largest state agency with many employees working throughout the state in very remote locations. It is critical that management and staff are fully trained and aware of the expectations for individuals throughout the organization, ensuring that the workplace is free from discrimination, harassment and retaliation through training and resolving issues in a timely manner. As required by existing Federal and California state statutes, CDCR established its EEO policies and procedures statewide to ensure all workplaces are free from discrimination, harassment, and retaliation. These policies and procedures are part of CDCR's DOM, specifically Sections 31010.1 to 31010.14, Article 1, Chapter 3.

To comply CDCR restructured its complaint process. As a result, OCR added 18 new positions across 3 regional offices to centralize EEO complaints. The AD has oversight for staff working in northern, central, and southern locations. The AD provides direction and advises the departmental EEO Officers, managers, supervisors, and staff on training, prevention, and complaint processing and resolution. The new complaint process structure provides greater accountability for CDCR and allows CDCR to function with higher integrity through an independent and unbiased process.

In addition, the AD has the overall responsibility for setting and implementing policy on diversity, equity, and inclusion (DEI) by overseeing GARE ambassadors, DEI work groups, and focusing on strategies with CDCR's Secretary and leadership. This position will be setting and implementing an overarching vision of DEI that focuses CDCR as the employer that works to eliminate systemic barriers and promotes inclusion practices through structure, customs and leadership.

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 Associate Director provides statewide program direction for the development and implementation of the Department's EEO practices and objectives in compliance with federal and state laws and departmental policies. Ensures that these policies are inclusive, equitable, and nondiscriminatory. Acts on behalf of the Secretary to maintain an organization that is free of discrimination, harassment, and retaliation; and serves as the expert/key advisor regarding EEO, sexual harassment, discrimination, EEO/sexual harassment retaliation, and workforce diversity matters.

Manages and monitors the Department's EEO complaint review process to ensure the process is conducted with independence, objectivity, and consistency statewide. Monitors the performance of EEO/SHPP coordinators and counselors. Provides input for investigations of EEO misconduct; and may consult with Department managers on the appropriate action to be taken in cases with sustained findings. Provides oversight of OCR operations; formulating high-level policies and procedures which impact CDCR statewide; and coordinating the development and implementation of new policies and procedures as a result of legislation. Ensures statewide compliance regarding the interpretation and implementation of applicable laws, regulations, and best practices.

Facilitates the evaluation of the annual Workforce Analysis Report to pinpoint underutilization of certain racial/ethnic and gender groups and the development of a strategic action plan to eliminate non-job-related employment barriers. Works with management to ensure non-discriminatory personnel policies and practices. Coordinates an annual evaluation of the Department's upward mobility program and utilization of persons with disabilities. Monitors the Department's Disability Advisory Committee and is responsible for the development and maintenance of EEO programs for persons with disabilities. Assists the Department in complying with the Americans with Disabilities Act and other related statutes.

Coordinates with CDCR's Office of Training and Professional Development and Office of Legal Affairs in the development and delivery of EEO/SHPP training to monitor and evaluate the effectiveness of such training. Participates with Peace Officer Selection and Employee Development to plan and evaluate upward mobility programs for departmental employees. Oversees the creation of training programs specific to the prevention or reporting of violations of employee civil rights, laws, regulations, and policies. Assures EEO objectives are not adversely affected by labor agreements reached through collective bargaining process, and provides consultation on grievances involving EEO issues.

The AD will also play a key role in updating CDCR's hiring policies and processes in collaboration with Human Resources and program leadership on developing retention strategies that will align with the department's goals to reduce employee turnover and ensure individuals are engaged and productive long term. Develops a means of measuring the effectiveness of diversity initiatives.

C. ROLE IN POLICY INFLUENCE (continued)

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

The scope and nature of decision - making authority for the AD, OCR is broad over it's areas of responsibility. Decisions made by the AD, OCR are far-reaching and directly impact the Department, CDCR employees, adult institution operations, parole operations. The AD, OCR is responsible for the effective management, direction and oversight of CDCR's EEO and DEI programs. CDCR employs approximately 60,000 employees statewide and the AD is responsible for ensuring that all employees have a discrimination free and safe working environment. The AD is the key advisor and resource to departmental management regarding EEO and workforce diversity matters. The incumbent is responsible for the ongoing review and revision of department wide policies and procedures ensuring there are no illegal adverse impacts for employees in any protected category. The AD has significant impact on the entire department as a consequence of the nature of the position. The policies, practices and investigations performed by OCR impact each and every employee and program of the Department. This position requires an exceptionally high level of technical and professional knowledge to ensure CDCR remains in compliance with all EEO laws and rules. The consequence of error for the AD, OCR policy decisions is significantly high.

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

The AD, OCR will be responsible for the development and implementation of new policies, as well as interpreting and implementing existing policy over it's areas of responsibility. This position will do so by collaborating with subordinates, members of the executive team, and in consultation with other CDCR Divisions as necessary.