

**NOTICE OF PROPOSED REGULATIONS**

**California Code of Regulations  
Title 15, Crime Prevention and Corrections  
Division 8  
California Prison Industry Authority**

**NOTICE IS HEREBY GIVEN** that the California Prison Industry Authority (CALPIA) and the Prison Industry Board (PIB) pursuant to the authority granted by Penal Code (PC) Sections 2801 and 2809 in order to implement, interpret and make specific PC Sections 2809, propose to adopt Section 8121 of Article 6, Chapter 1, of the California Code of Regulations (CCR), Title 15, Division 8, concerning CALPIA personnel.

**PUBLIC HEARING INFORMATION:**

At this time, no public hearing has been scheduled concerning the proposed change to regulations. Anyone may request a public hearing by contacting the contact person set forth below. Requests for public hearings must be made no later than September 8, 2014.

**PUBLIC COMMENT PERIOD:**

The public comment period will close, **September 22, 2014 at 5:00 p.m.** Any person may submit public comments regarding the proposed changes in writing. To be considered, comments must be received before the close of the comment period. Use one of the following to submit:

**MAIL or HAND DELIVERED**

CALPIA/Legal Services Unit  
560 East Natoma Street  
Folsom, CA 95630

**FAX**

(916) 358-2709

**E-MAIL**

CALPIAregs@calpia.ca.gov

**CONTACT PERSON:**

Please direct any inquiries regarding this action or questions of substance of the proposed regulatory action to:

**Dawn Eger, Legal Analyst  
California Prison Industry Authority  
Telephone (916) 358-1612**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**Della Fujiwara, Executive Assistant  
California Prison Industry Authority  
Telephone (916) 358-1711**

**LOCAL MANDATES:**

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to Government Code Sections 17500 through 17630.

**AUTHORITY AND REFERENCE**

PC Section 2800 provides that commencing July 1, 2005, there is hereby continued in existence within the Department of Corrections and Rehabilitation the Prison Industry Authority. As used in this article, "authority" means the Prison Industry Authority. Commencing July 1, 2005, any reference to the Department of Corrections shall refer to the Department of Corrections and Rehabilitation.

PC Section 2809 provides that notwithstanding any other provision of law, commencing July 1, 2005, the authority may recruit and employ civilian staff that may be necessary to carry out the purposes of this article, and shall establish recruiting, testing, hiring, promotion, disciplinary, and dismissal procedures and practices which will meet the unique personnel needs of the authority. The practices may include incentives based on productivity, profit-sharing plans, or other criteria which will encourage civilian employee involvement in the productivity goals of the authority. The procedures and practices shall apply to all employees working in enterprises under the jurisdiction of the authority. The General Manager shall be the appointing authority for all personnel of the authority other than the General Manager.

**INFORMATIVE DIGEST**

There are currently no regulations requiring employees to provide their contact information to Human Resources and supervisors at CALPIA. The General Manager proposes to adopt regulatory provisions to standardize and require all employees of CALPIA to provide current contact information to ensure CALPIA management can communicate with employees during off-duty hours for work related purposes.

The proposed text in Section 8121 will standardize agency rules for employee 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.

**Policy Statement Overview:**

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.

**EVALUATION OF INCONSISTENCY/INCOMPATIBILITY WITH EXISTING REGULATIONS:**

During the process of developing these regulations and amendments, CALPIA has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

**LOCAL MANDATES:**

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to Government Code Sections 17500 through 17630.

**FISCAL IMPACT STATEMENT:**

Cost to any local agency or school district that is required to be reimbursed in accordance with Government Code Sections 17500 through 17630:	None
Cost or savings to any state agency:	None
Other nondiscretionary cost or savings imposed on local agencies:	None
Cost or savings in federal funding to the State:	None

**EFFECT ON HOUSING COSTS:**

The CALPIA has made an initial determination that the proposed action will have no significant effect on housing costs.

## **SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS:**

The CALPIA has initially determined that the proposed action 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 they are not affected by the internal management of CALPIA employees.

## **RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT**

As a result of the economic impact assessment and in accordance with Government Code Section 11346.3(b), the CALPIA 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 existing 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.

### **Benefits of the Regulations**

The proposed regulatory action will benefit CALPIA employees by providing clear and concise personnel rules while ensuring that CALPIA is carrying out the requirements set forth in statute.

## **COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES:**

The CALPIA is not aware of any cost impacts that a representative, private person or business would necessarily incur in reasonable compliance with the proposed action.

## **EFFECT ON SMALL BUSINESSES**

The Department has determined that this action has no significant adverse economic impact on small business because they are not affected by the internal management of CALPIA employees.

## **ALTERNATIVES DETERMINATION STATEMENT**

CALPIA must determine that no reasonable alternative considered by CALPIA, or that has otherwise been identified and brought to the attention of CALPIA, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the proposed regulatory action.

Interested persons are invited to present statements or arguments with respect to any alternatives to the changes proposed during the written comment period.

**AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS:**

The CALPIA has prepared, and will make available, the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the CALPIA's contact person. The proposed text, ISOR, and Notice of Proposed Action will also be made available on the CALPIA website <http://www.calpia.ca.gov>.

**AVAILABILITY OF CHANGES TO PROPOSED TEXT:**

After considering all timely and relevant comments received, the PIB may approve the proposed regulations substantially as described in this Notice. If the CALPIA makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the PIB reviews and approves the regulations as revised. The CALPIA will accept written comments on the modified regulations for 15 days after the date on which they are made available. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice or can be viewed by visiting the CALPIA website <http://www.calpia.ca.gov>.

**AVAILABILITY OF THE FINAL STATEMENT OF REASONS:**

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the CALPIA's contact person or by visiting the CALPIA website <http://www.calpia.ca.gov>.