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September 20, 2021

The Honorable Gavin Newsom
Governor, State of California
State Capitol, Suite 1173
Sacramento, CA 95814

**RE: AB 313 (Garcia): Civil service: Limited Examination and
Appointment Program –REQUEST FOR SIGNATURE**

Dear Governor Newsom:

Disability Rights California is proud to sponsor AB 313 (Cristina Garcia) and respectfully requests your signature on this measure. AB 313 passed the Assembly and the Senate unanimously and will help advance a goal we share with you to increase the diversity of those working in state service.

Back in 2002, the Legislature passed and Governor Davis signed AB 925 which, among other things, established in statute the goal that the State of California should be a model employer of people with disabilities. There have been many efforts to make changes to state policies and practices related to hiring and accommodating employees with disabilities to further this goal. Most recently, the Department of Human Resources (CalHR), the Department of Rehabilitation (DOR), and the State Personnel Board (SPB) convened a work group which spent over a year developing recommendations and issued the Joint Project Report in 2015.

While some progress has been made on implementing a few of those recommendations, there is still much more which needs to be done. The

current representation rate for persons with disabilities in state service (currently 10.6%) has declined dramatically from 14.1% in 2015 when the Joint Project Report was issued. During that same time period, the number of state agencies which have achieved the 16.6% disability representation goal established many years ago by the State Personnel board has fallen from 29 in 2015 to only 19 for this year.

AB 313 aims to address this problem by implementing some of the key recommendations from the Joint Project Report. The objectives of this legislation are similar to those of AB 365 (c. Garcia, 2019), but the language has been modified to allow greater flexibility for its implementation.

Specifically, AB 313 will:

- Require each state agency to develop a reasonable accommodation policy and direct CalHR to provide guidance to departments for establishing those policies;
- Require CalHR to review, approve, or seek modifications to plans submitted by state agencies relating to the establishment of an effective affirmative action program for individuals with disabilities;
- Require CalHR to identify agencies and departments that have consistently failed to make progress in increasing the representation of individuals with disabilities, and to work with those agencies and departments to develop action plans to address the deficiencies; and
- Encourage further expansion of the Limited Examination and Appointment Program which provides an alternative mechanism for hiring of persons with disabilities into state service.

These modest measures will bring us closer to achieving the goal of making California a model employer for workers with disabilities. We appreciate your efforts to make California more inclusive, including your participation in the Building Back Better For Disability Equity and Inclusion. AB 313 advances this work by developing workforce solutions and maximizing opportunities for persons with disabilities.

Accordingly, we respectfully request that you sign AB 313. Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Andrew J. Imparato". The signature is written in a cursive style with a large initial 'A'.

Andrew J. Imparato
Executive Director
Disability Rights California

cc: Assemblymember Cristina Garcia
Lamont Gordon, Office of Assembly Member Garcia
Stuart Thompson, Office of Legislative Affairs
Christina Spagnoli, Government Operations Agency