

Subchapter 3. State Personnel Board– Conflict of Interest Code

§ 549. General Provisions.

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **State Personnel Board**.

Individuals holding designated positions shall file their statements of economic interests with the **State Personnel Board**, which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008). Upon receipt of the statement for the Board Members and Executive Officer, the **State Personnel Board** shall make and retain a copy and forward the original of these statements to the **Fair Political Practices Commission**. All other statements will be retained by the **State Personnel Board**.

Appendix A

Designated Positions

Designated Positions Disclosure Categories

EXECUTIVE OFFICE

Board Member..... 1, 2, 3
Executive Officer..... 1, 2, 3

LEGAL DIVISION

Chief Counsel 1, 2, 3
Attorney (All Levels) 1, 2, 3

APPEALS DIVISION

Chief Administrative Law Judge 1, 2, 3
Administrative Law Judge (All Levels) 2, 3
Attorney (All Levels) 1, 2, 3
Sr. Legal Analyst (Hearing Officer) 2, 3
Staff Service Manager II 1, 3
Staff Services Manager III 1, 3
Psychological Consultant 3
Medical Consultant 3

POLICY & COMPLIANCE REVIEW DIVISION

Chief, Policy and Compliance Review Division 1, 2, 3
Attorney (All Levels) 1, 2, 3

Consultants/New Positions *

Consultants/New positions shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Executive Officer may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Section 81008.)

Appendix B

Disclosure Categories

Category 1

Designated positions in this category must report investments and business positions in business entities or income (including receipt of gifts, loans, and travel payments) from sources of the type which contract with the State Personnel Board to provide services, supplies, materials, machinery or equipment. Such sources may include: interpreter services, transcription services, web streaming services, office supplies and equipment, training, educational services and human resource management services (e.g. instructors, facilities).

Category 2

Designated positions in this category must report investments and business positions in business entities or income (including receipt of gifts, loans, and travel payments) from sources which have contracted with the State to provide personal services. Such sources may include: legal, medical, information technology, scientific, engineering and janitorial services.

Category 3

Designated positions in this category must report investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from any individual person/party, state agency employee or their agent that is subject, or in the last two years has been subject, to an appeal, audit, petition, or action of the agency.

This is the last page of the conflict of interest code for the State Personnel Board.



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict of interest code for the State Personnel Board was approved on December 31, 2014.

A handwritten signature in cursive script, reading "Erin V. Peth", written over a horizontal line.

Erin V. Peth

Executive Director

Fair Political Practices Commission

Pursuant to Government Code Section 11346.2:

Secretary of State Filing Date:

Effective:

**State of California
Office of Administrative Law**

**In re:
State Personnel Board**

Regulatory Action:

Title 2, California Code of Regulations

**Adopt sections:
Amend sections: 549
Repeal sections:**

NOTICE OF FILING AND PRINTING ONLY

Government Code Section 11343.8

OAL File No. 2015-0220-04 FP

This is an amendment to a Conflict of Interest Code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing in the California Code of Regulations only.

OAL filed this regulation(s) or order(s) of repeal with the Secretary of State, and will publish the regulation(s) or order(s) of repeal in the California Code of Regulations.

Date: 3/17/2015

Rhea A. Moyer

Rhea A. Moyer
Legal Analyst

For: DEBRA M. CORNEZ
Director

Original: Suzanne Ambrose
Copy: Dorothy Bacskai Egel