

Date: January 17, 2019
To: Five-Member State Personnel Board
From: Melissa Russell
Personnel Management Division Chief
Stephanie Haskett
Personnel Program Consultant
Subject: Chaplain Classification Consolidation

Summary of Issues

The demand for the State of California's chaplaincy program has changed over the years. The current classification structure is narrowly defined and does not offer the full range of services that are needed by the increasingly diverse clients, inmates, patients, and veterans (institution residents) who the state departments' chaplaincy programs serve. The current classification structure consists of Protestant, Jewish, Muslim and Catholic Chaplains and Native American Spiritual Leaders, who primarily provide religious/spiritual care to their specific religious denomination. The limited classification structure has resulted in departments relying on volunteers in the local community to fill the void when other religious affiliations are required. It is necessary for the state to develop a classification structure that allows departments to hire competent and qualified religious and spiritual leaders who can serve a diverse population rather than relying on volunteers due to the religious/spiritual gap caused by the current, limited classifications. Volunteers are helpful resources, but a volunteer with the requisite qualifications and availability is not guaranteed.

The current reporting structure for Chaplains and Native American Spiritual Leaders (NASL) is too far removed to provide the programmatic guidance required to meet the diverse religious/spiritual needs of the institution residents. As such, creating a programmatic lead would provide much needed support for the changes as proposed with the Chaplain Series. Chaplains typically report to a Community Resources Manager, Correctional Institution at California Department of Corrections and Rehabilitation (CDCR); the Program Director -Developmental Disabilities Programs- and Program Assistant at Department of Developmental Services (DDS); the Program Director (Mental Disabilities-Safety) at Department of State Hospitals (DSH); and the Assistant Hospital Administrator at Department of Veterans Affairs (CalVet). These

Governor Edmund G. Brown Jr. | **Secretary, Government Operations Agency** Marybel Batjer
Acting Director Adria Jenkins-Jones

1515 S Street, North Building, Suite 500, Sacramento, CA 95811 | calhr.ca.gov

supervisors and managers oversee a diverse group of programs, and the chaplain program is a small subset.

For example, the Community Resources Managers at CDCR are the closest supervisors of Chaplains, and they are responsible for mandated programs such as Inmate Activity Groups, Milestone Programs, Proposition 57 Rehabilitative Achievement Credits Programs (there are numerous related programs), Arts and Corrections, speaking at public events, and serve as the liaison between the state institution and its immediate communities. This includes recruiting, training, orienting, and supervising the vast number of volunteers and Self Help Sponsors associated with these programs. This is done in addition to supervising civil service Chaplains/NASL and overseeing the state institution's chaplaincy program. Further, the supervisors and managers do not work in physical proximity of each other, nor do the individual Chaplain/NASL incumbents. At CDCR, this contributes to added safety and security concerns. One of the further removed supervisors of the Chaplains/NASL is the Assistant Hospital Administrator (AHA). For example, at the Veterans Homes, in addition to directly supervising Chaplains, the AHA directs, through subordinate managers and supervisors, the home's operations and support services, which includes finance and accounting, hospital general services, plant operations including groundskeeping, volunteer services, veterans claims and benefits, health and safety, security services, domiciliary, and residential care. Additionally, state departments need to document that they are serving all institution residents equitably and free of religious discrimination as required by law (e.g., the United States Constitution, 1st and 14th Amendments; Religious Land Use and Institutionalized Persons Act (RLUIPA); State of California Constitution Article 1, Section 4; and for CDCR the California Code of Regulations, Title 15, sections 3210 – 3213). As a result, chaplains will need to document the religious/spiritual care that they provide, requiring an increased competence in writing and digital fluency. Consequently, the amount of time spent providing religious/spiritual care to institution residents will be impacted. Adding a programmatic lead would help support chaplains in balancing their increasing administrative role with providing religious/spiritual care.

To resolve the issues described above, this board item proposes to: establish a new broadly defined Chaplain Series, consisting of a Chaplain I and Chaplain II; reallocate incumbents from the existing Chaplain and NASL classifications into the proposed new Chaplain I classification; and thereafter abolish the current classifications.

Consulted

Pam Manwiller, Deputy Director of Labor Relations, Department of Human Resources (CalHR)

Candace Murch, Principal Labor Relations Officer, CalHR

Danishia Colbert, Personnel Management Consultant, CalHR

Roshni Patel, Personnel Management Consultant, CalHR

Richard Thomas, Assistant Hospital Administrator, Department of Veterans Affairs (CalVet)

Tamara Fedorsic, Institutional Personnel Officer II, CalVet

Agatha Fernandez-Beall, Associate Personnel Analyst, California Department of Corrections and Rehabilitation (CDCR)

Alan Sobel, Staff Counsel III (Specialist), CDCR

Charles Richey, Community Resources Manager, CDCR

David Skaggs, Community Resources Manager, CDCR

Elizabeth Tucker, Associate Personnel Analyst, CDCR

Genia Gurley, Staff Services Manager I, CDCR

Lisa John, Staff Services Manager I, CDCR

Becky Zyskowski, Program Assistant –Developmental Disabilities Programs, Department of Developmental Services (DDS)

Carol Naylor-Pecson, Program Director –Developmental Disabilities Programs, DDS

Claudia Lutz, Associate Personnel Analyst, DDS

Cheng Saephan, Staff Services Manager I, Department of State Hospitals (DSH)

Connie Etter, Program Assistant (Mental Disabilities Safety), DSH

Liz Clark, Program Director (Mental Disabilities Safety), DSH

Cynthia Gomez, Tribal Advisor, Office of Governor Edmund G. Brown Jr.

Bruce Fenner, President, The United Methodist Endorsing Agency

Connie Reitman-Solas, Executive Director, Inter-Tribal Council of California

Debbie McDermott, Executive Assistant & Associate Director for Restorative Justice, California Catholic Conference

Manuel Cordero, Senior Director, The General Council of the Assemblies of God

Marvin Goodman, Executive Director, Board of Rabbis of Northern California

Ned Dolejsi, Executive Director, California Catholic Conference

Ron El-Amin, Convener, American Muslim Community Endorsement

Notification

The American Federation of State, County and Municipal Employees (AFSCME) was notified of this proposal on November 8, 2018. The Department of Human Resources (CalHR) met with AFSCME on _____ and all concerns were addressed.

Pursuant to the principles outlined in CalHR's Tribal Consultation Policy and Executive Order B-10-11, CalHR on November 8, 2018, made this classification proposal available via CalHR's website, email, and mail to encourage communication and initiate Tribal Consultation.

Background

A 17-member core team, comprised of subject matter experts from CDCR, DDS, DSH, CalVet, and CalHR, studied the current Chaplain and NASL classifications. The core team conducted classification study interviews and received input from incumbents from all four user departments, in the following classifications:

- 2 Muslim Chaplains
(classification code 9768)
- 4 Native American Spiritual Leaders
(classification code 9912)
- 4 Catholic Chaplains
(classification code 9916)
- 4 Jewish Chaplains
(classification code 9919)
- 7 Protestant Chaplains
(classification code 9922)
- 1 Assistant Hospital Administrator
(classification code 4781)
- 3 Community Resources Managers
(classification code 9608)
- 1 Program Director – Developmental Disabilities Programs –
(classification code 8268)
- 1 Program Director (Mental Disabilities Safety)
(classification code 8103)

All Chaplain and NASL classifications were reviewed as part of this classification study. The interviews identified how chaplaincy work is

currently being performed and future trends that could potentially affect the state's chaplaincy programs moving forward (discussed above). The issues that emerged from the overall classification study were that the Chaplain and NASL classifications had outdated duties, inconsistent and outdated minimum qualifications, and did not give the departments the ability to hire as diverse a group of chaplains as they need. The January 2015 Classification Consolidation Project Report recommendations were also considered in conjunction with the classification study which resulted in this proposal.

The title "Chaplain I" and "Chaplain II" were ultimately chosen as the titles for the proposed new classifications because they are the most descriptive of the work being performed. "Chaplain I" describes a religious/spiritual leader who works outside of a traditional place of worship such as a church, mosque, sacred/ceremonial place, or temple. These titles were vetted with representatives from the endorsing agencies listed below. CalHR considered the feedback received in conjunction with research regarding this occupational group. Our research found that chaplain is a common title used for religious/spiritual work in an institutional setting, including those representing the Native American community. For example, the federal government employs Native American spiritual leaders with the title, "Chaplain (Native American)." "Chaplain" is also the typical title under which education and training are provided for this line of work across religious/spiritual groups. Examples of educational programs in this field are Loma Linda's Master of Science in Chaplaincy, and the San Francisco Theological Seminary's specialized chaplain program. An example of a nationally known training program is the Association for Clinical Pastoral Education (ACPE). ACPE's certified clinical pastoral education (CPE) program serves as a part of an individual's preparation for chaplaincy. Most chaplain candidates gain their CPE training through programs offered by hospitals such as Sutter, and through the UC system. Further, there are a range of associations supporting pluralistic chaplaincy work. Two such organizations are the Association of Professional Chaplains, and the Associated Chaplains in California State Service. After considering these factors, it was decided to use the titles of "Chaplain I" and "Chaplain II" since they were the most descriptive and commonly used titles for the work being performed.

Classification Considerations

CalHR, CalVet, CDCR, DDS, and DSH considered the following classifications:

Class Code	Class Title	Incumbents¹
9768	Muslim Chaplain	36
9769	Muslim Chaplain (Intermittent)	2
9912	Native American Spiritual Leader	29
9913	Native American Spiritual Leader (Intermittent)	1
9916	Catholic Chaplain	51
9919	Jewish Chaplain	19
9920	Jewish Chaplain (Intermittent)	1
9922	Protestant Chaplain	58

The classifications listed above typically report to the Community Resources Manager, Correctional Institution at CDCR; the Program Director -Developmental Disabilities Programs- and Program Assistant at DDS; the Program Director (Mental Disabilities-Safety) at DSH; and the Assistant Hospital Administrator at CalVet. The proposed Chaplain I and Chaplain II are rank-and-file classifications and will maintain the same reporting relationship. However, the newly proposed classification, Chaplain II, will serve as a lead over a chaplain program at a prison, developmental center, state hospital or veterans home (state institutions). This new classification is intended to provide closer programmatic guidance to the chaplain program at a state institution. This classification's guidance will allow for more responsive chaplaincy services for the increasingly diverse institution residents. There are no existing classifications that currently perform the duties of a Chaplain II. As such, this classification provides a path for upward mobility that currently does not exist.

The proposed Chaplain I and Chaplain II classifications are distinguished by their duties. (The proposed series specification attachment as shown in the current calendar provides a complete description of duties performed by a Chaplain I and Chaplain II.)

Chaplain I:

The duties of a Chaplain I are differentiated based upon the incumbent's religious/spiritual endorsement. Within their endorsed religion/spiritual group, Chaplain Is preside at religious/spiritual holiday services, preside over days of religious/spiritual observance, and conduct other religious/spiritual activities as needed by state institution residents; and organize and instruct classes in religion, ethics, and/or religious/spiritual music. Chaplain Is would also provide crisis counseling for interested institution residents belonging to any religious/spiritual group.

¹ Incumbent data as of 8/2018

Chaplain II:

The Chaplain II serves in a lead capacity over a state institution's chaplaincy program. Their primary function is to provide programmatic oversight. However, they may perform the duties of a Chaplain I as needed.

The proposed Chaplain I and Chaplain II also differ in their decision-making responsibility. The Chaplain I works under direction from management staff, or led by a Chaplain II, and facilitates and supports the religious/spiritual needs of all interested state institution residents. Facilitating is defined as ensuring time, space and scheduled supervision for all spiritual/religious groups meeting the state institution's criteria. The incumbents must make decisions regarding content of the religious/spiritual program, and scheduling of services to meet state institution needs as well as the institution residents' needs. The Chaplain II, under the general direction of management staff, works in a lead capacity with considerable latitude for the use of initiative and independent judgment in planning and organizing the state institution chaplaincy program.

The consequences of error for these classifications would include possible inappropriate institutional resident activities; inmate litigation alleging violation of religious Constitutional rights; potential cost for lawsuits; problems with, or a break in, religious/spiritual programming; negative impact on the rehabilitation process; and increase in recidivism.

For Chaplain I, incumbents are required to possess the analytical ability to interpret and apply the teachings of their endorsed religious/spiritual group; possess a general understanding of the wide variety of religious/spiritual practices; identify and distinguish between various religious/spiritual practices in order to coordinate scheduling of religious/spiritual groups; have a general understanding of the law (e.g., the United States Constitution, 1st and 14th Amendments; Religious Land Use and Institutionalized Persons Act (RLUIPA); State of California Constitution Article 1, Section 4; and for CDCR the California Code of Regulations, Title 15, sections 3210 – 3213) and departmental policies pertaining to religious/spiritual practices within a state institution setting; recruit, organize, and supervise religious/spiritual volunteers, and work with a Chaplain II regarding volunteer coordination if a Chaplain II position is established and filled for the state institution's chaplaincy program; coordinate special events, such as religious/spiritual celebrations; analyze critical situations that may arise within or between institution resident groups; analyze and respond to institution residents' requests and

grievances; communicate with outside religious/spiritual, or allied groups, regarding their interactions with institution residents, and inmates potentially transitioning to the outside.

For Chaplain II, incumbents are required to possess the analytical ability to organize, facilitate, and oversee a complex program that meets the needs of diverse religious/spiritual institution residents; coordinate efforts to recruit, train, and supervise religious/spiritual volunteers; recommend the Chaplain I's and/or religious/spiritual volunteers needed to provide services requested by institution residents; provide on-the-job training to Chaplain I's; demonstrate initiative and ability to problem-solve; provide oversight for religious/spiritual special events; represent the state institution to the outside religious/spiritual community; advise and make recommendations to management regarding the state institution's chaplaincy program; and meet all analytical requirements of a Chaplain I.

Chaplain I's and Chaplain II's have contact with the "outside" religious community. These contacts are made to solicit donations, recruit volunteers, and to garner general support for the state institution's religious programming. These incumbents must successfully work with the administration and staff of the state institution. They also communicate and coordinate with institution residents, their families, and volunteers.

When developing the classification concept for a chaplain that enabled a department to hire a religious/spiritual leader of any religious/spiritual group as needed by their institution residents, emphasis was placed on education and experience that would equip candidates to work in a pluralistic environment. Each religious/spiritual group has unique standards for a candidate to be endorsed as a chaplain for their religion/spiritual practice. For example, the education requirement can range from none to a graduate-level theological degree. However, the proposed minimum qualifications have a balance of education and experience that is likely to provide successful candidates. Further, by requiring a letter of endorsement, the state can be assured that the candidate possesses the necessary qualifications to serve as a chaplain for their specific religious/spiritual group and that they are able to facilitate (e.g., ensure time, space and scheduled supervision is provided) and support the religious/spiritual needs of all institution residents.

A 12-month probationary period is proposed for the Chaplain I and Chaplain II because of the independent nature of the work, the complexity of these positions, and the time required to assimilate a broad spectrum of knowledge and responsibilities for working in a state institution. The current classifications have a 6-month probationary period. Incumbents

currently on probation will be reallocated to the proposed classification and will complete the remainder of their probationary period as set by their original appointment classification. Future hires will be required to complete the new 12-month probationary period.

There are currently 197 Chaplain and NASL incumbents. Current incumbents are performing substantially the same duties described in the proposed Chaplain I classification. Therefore, it is proposed that all current Chaplain and NASL incumbents be reallocated to the proposed Chaplain I classification.

Creating a new Chaplain I classification and reallocating the current incumbents to the new classification ensures that there is no perception of the state giving preference to any one religious/spiritual group. A perception of religious/spiritual preference could have resulted from a consolidation of all the Chaplain and NASL classifications into one of the existing civil service classifications.

Current incumbents would need to examine and compete for Chaplain II positions.

The examinations for the current classifications are administered individually, with a separate exam and certification list for each class. Each current classification has its own unique minimum qualifications, and knowledge and abilities, which requires separate examinations. With the broadened general scope of the proposed classifications, only one examination for each consolidated classification will be needed, eliminating separate exams for each of the current classes. The consolidated exams will allow departments to recruit, screen, and hire for experience or qualifications that best fits their needs.

The CalHR Selection Division is working to revise and create the examinations for the proposed Chaplain I and Chaplain II classifications respectively. These examinations are expected to be available approximately 120 days after the adoption of this board item. CalHR proposes that as part of this board item, the current certification lists, including the existing parenthetical lists, be used during the interim to make appointments to the revised classifications.

Implementation of this project will include CalHR informational meetings for departmental human resources professionals and employees. These informational meetings are part of the communication plan for the project and will be followed by detailed pay letter instructions to be released after adoption. These meetings will take place after adoption and prior to

implementation at the beginning of the following pay period. CalHR will provide departmental leaders the necessary information to keep their staff apprised of the changes and any new information as it becomes available. The Personnel Management Division will be available for departmental questions, training, and guidance on direction of the use of these proposed classifications.

Recommendations

1. That the following classifications be established; the proposed Chaplain Series specification including specifications for the classifications as shown in the current calendar be adopted; and the probationary periods be as specified below.

Class Code	Class Title	Probationary Period
9894	Chaplain I	12 Months
9893	Chaplain II	12 Months

2. That the following classifications be abolished after reallocation of current incumbents:

Class Code	Class Title
9768	Muslim Chaplain
9769	Muslim Chaplain (Intermittent)
9912	Native American Spiritual Leader
9913	Native American Spiritual Leader (Intermittent)
9916	Catholic Chaplain
9919	Jewish Chaplain
9920	Jewish Chaplain (Intermittent)
9922	Protestant Chaplain

3. That the following resolutions be adopted:

WHEREAS the State Personnel Board established the classification of Chaplain I effective January 31, 2019 indicated in Column II below and the duties and responsibilities of this classification were substantially included in the previously existing classifications listed in Column I below, and

WHEREAS the knowledge, abilities and minimum qualifications required for the classes indicated in Column II were substantially tested for in the examinations held for the classes listed in Column I below; and

WHEREAS tests of fitness have been met by individuals in classifications indicated in Column I below who are being reallocated to the Chaplain I classification by a status resolution under the auspices of the Civil Service Improvement initiative; and

WHEREAS incumbents who are being reallocated from the classifications listed in Column I below were serving a 6-month probationary period, and

WHEREAS the new classification of Chaplain I has a 12-month probationary period; and

WHEREAS it has been determined that the duties and responsibilities that have been performed by incumbents in the classifications indicated in Column I are appropriate for reallocation to the new classification of Chaplain I; therefore be it

RESOLVED, that each person with civil service status in the classifications listed in Column I below on January 31, 2019, shall be reallocated to, and hereby granted, the same civil service status without further examination in the classification of Chaplain I; and be it further

RESOLVED, that all appointments to the classification of Chaplain I that require a probationary period and that are effective on or after January 31, 2019, shall require service of a 12-month probationary period before an employee may attain permanent status in the class; and be it further

RESOLVED, that all incumbents in the classifications listed in Column I below who on January 31, 2019 have 6 months of experience in the classifications listed in Column I below shall be given permanent status in the classification of Chaplain I; and be it further

RESOLVED, that those incumbents in the classifications listed in Column I below that on January 31, 2019 have less than 6 months of probationary status shall complete their probation when they have served the equivalent of 6 months of combined experience in the classifications listed below in Column I and the classification of Chaplain I; and be it further

RESOLVED, that those individuals shall be reallocated by way of the published pay letter and appropriate personnel transaction(s); and be it further

RESOLVED, that individuals with mandatory reinstatement rights for the classifications listed in Column I below shall retain those rights for the comparable classifications listed in Column II below until expiration of those rights for the classifications listed in Column I; and be it further

RESOLVED, that any existing employment lists other than reemployment lists established for the classifications listed in Column I below shall be used to certify to fill vacancies in the classification of Chaplain I until such lists are abolished, exhausted, or superseded by lists for the classification of Chaplain I, and be it further

RESOLVED, that persons on any existing reemployment lists for the classifications listed in Column I below shall also be placed on reemployments lists for the classification of Chaplain I until expiration of their eligibility on the reemployment lists for the classifications listed in Column I below.

Existing Class Code	Column I (Existing Class)	New Class Code	Column II (New Class)
9768	Muslim Chaplain	9894	Chaplain I
9769	Muslim Chaplain (Intermittent)	9894	Chaplain I
9912	Native American Spiritual Leader	9894	Chaplain I
9913	Native American Spiritual Leader (Intermittent)	9894	Chaplain I
9916	Catholic Chaplain	9894	Chaplain I
9919	Jewish Chaplain	9894	Chaplain I
9920	Jewish Chaplain (Intermittent)	9894	Chaplain I
9922	Protestant Chaplain	9894	Chaplain I