

# 2009 ANNUAL REPORT TO THE LEGISLATURE

---

## DISCRIMINATION COMPLAINT ACTIVITY IN STATE CIVIL SERVICE

---

Prepared by

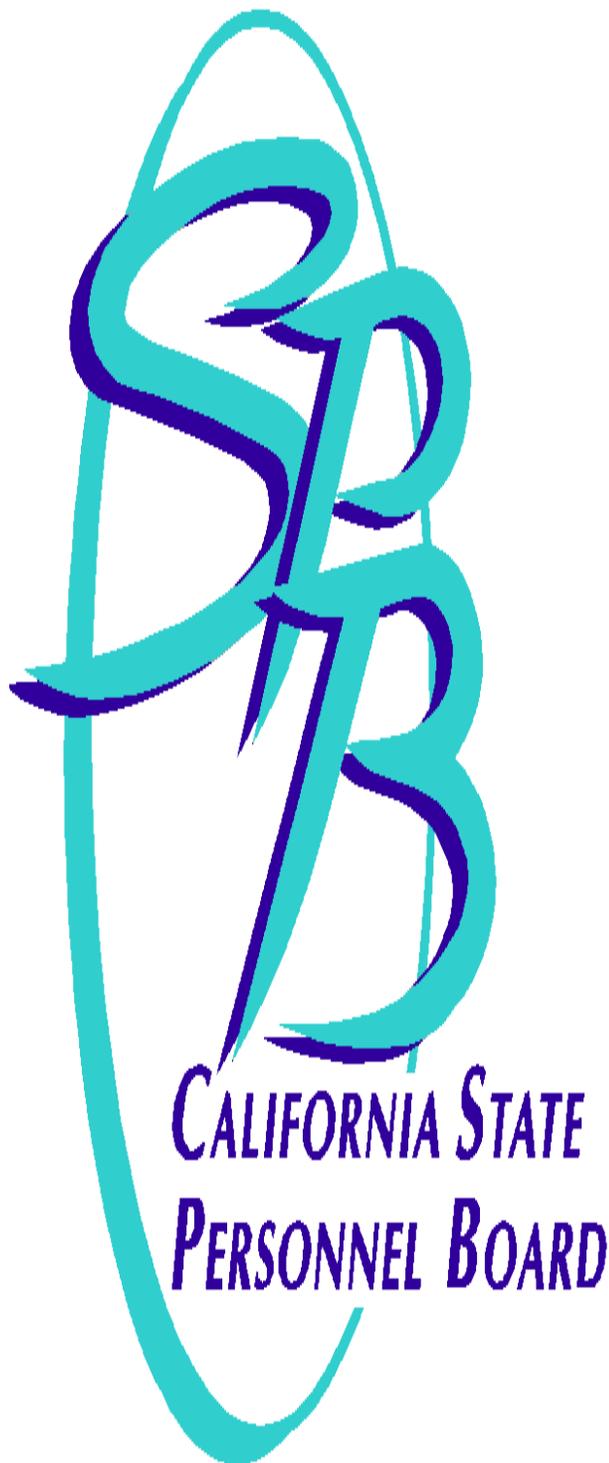
### STATE PERSONNEL BOARD

801 Capitol Mall  
Sacramento, CA 95814

**Anne Sheehan**, President  
**Richard Costigan**, Vice President  
**Patricia Clarey**, Member  
**Sean Harrigan**, Member  
**Maeley Tom**, Member

**Suzanne Ambrose**, Executive Officer

**March 2010**



## TABLE OF CONTENTS

SECTION	PAGE
I. Purpose of Report.....	3
II. The Discrimination Complaint Process .....	3
III. The State Personnel Board Appeals Process .....	4
IV. Summary of Findings for Formal Discrimination Complaints .....	4
A. Formal Discrimination Complaints Received .....	4
B. Formal Discrimination Complaint Types .....	5
C. Formal Discrimination Complaint Dispositions .....	5
D. Length of Time to Resolve Formal Discrimination Complaints .....	5
V. Summary of Findings for Discrimination Appeals .....	6
A. Discrimination Appeals Received .....	6
B. Discrimination Appeal Types .....	6
C. Discrimination Appeal Final Decisions .....	6
D. Length of Time to Resolve Discrimination Appeals .....	6
VI. Data Collection.....	7
VII. Attachments	
• <u>Table 1</u> : Formal Discrimination Complaints and Appeals by Department.....	8
• <u>Table 2</u> : Types of Formal Discrimination Complaints and Appeals.....	12
• <u>Table 3</u> : Disposition of Closed Formal Discrimination Complaints as Reported by Departments.....	13
• <u>Table 4</u> : Final Decisions of Closed Discrimination Appeals Filed with the SPB..	13
• <u>Table 5</u> : Length of Time to Resolve Formal Discrimination Complaints as Reported by Departments .....	14
• <u>Table 6</u> : Length of Time to Resolve Discrimination Appeals Filed with the SPB	17

## I. Purpose of Report

Government Code §19702.5(c) requires the State Personnel Board (SPB) to report annually to the Legislature on formal discrimination complaints and appeals against each appointing authority in the State civil service. The Discrimination Complaint System (DCS) is the source for data included in this report. The DCS enables the SPB to collect information on formal departmental discrimination complaint activities. The SPB's Appeals Division provides discrimination appeals information. Information submitted in this report reflects data reported between January 1, 2009 and December 31, 2009.

## II. The Discrimination Complaint Process

Prior to filing a discrimination appeal with the SPB, State civil service employees and applicants for State civil service employment must first file a discrimination complaint with their employing department, in an effort to resolve the complaint at the lowest level.<sup>1</sup> However, the SPB does not require an employee or applicant for employment to first file a complaint with the employing department in those situations where the complaint alleges discrimination by the Department Director, Department Executive Officer, or where the employee or applicant can demonstrate that it would have been futile to first file the complaint with the department. In addition, any employee or applicant for employment who alleges that he or she has been retaliated against for having complained about discrimination or harassment may file a retaliation complaint directly with the SPB.<sup>2</sup>

A department's Equal Employment Opportunity (EEO) Officer has the overall responsibility for managing the department's internal discrimination complaint process, though the process must conform to certain minimum requirements established by the SPB. This process may involve both informal and formal components. It is important to note that prior to filing a formal discrimination complaint with the department, individuals are encouraged to seek informal resolution of their complaint through their EEO Counselors. EEO Counselors should attempt to quickly gather information about the complaint and resolve the problem in an expeditious manner.<sup>3</sup> This informal resolution process should not exceed the timeframe indicated by the department's discrimination complaint review process.

If a complaint cannot be resolved through the informal process, or if the complainant chooses to bypass the informal process, the complainant has the right to file a formal discrimination complaint with the employing department. Upon filing a formal complaint, the EEO Officer may assign the complaint to an EEO Investigator for formal investigation. The EEO Officer should provide the complainant with a report or summary of the investigation findings.

---

<sup>1</sup> Title 2, CA Code of Regulations §54.2

<sup>2</sup> Government Code §19702(h)

<sup>3</sup> Title 2, CA Code of Regulations §54.2

## II. The Discrimination Complaint Process (continued)

Departments must advise the complainant of their rights in the complaint process, including their right to file an appeal with the SPB. If a complainant is dissatisfied with the department's response, or if the department fails to provide a timely response to the complaint, the complainant may file a formal written discrimination appeal with the SPB within 30 days after the event upon which the complaint is based.<sup>4</sup>

## III. The State Personnel Board Appeals Process

Discrimination appeals filed with the SPB are reviewed to determine if all prerequisites for filing an appeal with the SPB have been satisfied, including whether the appellant first filed a complaint with the department. If the appeal is accepted, it is scheduled for a Pre-Hearing Settlement Conference (PHSC) before an Administrative Law Judge (ALJ). During the PHSC, the ALJ will explore potential settlement with the parties. If the matter cannot be resolved through settlement, the ALJ will schedule an evidentiary hearing based upon the availability of the parties and the SPB Hearing Calendar. The SPB utilizes the same legal standards employed by state and federal courts when reviewing discrimination appeals. After the completion of the hearing, the ALJ issues a proposed decision for review by the five-member State Personnel Board (Board).

The Board may adopt the proposed decision, modify it in part, revoke the proposed decision, or schedule the matter for an oral argument. If the Board adopts the proposed decision, the ALJ's findings of fact and conclusions of law become the Board's decision. If the Board modifies the proposed decision, only specified provisions of the ALJ's findings of fact and conclusions of law become the Board's decision. If the Board rejects or revokes the proposed decision, the parties may be permitted to be heard by the Board itself. The Board will thereafter issue its decision in the case based on the entire administrative record.

Either the appellant or respondent may file a Petition for Rehearing within 30 days of receipt of the Board's decision.<sup>5</sup> Either party may also file a petition for a Writ of Mandate with the Superior Court.<sup>6</sup>

## IV. Summary of Findings for Formal Discrimination Complaints

### A. Formal Discrimination Complaints Received

Of all discrimination complaints reported in 2009, 965 (83.91%) formal discrimination complaints were filed with departments (Table 1). In 2009, the total number of formal discrimination complaints increased by 93 (10.67%) compared to the 872 reported in the *2008 Annual Report to the Legislature on Discrimination Complaint Activity* (Table 1 of the 2008 Report).

---

<sup>4</sup> Title 2, CA Code of Regulations, §51.2

<sup>5</sup> Government Code §19586; Title 2, CA Code of Regulations §51.7

<sup>6</sup> Code of Civil Procedure, §1094.5

## IV. Summary of Findings for Formal Discrimination Complaints (continued)

### B. Formal Discrimination Complaint Types

In the DCS, there are 14 categories for type of discrimination. In 2009, departments had the option to select more than one type of discrimination for each individual case, resulting in 1,327 types of formal discrimination complaints (Table 2).

In 2009, the top five formal discrimination complaint types reported were:

Top 5 Formal Discrimination Complaint Types	Formal Discrimination Complaints	
	No.	%*
Sexual Harassment	274	20.65%
Retaliation	266	20.05%
Race	213	16.05%
Sex	158	11.91%
Disability	117	8.82%

\*Percentage of *Formal Discrimination Complaint Types*.

(From Table 2)

### C. Formal Discrimination Complaint Dispositions

In 2009, 544 (56.37%) formal discrimination complaints were closed statewide (Table 1). Of the 544 formal discrimination complaints closed: 294 (54.04%) identified that no prima facie case was established; 117 (21.51%) identified that no discrimination was found; 58 (10.66%) were withdrawn; 42 (7.72%) were allegations not based on protected group status; 12 (2.21%) identified that no remedy was possible; 11 (2.02%) identified that discrimination was found; and 10 (1.84%) were resolved through mutual agreement (Table 3).

### D. Length of Time to Resolve Formal Discrimination Complaints<sup>7</sup>

In 2009, the average length of time for departments to resolve a formal discrimination complaint was 83 days (Table 5), a 3.49% decrease compared to the average 86 days reported in the *2008 Annual Report to the Legislature on Discrimination Complaint Activity* (Table 5 of the 2008 Report). In 2009, 28 closed formal discrimination complaints (Table 5) exceeded the 180-day timeframe for processing, a 17.65% decrease from the 34 reported in the *2008 Annual Report to the Legislature on Discrimination Complaint Activity* (Table 5 of the 2008 Report).

<sup>7</sup> Cases without a close date are not reflected in this data.

## V. Summary of Findings for Discrimination Appeals

### A. Discrimination Appeals Received

Of all discrimination complaints reported in 2009, 185 (16.09%) discrimination appeals were filed with the SPB (Table 1). In 2009, the total number of discrimination appeals decreased by 54 (29.19%) compared to the 239 reported in the *2008 Annual Report to the Legislature on Discrimination Complaint Activity* (Table 1 of the 2008 Report).

### B. Discrimination Appeal Types

In the SPB Appeals Case Tracking System (ACTS), there are 16 categories for type of discrimination. In 2009, staff had the option to select one type of discrimination for each discrimination appeal, resulting in 185 types of discrimination (Table 2).

In 2009, the top five discrimination appeal types were:

Top 5 Discrimination Appeal Types*	Discrimination Appeals	
	No.	%**
Reasonable Accommodation	51	27.57%
Multiple Areas	46	24.86%
Retaliation	31	16.76%
Age	11	5.95%
Sexual Harassment	11	5.95%

\*Does not account for appeal types, *Unknown* or *Other*.

\*\*Percentage of *Discrimination Appeal Types*.

(From Table 2)

### C. Discrimination Appeal Final Decisions

In 2009, 66 (35.68%) discrimination appeals were closed statewide (Table 1). Of the 66 discrimination appeals closed: 51 (77.27%) were dismissed, rejected, or denied; 12 (18.18%) were withdrawn; and 3 (4.55%) were settled (Table 4).

### D. Length of Time to Resolve Discrimination Appeals

In 2009, the average length of time for the SPB to resolve a discrimination appeal was 100 days (Table 6), a 53.05% decrease compared to the average 213 days reported in the *2008 Annual Report to the Legislature on Discrimination Complaint Activity* (Table 6 of the 2008 Report). In 2009, 13 closed discrimination appeals exceeded the 180-day time frame for processing, an 84.15% decrease from the 82 reported in the *2008 Annual Report to the Legislature on Discrimination Complaint Activity* (Table 6 of the 2008 Report).

## VI. Data Collection

Data reflected in this report was obtained from the DCS and the SPB Appeals Division and is attached in the following tables:

- Table 1: Formal Discrimination Complaints and Appeals by Department
- Table 2: Types of Formal Discrimination Complaints and Appeals
- Table 3: Disposition of Closed Formal Discrimination Complaints as Reported by Departments
- Table 4: Final Decisions of Closed Discrimination Appeals Filed with the SPB
- Table 5: Length of Time to Resolve Formal Discrimination Complaints as Reported by Departments
- Table 6: Length of Time to Resolve Discrimination Appeals Filed with the SPB

**Table 1: Formal Discrimination Complaints and Appeals by Department<sup>8</sup>**

Department	Formal Discrimination Complaints		Discrimination Appeals	
	Opened	Closed	Opened	Closed
Administrative Law, Office of	DNR	DNR	0	0
African American Museum, California	DNR	DNR	0	0
Aging, Department of	0	0	0	0
Agricultural Labor Relations Board	0	0	0	0
Air Resources Board	DNR	DNR	0	0
Alcohol and Drug Programs, Department of	4	1	0	0
Alcohol Beverage Control, Department of	1	0	0	0
Arts Council, California	DNR	DNR	0	0
Boating and Waterways, Department of	0	0	0	0
Child Support Services, Department of	DNR	DNR	0	0
Children and Families First Commission	DNR	DNR	0	0
Coastal Commission, California	0	0	0	0
Coastal Conservancy, California	0	0	0	0
Community Colleges, California	0	0	0	0
Community Services and Development, Department of	0	0	0	0
Conservation, Department of	0	0	0	0
Conservation Corps, California	3	2	0	0
Consumer Affairs, Department of	37	5	5	3
Corporations, Department of	1	0	1	0
Corrections and Rehabilitation, Department of	447	316	79	24
Developmental Disabilities, State Council on	DNR	DNR	0	0
Developmental Services, Department of	4	2	4	0
<i>Agnews Developmental Center</i>	0	0	0	0
<i>Canyon Springs</i>	0	0	0	0
<i>Fairview Developmental Center</i>	9	7	0	0
<i>Lanterman Developmental Center</i>	3	3	0	0
<i>Porterville Developmental Center</i>	1	0	0	0
<i>Sierra Vista Small Facility</i>	0	0	0	0
<i>Sonoma Developmental Center</i>	4	2	0	0
Education, Department of	0	0	0	0
Emergency Medical Services Authority	DNR	DNR	1	0
Emergency Services, Office of	DNR	DNR	0	0
Employment Development Department	18	9	9	5
Energy Management Agency, California	0	0	1	0
Energy Resources Conservation and Development Commission, California	0	0	1	0
Environmental Health Hazard Assessment, Office of	DNR	DNR	0	0

<sup>8</sup> DNR – Department did not report data.

**Table 1: Formal Discrimination Complaints and Appeals by Department (continued)<sup>9</sup>**

Department	Formal Discrimination Complaints		Discrimination Appeals	
	Opened	Closed	Opened	Closed
Equalization, Board of	10	2	2	2
Exposition and State Fair, California	1	1	0	0
Fair Employment and Housing Commission	0	0	0	0
Fair Employment and Housing, Department of	1	0	3	1
Fair Political Practices Commission	1	0	0	0
Fish and Game, Department of	3	0	1	1
Finance, Department of	0	0	0	0
Financial Institutions, Department of	0	0	0	0
Food and Agriculture, Department of	0	0	0	0
Forestry and Fire Protection, Department of	32	15	7	3
Franchise Tax Board	DNR	DNR	1	0
General Services, Department of	10	8	3	1
Health and Human Services Agency	0	0	2	0
Health Care Services, Department of	8	4	1	0
Health Planning and Development, Office of Statewide	1	0	1	0
Highway Patrol, California	5	1	3	2
Horse Racing Board, California	DNR	DNR	0	0
Housing and Community Development, Department of	1	0	0	0
Housing Finance Agency, California	0	0	0	0
Industrial Relations, Department of	21	12	0	0
Insurance, Department of	1	0	0	0
Inspector General, Office of the	1	1	0	0
Integrated Waste Management Board, California	DNR	DNR	0	0
Justice, Department of	3	1	3	1
Legislative Counsel Bureau	DNR	DNR	0	0
Managed Health Care, Department of	DNR	DNR	1	0
Managed Risk Medical Insurance Board	DNR	DNR	0	0
Mental Health, Department of	0	0	4	2
<i>Atascadero State Hospital</i>	6	2	0	0
<i>Coalinga State Hospital</i>	DNR	DNR	0	0
<i>Metropolitan State Hospital</i>	21	1	0	0
<i>Napa State Hospital</i>	1	0	0	0
<i>Patton State Hospital</i>	7	0	0	0
<i>Salinas Valley Psychiatric Program</i>	DNR	DNR	0	0
<i>Vacaville Psychiatric Program</i>	6	1	0	0
Military Department	0	0	0	0

<sup>9</sup> DNR – Department did not report data.

**Table 1: Formal Discrimination Complaints and Appeals by Department  
(continued)<sup>10</sup>**

Department	Formal Discrimination Complaints		Discrimination Appeals	
	Opened	Closed	Opened	Closed
Motor Vehicles, Department of	33	22	7	2
Parks and Recreation, Department of	10	1	2	1
Parole Hearings, Board of	DNR	DNR	0	0
Peace Officer Standards and Training, Commission on	DNR	DNR	0	0
Personnel Administration, Department of	0	0	0	0
Pesticide Regulation, Department of	DNR	DNR	1	1
Postsecondary Education Commission, California	DNR	DNR	0	0
Prison Industry Authority	DNR	DNR	0	0
Public Employment Relations Board	0	0	0	0
Public Employees Retirement System	2	2	0	0
Public Health, California Department of	20	6	3	0
Public Utilities Commission, California	5	3	0	0
Real Estate, Department of	DNR	DNR	0	0
Real Estate Appraisers, Office of	0	0	0	0
Rehabilitation, Department of	0	0	1	0
Science Center, California	DNR	DNR	0	0
Secretary of State	0	0	0	0
Social Services, Department of	25	5	7	5
State Audits, Bureau of	0	0	0	0
State Compensation Insurance Fund	18	15	1	1
State Controller's Office	DNR	DNR	0	0
State Lands Commission	0	0	0	0
State Library, California	0	0	0	0
State Lottery, California	DNR	DNR	1	0
State Personnel Board	0	0	0	0
State Public Defender, Office of the	0	0	0	0
State Publishing, Office of	0	0	0	0
State Teachers' Retirement System, California	0	0	0	0
State Treasurer's Office	0	0	0	0
State Water Resources Control Board	0	0	0	0
Stephen P. Teale Consolidated Data Center	2	0	0	0
Student Aid Commission, California	DNR	DNR	0	0
Systems Integration, Office of	DNR	DNR	0	0
Teacher Credentialing, California Commission on	DNR	DNR	0	0
Technology Services, Department of	0	0	0	0
Toxic Substances Control, Department of	DNR	DNR	1	0

<sup>10</sup> DNR – Department did not report data.

**Table 1: Formal Discrimination Complaints and Appeals by Department  
(continued)<sup>11</sup>**

Department	Formal Discrimination Complaints		Discrimination Appeals	
	Opened	Closed	Opened	Closed
Transportation, Department of	108	33	21	7
Unemployment Insurance Appeals Board	2	1	0	0
Veterans Affairs, Department of	3	3	1	0
Victims Compensation and Government Claims Board	DNR	DNR	0	0
Water Resources, Department of	64	57	2	0
Water Resources Control Board	1	0	0	0
Unknown <sup>12</sup>	0	0	4	4
<b>Totals</b>	<b>965</b>	<b>544</b>	<b>185</b>	<b>66</b>

<sup>11</sup> DNR – Department did not report data.<sup>12</sup> Appellant did not identify which department they were from.

**Table 2: Types of Formal Discrimination Complaints and Appeals<sup>13</sup>**

Types	Formal Discrimination Complaints	Discrimination Appeals	Totals	
			No.	%
Age <sup>14</sup>	87	11	98	6.48%
Ancestry	19	0	19	1.26%
Color	53	0	53	3.51%
Disability <sup>15</sup>	117	0	117	7.74%
Marital Status	22	0	22	1.46%
Multiple Areas	0	46	46	3.04%
National Origin	43	4	47	3.11%
Political Affiliation	7	0	7	0.46%
Race	213	9	222	14.68%
Reasonable Accommodation	0	51	51	3.37%
Religion	29	1	30	1.98%
Retaliation	266	31	297	19.64%
Sex	158	6	164	10.85%
Sexual Harassment	274	11	285	18.85%
Sexual Orientation	36	0	36	2.38%
Veteran Status	3	0	3	0.20%
Other <sup>16</sup>	0	3	3	0.20%
Unknown <sup>17</sup>	0	12	12	0.79%
<b>Totals</b>	<b>1,327</b>	<b>185</b>	<b>1,512</b>	

<sup>13</sup> Percentages may not total 100% due to rounding.

<sup>14</sup> Represents employees/applicants that are 40+ years old.

<sup>15</sup> Includes reasonable accommodation.

<sup>16</sup> Does not fall under a protected category.

<sup>17</sup> Appellant did not specify or provide enough information for staff to identify type of discrimination.

**Table 3: Disposition of Closed Formal Discrimination Complaints as Reported by Departments<sup>18</sup>**

Disposition	Formal Complaints	
	No.	%
Allegations Not Based on Protected Group Status	42	7.72%
Complaint Withdrawn	58	10.66%
Discrimination Found	11	2.02%
Discrimination Not Found	117	21.51%
No Prima Facie Case Established	294	54.04%
No Remedy Possible	12	2.21%
Resolved by Mutual Agreement	10	1.84%
<b>TOTAL</b>	<b>544</b>	

**Table 4: Final Decisions of Closed Discrimination Appeals Filed with the SPB<sup>19</sup>**

Final Decision	Discrimination Appeals	
	No.	%
Dismissed, Rejected, or Denied	51	77.27%
Granted	0	0.00%
Settled	3	4.55%
Withdrawn	12	18.18%
<b>TOTAL</b>	<b>66</b>	

<sup>18</sup> Percentages may not total 100% due to rounding.<sup>19</sup> Percentages may not total 100% due to rounding.

**Table 5: Length of Time to Resolve Formal Discrimination Complaints as Reported by Departments<sup>20</sup>**

Departments	Formal Complaints			
	0-89 Days	90-179 Days	180+ Days	Average Length of Time for Resolution
Administrative Law, Office of	N/A	N/A	N/A	N/A
African American Museum, California	N/A	N/A	N/A	N/A
Aging, Department of	N/A	N/A	N/A	N/A
Agricultural Labor Relations Board	N/A	N/A	N/A	N/A
Air Resources Board	N/A	N/A	N/A	N/A
Alcohol and Drug Programs, Department of	N/A	N/A	N/A	N/A
Alcohol Beverage Control, Department of	N/A	N/A	N/A	N/A
Arts Council, California	N/A	N/A	N/A	N/A
Boating and Waterways, Department of	N/A	N/A	N/A	N/A
Child Support Services, Department of	N/A	N/A	N/A	N/A
Children and Families First Commission	N/A	N/A	N/A	N/A
Coastal Commission, California	N/A	N/A	N/A	N/A
Coastal Conservancy, California	N/A	N/A	N/A	N/A
Community Colleges, California	N/A	N/A	N/A	N/A
Community Services and Development, Department of	N/A	N/A	N/A	N/A
Conservation, Department of	N/A	N/A	N/A	N/A
Conservation Corps, California	1	1	0	56
Consumer Affairs, Department of	4	0	0	49
Corporations, Department of	N/A	N/A	N/A	N/A
Corrections and Rehabilitation, Department of	55	15	4	70
Developmental Disabilities, State Council on	N/A	N/A	N/A	N/A
Developmental Services, Department of	1	1	0	57
<i>Agnews Developmental Center</i>	N/A	N/A	N/A	N/A
<i>Canyon Springs</i>	N/A	N/A	N/A	N/A
<i>Fairview Developmental Center</i>	3	1	3	124
<i>Lanterman Developmental Center</i>	0	1	0	159
<i>Porterville Developmental Center</i>	N/A	N/A	N/A	N/A
<i>Sierra Vista Small Facility</i>	N/A	N/A	N/A	N/A
<i>Sonoma Developmental Center</i>	1	0	0	31
Education, Department of	N/A	N/A	N/A	N/A
Emergency Medical Services Authority	N/A	N/A	N/A	N/A
Emergency Services, Office of	N/A	N/A	N/A	N/A
Employment Development Department	4	4	0	106
Energy Resources Conservation and Development Commission, California	N/A	N/A	N/A	N/A

<sup>20</sup> Cases without a close date are not reflected in this table.

**Table 5: Length of Time to Resolve Formal Discrimination Complaints as Reported by Departments (continued)<sup>21</sup>**

Departments	Formal Complaints			
	0-89 Days	90-179 Days	180+ Days	Average Length of Time for Resolution
Environmental Health Hazard Assessment, Office of	N/A	N/A	N/A	N/A
Equalization, Board of	2	0	0	67
Exposition and State Fair, California	0	0	1	194
Fair Employment and Housing Commission	N/A	N/A	N/A	N/A
Fair Employment and Housing, Department of	N/A	N/A	N/A	N/A
Fair Political Practices Commission	1	0	0	41
Finance, Department of	N/A	N/A	N/A	N/A
Financial Institutions, Department of	N/A	N/A	N/A	N/A
Fish and Game, Department of	1	0	1	131
Food and Agriculture, Department of	N/A	N/A	N/A	N/A
Forestry and Fire Protection, Department of	5	5	4	129
Franchise Tax Board	N/A	N/A	N/A	N/A
General Services, Department of	9	0	0	40
Health Care Services, Department of	2	0	1	88
Health Planning and Development, Office of Statewide	N/A	N/A	N/A	N/A
Highway Patrol, California	N/A	N/A	N/A	N/A
Horse Racing Board, California	N/A	N/A	N/A	N/A
Housing and Community Development, Department of	N/A	N/A	N/A	N/A
Housing Finance Agency, California	N/A	N/A	N/A	N/A
Industrial Relations, Department of	5	6	2	82
Insurance, Department of	1	0	0	77
Inspector General, Office of the	1	0	0	7
Integrated Waste Management Board, California	N/A	N/A	N/A	N/A
Justice, Department of	1	0	0	84
Managed Health Care, Department of	N/A	N/A	N/A	N/A
Managed Risk Medical Insurance Board	N/A	N/A	N/A	N/A
Mental Health, Department of	N/A	N/A	N/A	N/A
<i>Atascadero State Hospital</i>	6	0	0	17
<i>Coalinga State Hospital</i>	N/A	N/A	N/A	N/A
<i>Metropolitan State Hospital</i>	0	0	1	186
<i>Napa State Hospital</i>	N/A	N/A	N/A	N/A
<i>Patton State Hospital</i>	N/A	N/A	N/A	N/A
<i>Salinas Valley Psychiatric Program</i>	N/A	N/A	N/A	N/A
<i>Vacaville Psychiatric Program</i>	3	0	0	52

<sup>21</sup> Cases without a close date are not reflected in this table.

**Table 5: Length of Time to Resolve Formal Discrimination Complaints as Reported by Departments (continued)<sup>22</sup>**

Departments	Formal Complaints			
	0-89 Days	90-179 Days	180+ Days	Average Length of Time for Resolution
Military Department	N/A	N/A	N/A	N/A
Motor Vehicles, Department of	20	2	1	41
Parks and Recreation, Department of	0	0	1	271
Parole Hearings, Board of	N/A	N/A	N/A	N/A
Peace Officer Standards and Training, Commission on	N/A	N/A	N/A	N/A
Personnel Administration, Department of	N/A	N/A	N/A	N/A
Pesticide Regulation, Department of	N/A	N/A	N/A	N/A
Postsecondary Education Commission, California	N/A	N/A	N/A	N/A
Prison Industry Authority	N/A	N/A	N/A	N/A
Public Employment Relations Board	N/A	N/A	N/A	N/A
Public Employees Retirement System	1	0	0	56
Public Health, Department of	3	6	1	95
Public Utilities Commission, California	3	0	0	62
Real Estate, Department of	N/A	N/A	N/A	N/A
Real Estate Appraisers, Office of	N/A	N/A	N/A	N/A
Rehabilitation, Department of	N/A	N/A	N/A	N/A
Science Center, California	N/A	N/A	N/A	N/A
Secretary of State	N/A	N/A	N/A	N/A
Social Services, Department of	2	2	1	139
State Audits, Bureau of	N/A	N/A	N/A	N/A
State Compensation Insurance Fund	10	1	0	22
State Controller's Office	N/A	N/A	N/A	N/A
State Lands Commission	N/A	N/A	N/A	N/A
State Library, California	N/A	N/A	N/A	N/A
State Lottery, California	N/A	N/A	N/A	N/A
State Personnel Board	N/A	N/A	N/A	N/A
State Public Defender, Office of the	N/A	N/A	N/A	N/A
State Publishing, Office of	N/A	N/A	N/A	N/A
State Teachers' Retirement System, California	N/A	N/A	N/A	N/A
State Treasurer's Office	N/A	N/A	N/A	N/A
Stephen P. Teale Data Center	N/A	N/A	N/A	N/A
Student Aid Commission, California	N/A	N/A	N/A	N/A
Systems Integration, Office of	N/A	N/A	N/A	N/A
Teacher Credentialing, California Commission on	N/A	N/A	N/A	N/A

<sup>22</sup> Cases without a close date are not reflected in this table.

**Table 5: Length of Time to Resolve Formal Discrimination Complaints as Reported by Departments (continued)<sup>23</sup>**

Departments	Formal Complaints			
	0-89 Days	90-179 Days	180+ Days	Average Length of Time for Resolution
Technology Services, Department of	N/A	N/A	N/A	N/A
Toxic Substances Control, Department of	N/A	N/A	N/A	N/A
Transportation, Department of	3	23	7	134
Unemployment Insurance Appeals Board	1	0	0	41
Veterans Affairs, Department of	3	0	0	4
Victims Compensation and Government Claims Board	N/A	N/A	N/A	N/A
Water Resources, Department of	55	1	0	22
Water Resources Control Board	N/A	N/A	N/A	N/A
<b>Totals</b>	<b>207</b>	<b>69</b>	<b>28</b>	<b>83</b>

**Table 6: Length of Time to Resolve Discrimination Appeals Filed with the SPB<sup>24</sup>**

Discrimination Appeals			
0-89 Days	90-179 Days	180+ Days	Average Length of Time for Resolution
47	6	13	100 Days

<sup>23</sup> Cases without a close date are not reflected in this table.

<sup>24</sup> Cases pending are not reflected in this table.