

INITIAL STATEMENT OF REASONS

Description of Regulatory Action:

The California Prison Industry Authority (CALPIA) and the Prison Industry Board (PIB) propose to adopt Section 8121 of Article 6, Chapter 1, of the California Code of Regulations (CCR), Title 15, Division 8, concerning CALPIA Personnel. This action is necessary to implement, interpret and make specific Penal Code (PC) Section 2809 regarding the General Manager's authority to determine personnel rules for CALPIA employees.

There are currently no regulations requiring employees to provide and update their contact information. Therefore, this action is necessary to require employees to report their current telephone numbers and primary contact addresses to their supervisor and Human Resources at Central Office. Employees' current contact information will provide Human Resources, supervisors, and the General Manager the ability to communicate with employees via telephone and U.S. Postal Service during off-duty hours.

All employees will be required to report current contact information upon being hired, in the event their contact information changes, and on an annual basis upon request. In the event an employee does not have a telephone, this action requires the employee to furnish information to their supervisors and Human Resources at Central Office on how the employee can be promptly reached.

The General Manager has determined it is mission essential for employees to be readily available at any time to support continuous operations of CALPIA which may occur outside of normal business hours or in circumstances such as emergencies. Upon approval by Office of Administrative Law, Title 15, California Code of Regulations, Section 8101 will require employees to report to work immediately when informed of an emergency at CALPIA. Current telephone numbers are needed to provide the General Manager and supervisors the ability to contact employees during off duty hours for emergencies or if otherwise required to report to work. Also, in the event an employee is absent without leave, supervisors need to make welfare calls to check on the wellbeing of employee. To ensure the most effective strategy to reach an employee outside of normal business hours, current telephone numbers must be provided.

In addition to current telephone numbers, it is also necessary for employees to provide their current primary contact addresses to their supervisors and Human Resources at Central Office for the purposes of using U.S. Postal service to mail items such as W-2 forms, pay warrants, notification letters and any other informational documentation.

As specified in CCR, Title 1, Section 12 (b) (1), the CALPIA acknowledge the language contained within this regulation is similar to regulations found in CCR, Title 15, Section 3396, which pertains to California Department of Corrections and Rehabilitation's (CDCR) personnel regulations. In justifying the similarity of the

regulation, the CALPIA contends the GC Section 11349.1(a)(3) is satisfied because clarity is needed for the General Manager's scope of authority to establish personnel requirements for CALPIA employees that are separate from those of CDCR.

The proposed CALPIA personnel regulation will be vetted through the public process of the PIB, as required in PC Section 2808, subsections (h) and (i), and are now being promulgated through the regulatory process as specified in the Administrative Procedure Act (APA). The PIB will review this regulation at the next board meeting. Upon approval, the PIB's Record of Vote, applicable portion of the transcribed minutes, and meeting agenda will be filed as an attachment to the Final Statement of Reasons. These documents will be filed with the Office of Administrative Law (OAL) and become part of the rulemaking file.

BENEFITS OF THE REGULATIONS:

The proposed regulatory action will enhance communication abilities between CALPIA management and its employees during off-duty hours while decreasing inefficiency of failed communication due to missing or outdated contact information. CALPIA believes that this regulation will support continuous productivity, operations, and personnel processes.

ECONOMIC IMPACT ASSESSMENT

In accordance with Government Code Section 11346.3(b), the California Prison Industry Authority has made the following assessments regarding the proposed regulation:

Creation or Elimination of Jobs within the State of California

The proposed regulations will not create or eliminate jobs within the State of California. It is determined that this action has no significant adverse economic impact on jobs within the State of California because the jobs are not affected by the internal management of CALPIA employees. The benefits of new, proposed regulations will provide clear and concise personnel rules that will only affect CALPIA employees.

Creation, Expansion, or Elimination of Existing Businesses (Small or Large) within the State of California

The proposed regulations will not have an effect on the creation, expansion, or elimination, of small or large businesses within California. It is determined that this action has no significant adverse economic impact on small or large businesses within the State of California because businesses are not affected by the internal management of CALPIA employees. The benefits of new, proposed regulations will provide clear and concise personnel rules that will only affect CALPIA employees.

REPORTS RELIED UPON:

The CALPIA, in proposing these regulations, has not identified nor relied upon any technical, theoretical, or empirical study, report, or similar document.

CONSIDERATION OF ALTERNATIVES:

The CALPIA determined that no alternative considered would be more effective in carrying out the purpose of this action or would be as effective as and less burdensome to CALPIA employees than the action proposed. The CALPIA also determined there are no reasonable alternatives that would lessen any adverse impact on small businesses. The internal management of CALPIA employees will not affect small businesses.

SPECIFIC PURPOSE AND RATIONALE FOR EACH SECTION, PER GOVERNMENT CODE 11346.2(B) (1):

Section 8121 is proposed to adopt and standardize agency rules by requiring employees to provide their contact information and includes provisions to ensure contact information is kept current by the employee. Section 8121 clarifies current contact information must be submitted upon being hired at CALPIA, if and when changes occur to employee's contact information, and on a yearly basis. Requiring employees to submit their contact information will enhance communication abilities between CALPIA management and its employees during off-duty hours while decreasing inefficiency of failed communication due to missing or outdated contact information.