

**State of California
California Science Center**

Date: December 11, 2015

To: Patrick Kemp, Assistant Secretary for Administration and Finance
Natural Resources Agency

From: Jeffrey Rudolph, President and CEO, California Science Center

Subject: State Leadership Accountability Act (SLAA), formerly known as Financial Integrity and State Manager's Accountability, (FISMA) Act of 1983

Please accept the Science Center's SLAA report on the review of our internal controls for the biennial period ending December 31, 2015. This report constitutes the evaluation of the Science Center's phone lines and usage plans, job analyses as they relate to the administration of exams, duty statements, and records retention compliance.

CALIFORNIA SCIENCE CENTER
STATE LEADERSHIP ACCOUNTABILITY ACT OF 1983
October 2013 – November 2015

INTRODUCTION

In accordance with the State Leadership Accountability Act (SLAA) of 1983, California Science Center submits this report on the review of our systems of internal control for the biennial period ended December 31, 2015. Should you have any questions please contact Cheryl Tateishi, Deputy Director, Administration at 213-744-2328.

Background

Averaging over two million guests annually, the Science Center Program 10-Education represents one of California's premier educational and family destinations. Governed by a nine-member Board of Directors appointed by the Governor, the Science Center develops and features award winning exhibits and internationally renowned education programs. Hands-on educational exhibits and programs focus on science, math, technology, and conservation, which explore the biological processes of humans, animals, plants, the Earth's ecosystems, habitats, and geophysical processes, as well as engineering, communications, and transportation on land and in space. The Space Shuttle Endeavour continues to be on display in its temporary home – the Samuel Oschin Pavilion - while design work and fundraising continues for the Science Center's Air and Space Center - the permanent home for Endeavour.

In addition, the Science Center operates a 3D IMAX theater which features science related films and documentaries. The Center for Science Learning offers professional development programs to improve math and science skills of teachers and other educators. The Science Center School is a K-5 science, math and technology focused neighborhood charter school. As a Title 1 school, it serves one of the more underserved and economically challenged communities in South Los Angeles. The school's instructional programs and teacher training meet California science standards

The Science Center maintains a longstanding and successful partnership with the California Science Center Foundation, a non-profit auxiliary of the Science Center. While the original charge of the Foundation was to raise funds for exhibit development, today the Foundation not only supports exhibit development, operations, and science education programming, but raises significant funds for state capital outlay projects.

The Science Center's mission values accessibility and inclusiveness and strives to inspire interest in science among those traditionally underrepresented in science, math, technology and engineering. The Science Center receives significant funding support for exhibit development, operations, and capital outlay projects from the California Science Center Foundation. The Science Center targets the workforce of tomorrow, ensuring California remains competitive in the technological and scientific marketplace of the future and is extremely effective at bringing educational and inspirational messages to a diverse community. Nearly 70 percent of the Science Center's guests are drawn from traditionally underserved populations of color, and more than half are female. In addition, the Science Center's youth programs bring interactive educational experiences to children and youth residing in the economically challenged neighborhoods surrounding the Science Center in South Los Angeles. Community Youth Programs target students attending some of the most crowded and underperforming schools in the state.

The enabling legislation which establishes the Science Center and its authority is provided under the Food and Agricultural Code Sections 4101-4108.

Mission Statement:

The California Science Center aspires to stimulate curiosity and inspire science learning in everyone by creating fun, memorable experiences, because we value science as an indispensable tool for understanding our world, accessibility and inclusiveness, and enriching people's lives.

The Science Center achieves its mission through three primary program areas:

- Exhibit Based Education Programming
- Educator Professional Development - Center for Science Learning; and
- Model K-5 Charter Elementary School

Facilities:

There are ten facilities totaling over 1.4 million square feet and includes public space, exhibit galleries, offices, trade shops, animal care, quarantine and life support systems, back-of-house space, and administrative offices. The Science Center's Plant Operations Unit provides facilities support to all ten facilities. As such, the facility square footage information includes the California African American Museum and the Office of Exposition Park Management, which includes the Department of Public Safety.

Staffing:

The Science Center has 110 authorized positions, which is a 20% reduction from FY 11/12.¹ Classifications range from Administrators (curators) to the full complement of building trades. Plant operations and trades staff represent approximately 70 percent of the Science Center's

¹ The Science Center had a total of 137 (138 with temp) authorized positions in FY 11/12.

employees. Their work week covers a seven-day per week operation. The Science Center is open to the public 362 days per year.

State Administrative Services Unit - Support to OEPM and CAAM:

The Science Center's State Administrative Services Unit not only provides administrative support to Science Center employees and management, but also provides the following administrative services to OEPM and CAAM:

- *Human resources and personnel management* services to the Office of Exposition Park Management, which includes the Department of Public Safety, DPS (38PYs), and the California African American Museum (18.3) PYs. These services include but are not limited to: salary and benefit transactions, recruitment and hiring, equal employment opportunity consultation services and guidance, workers compensation and return-to-work. There are eight collective bargaining units between the Science Center, OEPM and CAAM (1, 4, 7, 12, 13, 14, 15 and 21).
- *Health and safety*, including administration of the Injury Illness Prevention Program, maintaining compliance with Cal OSHA requirements and emergency response preparedness, and response and recovery planning.
- *Budget and fiscal services*, including serving as the primary contract and liaison with the Department of Finance on budget development exercises and preparation of schedules, response to Budget Letters and Control Sections, and allocation of budget.

Note: The State Administrative Services Unit provides OEPM with accounting services. (CAAM has a separate unit and procurement authority). Accounting services include management of the Science Center and OEPM's CalStars and SCO transactions and reimbursements. While the OEPM is included within the Science Center's purchase authority, the Science Center does not manage the OEPM budget nor has approval or oversight over purchases. The Science Center HR does not manage the Official Personnel Files for the DPS. Employee OPF's are maintained separately by DPS Command Management.

Strategic Planning Values

The Science Center's cultural values and principles guide how we work with our guests, volunteers and ourselves. These values and principles guide our leadership in making principle-centered decisions that are aligned with the vision and mission statements of the institution and will serve as a model for our organization.

- Create open and honest dialogue
- Strive for quality and continuous improvement
- Accept responsibility

- Act with integrity
- Create interpersonal trust
- Practice fairness
- Promote teamwork
- Encourage diversity
- Make quality service to our guests a top priority

For the 2013-2015 SLAA, the Department focused its internal review on the following four administrative and operational areas:

- Employee Duty Statements
- Job Analysis
- Records Retention
- Phone Lines Usage

Review of Employee Duty Statements

I. BACKGROUND

The California Science Center has previously completed considerable work in ensuring duty statements reflect best practices and standards.

In 2006, the Human Resources Unit initiated a Duty Statement Project for Plant Operations classifications. This specific unit was selected because Plant Operations represent 70 percent of the Department's employees. The 2006 Duty Statement project involved researching State Class Specifications as well as sample duty statements from other state departments. A questionnaire was developed to solicit employee input on general purpose of the job, essential duties, and responsibilities, etc. Meetings were held pre and post development of duty statements, and a review and approval process was included. The outcome was the development of a duty statement template. Once finalized, this template was utilized by all departments.

In November 2012, the State Personnel Board conducted an Exam and Recruitment compliance review audit, which among other items, involved a random review of duty statements. There were no related findings or corrective actions associated with the duty statement review.

In August 2014, the Department of Human Resources (CalHR) issued Personnel Management Liaison (PML) 2014-020, which provided information on best practices for duty

statements as a critical step for successful hiring. The PML specifically notes as a *Best Practice*, duty statements should *provide a clear description of the position and identify essential and non-essential tasks consistent with, and appropriate for, the classification specification.*

During 2013-14, HR identified incidents whereby duty statements were reviewed as part of specific employee personnel actions. In these isolated incidents, certain concerns were raised about dated job duties and in some cases, unsigned duty statements. This prompted the Department to review all duty statements as part of our biennial SLAA reporting for 2013-2015.

II. RISK ASSESSMENT PROCESS

In accordance with SLAA, the California Science Center conducted an internal review and audit of employee duty statements for the California Science Center, California African American Museum, and the Office of Exposition Park Management [review did not include duty statements for Department of Public Safety (DPS) employees]. Duty statements are located in the employee Official Personnel File (OPF) and physically located in the Science Center's Human Resources Office, with the exception of the DPS OPFs. All permanent full-time, temporary appointments untested (TAUs), and 119-day employees are required to have a signed and dated duty statement on file. Accurate duty statements are critical because they identify the essential duties of the position, additional desirable qualifications, working conditions, and the reporting relationships. An accurate duty statement also establishes the hiring authority's standard from which annual work performance evaluations should be measured. The objective of the SLAA internal review was to determine whether employee duty statements are *consistent* with CalHR job specifications, state civil service classifications, career executive assignments and Exempt appointments; and, *relevant* to current job duties, operational needs and employee/employer expectations. The methodology consisted of an audit crosswalk which was designed to determine whether employee duty statements included/addressed the following factors:

- Comprehensive and relevant to current job duties and requirements.
- Consistent with state job specifications for the employment classification.
- Adheres to the Department's duty statement template, which includes the following:
 - Describes essential functions and expectations of position.
 - Summarizes job specifications related to knowledge, skills and abilities.
 - Consistent with approved job analysis.
 - Describes desirable personal characteristics, interpersonal skills, and required physical abilities.
 - Describes work environment.
 - Identifies reporting relationship(s) and chain of command.

- Incorporates reasonable/realistic allocation of time by task assignments or functions.
- Includes provision (percentage of time) for other duties as required and assigned.
- Includes a signed and dated acknowledgement of duties by the employee and his/her direct supervisor.

III. EVALUATION OF RISK AND CONTROLS

A good duty statement is an essential tool for successful personnel management. For the employee, it provides a descriptive foundation for job responsibilities and expectations. For the employer, it provides the basis of essential operational workload needs, and parameters from which work performance evaluations and progressive upward mobility/progressive disciplinary actions are properly and legally documented. A current duty statement that is acknowledged by both parties also mitigates unnecessary personnel, medical and/labor related complaint, action or grievance. There are also legal considerations for accurate duty statements (excerpt from CalHR):

Fair Labor Standards Act (FLSA). The FLSA requires overtime pay for hours worked over 40 in a week by non-exempt employees. The exempt or non-exempt status of an employee is determined, in part, on an employee's duties. A written job description or title is not enough alone to satisfy the exempt requirements, but an accurate list of essential functions can go a long way in confirming an employee's exempt status.

Americans with Disabilities Act (ADA). It is a violation of the ADA to fail to provide reasonable accommodation to the medically certified physical or mental limitations of a qualified individual with a disability, unless to do so would impose an undue hardship on the employer. The duty to accommodate relates to the employee's essential job duties. In other words, the disabled employee must be able to perform the essential functions of the job, with or without accommodation. If a disabled employee is unable to perform an essential function of the job, even with an accommodation, the employer is not required to retain the employee in that position. In this regard, it is important that an employee's duty statement also identify the position's essential functions.

Federal and State Discrimination Laws. There are many state and federal statutes that prohibit discrimination based upon a protected status. When faced with a claim of discrimination from an employee, a well-written description can help support the challenged decision, whether it is related to compensation, promotion, discipline or discharge.

Family and Medical Leave Act (FMLA). The FMLA requires that the employee's health care provider certify that the medical condition for which the employee is seeking leave, a modified work schedule, or modified work duties, renders the employee unable to perform one or more of the employee's job functions. The FMLA further provides that, under specified conditions, an employer may require a return to work

certificate from the employee's health care provider before the employer is medically cleared to return the employee to work following an FMLA leave. To assist the doctor in his/her assessment, the employer provides a job description to accompany the medical certification form. A complete and accurate list of essential functions will enable the health care provider to give an informed opinion.

Incomplete, inaccurate and/or unsigned duty statements can result in the following employee and employer related concerns: a) a compromise to the employer's main line of defense regarding unemployment insurance claims, worker's compensation claims, Americans with Disabilities Act (ADA) claims and Equal Employment Opportunity (EEO) claims; b) employee work expectations regarding essential job functions could be compromised; c) employee confusion regarding work expectations; d) compromise of the progressive discipline due to lack of clear and comprehensive benchmarks regarding employee work expectations; e) a possible compromise to pre-employment medical clearances and continuing employment related medical clearance if environmental and working conditions are not clearly outlined. The risk and consequence of inaccurate duty statements may result in unnecessary liability and exposure to the State in situations involving allegations of out-of-class assignment, unfair performance evaluations, work stress, insufficient work productivity, low morale, union grievances, and workers compensation claims. Furthermore, outdated duty statements result in insufficient justification and documentation in progressive discipline/personnel actions.

INITIAL REVIEW OF DUTY STATEMENTS

Our internal review of employee duty statements indicated:

	Science Center	OEPM	CAAM	Total	Percentage
Total Filled PYs	99	4	14	117	
Duty Statement	93	4	12	109	93%
Adheres to template	76	2	12	90	83%
Includes % Other Duties As Assigned (ODAA)	89	3	7	99	91%
Relevant to position	93	4	12	109	100%
Consistent with state specifications	93	4	12	109	100%
Sufficient allocation of time	93	4	12	109	100%
Signed by Employee	88	4	6	98	90%
Signed by Supervisor	85	4	4	93	85%

Notes:

- 1) All employee OPFs included a duty statement, however 8 OPFs did not include a current duty statement. Missing duty statements from Science Center = 6 and CAAM = 2 were related to internal promotions.
- 2) 83% of the duty statements adhere to the new template. It is important to note that all three departments have employee longevity/tenure.
- 3) All duty statements were consistent with state specifications.

As of December 1, 2015, all missing, incomplete duty statements and/or components have been addressed.

The internal review also identified three general areas of concern:

- 1) Civil service specifications are significantly outdated and do not reflect current workplace trends, technology, etc.
- 2) Duty statements remained the same from date of issuance (primarily date of hire), and did not always reflect current assignments and duties. This raised issues of relevancy particularly in long tenured positions.
- 3) Duty statements for employees promoted internally did not include a signature from the employee, supervisor, or both.

IV. ONGOING MONITORING

Following the completion of the internal review, HR met with the employee/supervisors to correct/clarify any missing components of the duty statement, worked with management to insert a percentage of time for other duties as assigned, and followed up with employees and supervisors to ensure allocation of time and acknowledgment signatures were on file. As part of an ongoing procedure and internal control, HR will continue to monitor duty statements. The following procedures have also been established to ensure periodic review of duty statements:

- 1) Annually include the review of duty statements as part of the annual work performance evaluation process,
- 2) Ensure employee/supervisors review and acknowledge new duty statements for new appointments which are the result of internal promotions,
- 3) Update duty statements as CalHR job specifications are updated or revised ,
- 4) Update duty statements when applicable changes are incorporated into the bargaining unit contracts,
- 5) Update duty statements as a result of new and approved job analysis.

V. CONCLUSION

The California Science Center's HR Office provides HR services to the Science Center, OEPM and CAAM. It is Department policy that all employees, regardless of time base, have a signed and dated duty statement in their OPF. A duty statement is also required prior to initiating any recruitment and is a prerequisite before advertising a job vacancy or exam. Duty statements are reviewed during new employee orientations. New employees and their direct supervisor review job duties and sign and date the duty statement. Finally, all duty statements as well as state job classifications and any associated job analysis are posted in a PDF format on the "P" public drive.

VI. CORRECTIVE ACTION: None

Review of Job Analyses

I. BACKGROUND

The California Science Center Human Resources Unit provides personnel services to the Science Center, the Office of Exposition Park Management and the California African American Museum, and is responsible for ensuring that all related State laws, procedures, and policies governing State exams and the selection process are met. Because the Science Center is a small department, the State Personnel Board (SPB) allowed the department to use statewide job analyses for statewide classifications. More recently, the California Department of Human Resources (formerly SPB) determined that a job analysis is required for all employment classifications, in advance of administering an examination.

II. RISK ASSESSMENT PROCESS

The California Science Center has delegated authority from CalHR to conduct civil service exams in accordance with California State law, and job analyses (which are approved by Executive Management) are a prerequisite for all civil service exams. The California Science Center conducted an internal review of Job Analyses to determine whether the existing Job Analyses followed the template provided by CalHR and conformed to their guidelines. The objective was to ensure that the Science Center was in compliance with current CalHR guidelines for preparation, content, and timeframe for Job Analyses.

The Science Center reviewed the Job Analysis Report Template found on the CalHR website and communicated via email with a CalHR Personnel Selection Consultant, and determined that the Job Analyses prepared by the Science Center complied with the Job Analysis Report Template. CalHR recommended the Department adopt the new standard of a five (5) year expiration date on all Job Analyses, and the Department retroactively applied this deadline to

all existing Job Analyses, and will implement the five year expiration date for all future Job Analyses.

III. EVALUATION OF RISKS AND CONTROLS

A well-crafted Job Analysis ensures that the Science Center has the most reliable and current information for a job classification, and allows the Science Center to legally defend its employment and management decisions. The purpose of a Job Analysis is to get an in-depth picture of the job duties, requirements, and expectations, and to develop exam and interview questions. The development of a comprehensive Job Analysis ensures that the Science Center does not incur the risk of unqualified individuals passing an examination, an incomplete list of duties assigned to a particular job classification, poor work performance, or exposing the State to unnecessary liability. The Department solicits sample Job Analyses from other agencies as part of the research methodology when drafting Job Analyses.

In a review of all existing job analyses for the Science Center, all twelve conformed to the Job Analysis Report Template found on the CalHR website. There was some inconsistency in the expiration date assigned to each JA, but the majority had an expiration of six (6) years. After conferring with the CalHR Personnel Selection Consultant, the Science Center has adopted the new CalHR standard of a five (5) year expiration date. The Science Center posts Job Analyses on the P: (Public) Drive so that all managers and staff can have access to the information.

IV. ONGOING MONITORING

The Science Center will implement a tracking system to identify job analysis that are within six months of the five (5) year expiration period so that HR staff can initiate the process of completing an updated job analysis.

V. CONCLUSION

The Science Center is committed to completing comprehensive and updated job analysis for all applicable employment classifications. Utilizing applicable job specifications, duty statements, and relevant job related literature, the Science Center will continue to work with other Human Resources Departments, and with Subject Matter Experts, to ensure that all job analysis are completed and comprehensively updated every five years.

VI. CORRECTIVE ACTIONS – N/A

Review of Records Retention Compliance

I. BACKGROUND

As part of the 2014-2015 SLAA and the Science Center Administration Department's desire to reduce paper, consolidate files, and expend public e-files, the Science Center wanted to visit the Records Retention Schedules for all departments. The Science Center filed Records Management Reports (STD75) with CalRIM annually as part of the Annual Report to the Governor until September 2012, when the Annual Report was suspended per SB71. The Science Center was instructed that the annual STD75 was no longer required, and erroneously assumed that STD73 was also suspended. As such, the Department did not submit a Records Retention Schedule for 2012 or 2013. In October 2014, the Science Center reviewed the State Administration Manual (SAM), the Records Retention Handbook, corresponded with a representative of CalRIM, and reviewed records management plans from prior years, and realized that the STD73 is still required. Efforts were immediately undertaken to remedy the situation, and as of May 2015, all five departments of the Science Center have approved Records Retention Schedules (STD73) on file with CalRIM.

II. RISK ASSESSMENT PROCESS

In accordance with SLAA, the California Science Center conducted an internal review and audit of its records retention policy. The State Records Management Act (Government Code sections 12270-12279) stipulates that all State Agencies must implement a Records Management Program and file a Records Retention Schedule with the California Records and Information Management Program (CalRIM). The focus of our internal review was to determine whether the Science Center was in compliance with this directive.

III. EVALUATION OF RISKS AND CONTROLS

A Records Management Program is essential for business functions to continue to operate successfully, as it provides a framework for the management, retention, preservation, and destruction of State records. Without a system for managing the tremendous amounts of paper records generated on a daily basis at the Science Center, business operations would become inefficient as staff would have to wade through an ever-increasing volume of records. Furthermore, the storage of records is costly and takes up space that could otherwise be used for more productive purposes. Even though the Science Center did not submit a STD73 for fiscal years 2012-2013 and 2013-2014, internal records management continued to take place and records destruction, including e-files, followed the schedule developed using the outdated Records Management Report.

IV. ONGOING MONITORING

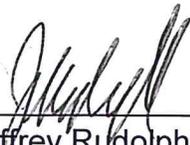
As a result of our internal review, original schedules are maintained by the State Administration department, and electronic copies are sent to the Deputy Directors of each department. Furthermore, a coding system has been developed for records flagged as "Notify Archives," in which records requiring CalRIM approval before destruction are kept in clearly labeled red folders. The Science Center will continue following its annual schedule for records destruction, following the Records Retention Schedule approved by CalRIM.

V. CONCLUSION

The California Science Center remains in compliance with the State Records Management Act (Government Code sections 12270-12279).

VI. DEPARTMENT CORRECTIVE ACTIONS – N/A

The biennial review and evaluation of internal controls has determined that the California Science Center continues to maintain proper internal systems and protocols to safeguard state resources and maintain transparency.



Jeffrey Rudolph, President and CEO
California Science Center