July 2, 2019

Honorable Anthony Portantino
Chair, Appropriations Committee
California State Senate
Capitol Building, Room 3086
Sacramento, CA 95814

RE: AB 365 (GARCIA) as amended June 19, 2019 – SUPPORT

Dear Senator Portantino:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, is pleased to support AB 365. This bill is scheduled for hearing before the Senate Appropriations Committee on July 8, 2019.

Historically, working age people with disabilities are among the most unemployed and underemployed members of society. Even though there have been major civil rights advancements, like the federal Americans with Disabilities Act and the state Disabled Persons Act, people with disabilities are underrepresented in state civil service. Without equal employment opportunities, many persons with disabilities are forced to rely on public benefits and services.

Unfortunately, state agencies have failed to ensure that persons with disabilities are afforded equal opportunities and the benefits and privileges of state employment. One reason for that failure is that the Limited Examination and Appointment Program (LEAP) has not been effectively implemented and does not practically support the hiring of persons with disabilities.
In 2015, the California Department of Human Resources (CalHR), the State Personnel Board (SPB) and the Department of Rehabilitation (DOR), as a joint project, issued a report and set of recommendations to increase the employment of persons with disabilities in state government. The report included, among other things, a set of recommendations to improve LEAP. Unfortunately, many of the recommendations have been ignored. AB 365 would require implementation of some of those recommendations. 

(https://www.dor.ca.gov/Content/DorIncludes/documents/CCEPD/Joint%20Project%202015-PDF%20Version.pdf)

AB 365 would address these historic barriers and implement some of the recommendations of the joint project report to increase employment for persons with disabilities in state civil service. The bill removes the January 1, 2021 sunset date for the developmental disabilities internship option and makes it a permanent part of the LEAP Program; requires CalHR to create a task force to develop a plan for broadening the scope of the LEAP internship program and submit a report to the legislature with the plan including a schedule for implementation; requires CalHR, in consultation with SPB, DOR, Department of Developmental Services (DDS) and stakeholders, to develop and implement a plan for LEAP improvements; and, requires CalHR to identify departments which have not been successful in hiring persons with disabilities and work with such departments to implement new strategies to improve their ability to bring persons with disabilities into the state workforce.

As noted in the 2015 Joint Project Report and Recommendations, increased and improved hiring, promotion and retention of persons with disabilities in California state service is an ongoing goal. It is critical to continue to identify strategies to reach the largely untapped pool of candidates with disabilities and methods to advance their talents and further diversify all ranks of civil service. The solutions in AB 365 further move in that direction.

The Department of Human Resources presented a BCP (7501-001-BCP-2018-GB) in January 2019 for the LEAP program in the amount of $452,000 ($59,000 GF, $352,000 reimbursements, $41,000 Central Service Cost Recovery Fund) (2.0 Staff Personnel Program Analysts and 1.0 information Technology Specialist I). The funding for the analysts were approved in the 2019-20 budget. The analysts “will serve as consultants over all service-wide LEAP assessments for civil service classification and
will develop online, continuous filing, and open service-wide examinations to maximize the availability of LEAP assessments. In addition, they will provide oversight of the collaborative model and serve as technical liaisons between the Selection Division, PMD, and external stakeholders to ensure the final products are integrated seamlessly with the Examination and Certification Online Services project.” The BCP is consistent with the requirements of AB 365 to increase LEAP-certified job classifications.

AB 365 has not received any no votes.

For these reasons, DRC supports AB 365. Please contact me if you have any questions about our position or if I can provide any further information.

Very truly yours,

Curtis Child
Legislative Director
Disability Rights California

cc: Honorable Members, Senate Appropriations Committee
Robert Ingenito, Consultant, Senate Appropriations Committee
Honorable Cristina Garcia, California State Assembly
Lamont Gordon, Legislative Aide, Office of Assembly Member Garcia
Scott Seekatz, Policy Consultant, Senate Republican Caucus