

EMPLOYMENT DEVELOPMENT DEPARTMENT

Amendment of Title 22, California Code of Regulations Section 311-1

CONFLICT OF INTEREST CODE

Initial Statement of Reasons

INTRODUCTION:

The Political Reform Act (Act) (Gov. Code, §§ 81000, et seq.) requires, among other things, that governmental agencies promulgate Conflict of Interest Codes designating employees who must disclose specific investments, business positions, interests in real property and sources of income, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

Government Code section 87306 specifically requires that every agency shall amend its Conflict of Interest Code when necessary due to changed circumstances, including the creation of new positions, which fall within the designated positions subject to the Act's Conflict of Interest Code. The existing Appendix to the Employment Development Department's (Department) Conflict of Interest Code no longer accurately reflects the current positions of designated employees.

This regulatory change amends California Code of Regulations (CCR), title 22, section 311-1, in order to properly identify the Department's employee positions or classifications that are required to file financial disclosure statements pursuant to Government Code section 87100.

NECESSITY:

The Department has undergone organizational changes since the last amendment to its Conflict of Interest Code (set forth in CCR, title 22, section 311-1). The amendment is necessary to reflect these changed circumstances within the Department.

Specifically, the following changes have been made to the Appendix:

The following new positions have been added pursuant to Government Code section 87302(a):

Maintenance Mechanic
Business Services Assistant (Designated positions in Business Operations
Planning and Support Division)
Printing Trades Supervisor

The Department also streamlined many position titles to reflect generic civil service classification titles. This will simplify the distinction between the designated employee's powers and responsibilities. Some service classification titles may change or add disclosure categories due to this revision.

As the Code Reads Currently

(***Current disclosure category** as shown in **Appendix** of the Code, is shown after position title if it is being considered for amendment.)

Proposed Title (Civil Service Classification)

(***Proposed disclosure category** as it will be shown in **Appendix** of the Code, if position title is amended.)

Director	Director EDD
Assistant to the Chief Deputy Director	Staff Services Manager III
Assistant Director, Policy and Programs	Career Executive Assignment (CEA)
Assistant Director, Communications	Information Officer II
Deputy Director, Job Service Branch	CEA
Deputy Director, Unemployment Insurance Branch	CEA
Deputy Director, Tax Branch	CEA
Deputy Director, Disability Insurance Branch	CEA
Deputy Director, Program Review Branch	CEA
Deputy Director, Administration Branch	CEA
Chief, Business Operations Planning and Support Division	CEA
Chief, Field Audit and Compliance Division	CEA
Chief, Collection Division	CEA
Chief, Tax Processing and Accounting Division	CEA
*Chief, Fiscal Programs Division----- "a"	*CEA-----"a, b"
*Deputy Director, Information Technology Branch-----"a"	*CEA-----"a, b"

*Deputy Director, Legislative Liaison Office-----“a”	*Staff Services Manager II----“a, b”
*Chief, Equal Employment Opportunity-----“a”	*Staff Services Manager II-----“a, b”
*Chief, Information Security Office-----“a”	*Data Processing Manager-----“d”
*Chief, Job Service Division-----“a”	*CEA-----“a, b”
*Chief, Workforce Investment Division-----“a”	*CEA-----“a, b”
*Chief, Unemployment Insurance Division-----“a”	*Staff Services Manager III----“a, b”
*Chief, Disability Insurance Division-----“a”	*CEA-----“a, b”
*Chief, Monitor Advocate Office-----“a”	*Staff Services Manager II-----“a, b”
*Chief, Investigation Division-----“a”	*CEA-----“a, b”
[Tax Administrator, Central Office *Tax Administrator, Field-----“f”	Tax Administrator I-II-III, EDD] *Tax Administrator I-II-III, EDD-- “a”]
Supervising Tax Auditor	Supervising Tax Auditor I, EDD
*Chief, Audit and Evaluation Division-----“a”	*CEA-----“a, b”
*Chief, Labor Market Information Division----“a”	*CEA-----“a, b”
*Chief, Human Resource Services Division-----“a”	*CEA-----“a, b”
*Chief, Technology Foundation Services Division-----“a”	*CEA-----“a, b”
*Chief, Insurance Accounting Division-----“a”	*CEA-----“a, b”
*Chief, Tax Support Division-----“a”	*CEA-----“a, b”
*Executive Director, Governor’s Committee for Employment of Disabled Persons-----“a”	*Staff Services Manager III---“a, b”
*Chief, Infrastructure Solutions & Management Division-----“a”	*CEA-----“a, b”
*Chief, Production and Operations Management Division-----“a”	*CEA-----“a, b”

*Chief, Intelligent Call Routing System Office-----“b, c”	*CEA-----“a, b”
*Staff Services Manager, Business Operations Planning and Support Division-----“b, c”	*Staff Services Manager II-III (Designated positions in Central Office, Business Operations Planning and Support Division)-----“a, b”
Conference Coordinator	Associate Governmental Program Analyst (Designated positions in Business Operations Planning and Support Division)
*Chief, EDD University Administration Office-----“c”	*Staff Services Manager III-- “a, b”
Architectural Associate	Associate Architect
Material and Store Supervisor	Associate Printing Plant Superintendent
Regional Manager/Field Office Manager (Unemployment Insurance, Job Service, Disability Insurance Branches)	Employment Program Manager / Disability Insurance Program Manager (Designated positions in Unemployment Insurance, Workforce Services, Disability Insurance Branches)
*Office Administrator, Disability Insurance Branch-----“e, f”	*CEA-----“a, b”
*Area Administrator-----“e, f”	*CEA-----“a, b”
*Chief of Staff, Field Division-----“e, f”	*CEA-----“a, b”
Supervising Special Investigator II	Supervising Criminal Investigator I-II, EDD
*Supervising Tax Auditor, Field-----“f”	*Associate Tax Auditor, EDD-----“h”
Tax Auditor	Tax Auditor, EDD
Staff Tax Auditor	Staff Tax Auditor, EDD

The following positions have been deleted from the Appendix because the positions no longer exist in the Department:

Director, Workforce Strategies
Deputy Director, Workforce Development Branch
Executive Director, Business Relations
Chief, Operations Support Division
Deputy Chief, Investigation Division
Chief, Compliance Review Division
Chief, Application Services Division
Project Manager, Paid Family Leave Program
Deputy Division Chief, Job Service Division
Field Division Chief, Job Services Program
Field Division Chief, Unemployment Insurance Program
Section Chief, Automation and Information Management
Section Chief, Special Services Section
Tax Compliance Supervisor, Field

PLAIN ENGLISH CONFORMING STATEMENT:

The Department has drafted the proposed amendments in plain English pursuant to section 11346.2(a)(1) of the Government Code.

FISCAL IMPACT:

Anticipated costs or savings in federal funding to the State: None

Anticipated costs or savings to any State Agency: None

Anticipated costs or savings to any local agency or school district: None

Significant statewide adverse economic impact: The Department does not anticipate this regulatory action will result in any costs to the federal government, to State government, to local county governments, to private individuals, or to businesses and small businesses. Thus, no costs were shown on the Economic and Fiscal Impact Statement.

The Department has made an initial determination that the proposed amendments will not have a significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states because it will only affect employees of the Department. The Department has determined that the proposed amendments will not affect the creation or elimination of jobs within the State of California; the creation of new businesses or the elimination of existing businesses within the State of California; or the expansion of businesses currently doing business within the State of California.

The cost impact on representative persons or businesses: The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Anticipated impact on housing costs: These proposed amendments will have no effect on housing costs.

Anticipated nondiscretionary costs or savings imposed upon local agencies: None

SMALL BUSINESS IMPACT:

These proposed amendments will not have any impact upon small businesses because they will only affect employees of the Department.

LOCAL MANDATE DETERMINATION:

The Department has determined that these proposed amendments will not impose any new mandates on school districts or other local governmental agencies or any mandates, which must be reimbursed by the State pursuant to Part 7 (commencing with section 17500), Division 4 of the Government Code.

CONSIDERATION OF ALTERNATIVES:

In accordance with section 11346.2(b)(5)(A) of the Government Code, there were no reasonable alternatives to be considered by the Department.
