

## CONCURRENCE IN SENATE AMENDMENTS

AB 1195 (Cristina Garcia)

As Amended August 17, 2022

Majority vote

**SUMMARY**

Original Committee of Reference: P.E. & R.

Makes changes to existing law relating to the Limited Examination and Appointment Program (LEAP) and referral lists to a state appointing power.

**Senate Amendments**

Current Committee Recommendation: Concur

Remove all prior provisions in this bill that addressed an unrelated subject as previously passed by the Assembly, and add the following:

- 1) Require, as an alternative to receiving a combined list of eligible candidates, the California Department of Human Resources (CalHR) to provide a list of eligible individuals that includes information, as provided, on a LEAP referral list and any applicable reemployment or State Restriction of Appointment list.
- 2) Authorize an appointing power to notify individuals listed, of the opportunity to apply for a vacant position, screen for candidate eligibility, and hire from among the eligible candidates who are on the list.
- 3) Authorize the State Personnel Board (SPB) to, as necessary, adopt or amend regulations to ensure the aforementioned procedures are implemented in a manner consistent with the merit principles of the state civil service and the California Constitution.
- 4) Require the CalHR or its designee to create a referral list of names of individuals with disabilities who meet the eligibility for participation and the minimum qualifications of the classification, as specified.
- 5) Require the LEAP referral list to be combined with other employment lists for the same classification using the prescribed procedures, unless the appointing power requests use of the alternative procedure, also as prescribed.
- 6) Provide that if the eligibility list is obtained through the alternative procedure, a hiring manager is authorized to identify those qualified through the LEAP.
- 7) Include legislative findings and declarations for these purposes.

**COMMENTS***The LEAP, Simplified*

The LEAP is an alternative examination program that offers a means of assessing the qualifications and skills of job applicants with disabilities for employment by the state. To be

eligible for the LEAP, candidates must be certified by the DOR and have their LEAP certification information entered into CalHR's database.

Once a LEAP candidate is selected for a position, the candidate must complete an on-the-job testing phase, called the job examination period (JEP). After successful completion of the JEP, candidates may be appointed to the parallel civil service classification.

**According to the Author**

"In 2015 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. Despite the recommendations of the joint report, reform has come too slowly. Last year the legislature passed Assembly Bill 313 (C. Garcia) which implements some reforms; however, due to a simple drafting error in Assembly Bill 313, this bill is needed as clean-up language."

**Arguments in Support**

Disability Rights California, and the Association of California State Employees with Disabilities makes statements similar to those of the author.

**Arguments in Opposition**

None on file.

**FISCAL COMMENTS**

This bill was passed by the Senate Appropriations Committee pursuant to Senate Rule 28.8.

**VOTES****ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: 6-0-3****YES:** Quirk, Arambula, Bauer-Kahan, Cristina Garcia, Bloom, Muratsuchi**ABS, ABST OR NV:** Smith, Megan Dahle, Mathis**ASM LOCAL GOVERNMENT: 6-1-1****YES:** Aguiar-Curry, Bloom, Boerner Horvath, Ramos, Luz Rivas, Robert Rivas**NO:** Lackey**ABS, ABST OR NV:** Voepel**ASM APPROPRIATIONS: 12-4-0****YES:** Lorena Gonzalez, Calderon, Carrillo, Chau, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, Holden, Luz Rivas**NO:** Bigelow, Megan Dahle, Davies, Fong**ASSEMBLY FLOOR: 56-19-3****YES:** Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Berman, Bloom, Boerner Horvath, Burke, Calderon, Carrillo, Cervantes, Chau, Chiu, Cooley, Cooper, Daly, Frazier, Friedman, Gabriel, Cristina Garcia, Eduardo Garcia, Gipson, Lorena Gonzalez, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Lee, Levine, Low, McCarty, Medina, Mullin, Muratsuchi, Nazarian, O'Donnell, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Stone, Ting, Villapudua, Ward, Akilah Weber, Wicks, Wood, Rendon**NO:** Bigelow, Chen, Choi, Cunningham, Megan Dahle, Davies, Flora, Fong, Gallagher, Gray, Kiley, Lackey, Nguyen, Patterson, Seyarto, Smith, Valladares, Voepel, Waldron**ABS, ABST OR NV:** Maienschein, Mathis, Mayes**SENATE FLOOR: 40-0-0****YES:** Allen, Archuleta, Atkins, Bates, Becker, Borgeas, Bradford, Caballero, Cortese, Dahle, Dodd, Durazo, Eggman, Glazer, Gonzalez, Grove, Hertzberg, Hueso, Hurtado, Jones, Kamlager, Laird, Leyva, Limón, McGuire, Melendez, Min, Newman, Nielsen, Ochoa Bogh, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener, Wilk**ASM PUBLIC EMPLOYMENT AND RETIREMENT: 7-0-0****YES:** Cooper, Voepel, Calderon, Cooley, McKinnor, O'Donnell, Seyarto**UPDATED**

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