



CaIHHS HIRING PLAYBOOK

Including People with Disabilities Drives Innovation

California Health and Human Services Agency

Department of Rehabilitation

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“The over 30,000 individuals that comprise the California Health and Human Services Agency represent the very best of state government, they truly are our greatest asset. Furthering the diversity and inclusion of this workforce, by relentlessly focusing on including individuals with disabilities, will not only strengthen our work but improve it.”

Mark Ghaly, MD, MPH
CalHHS Secretary

INTRODUCTION

The State of California, as an employer, holds an important responsibility to recruit and retain a workforce that reflects California's diversity, which includes people with disabilities. This is a guiding principle of the California Health and Human Services Agency (CalHHS) (www.chhs.ca.gov) and all of its departments and offices. In doing so, we uphold the trust that the public has placed on us to build a more just state.

Being inclusive of people with disabilities—visible and invisible—is critical to achieving this vision. Doing so ensures that we are developing programs and services with individuals who have lived experiences, which gives us a competitive edge. The unemployment rate for individuals with disabilities has consistently remained around 70 percent. CalHHS must lead by employing individuals with disabilities and by developing and implementing programs that address this persistent and systemic inequity and takes advantage of this untapped talent pool.

Together, we strive to become an employer of choice, and we act as a model for both public and private employers throughout the state. Furthermore, as leaders across CalHHS, we must strive to empower our hiring managers and supervisors to make our Departments and Offices more diverse and inclusive. Doing so furthers our efforts to serve diverse communities and create a Healthy California for All.

PLAYBOOK PRINCIPLES

This Playbook was created by the California Department of Rehabilitation as a tool and resource for all CalHHS Departments and Offices to ensure that our state workforce reflects the Californians we serve, including people with all types of disabilities.

This Playbook was developed with the following principles:

- 1.** To ensure that we as an organization lead by example in creating a culture where we believe and ensure that individuals with disabilities can work, live, and play where they choose with the appropriate supports.
- 2.** To be a model employer of choice, CalHHS must lead in the hiring of individuals with all disabilities, includes both visible and invisible, while continuing to partner with private sector employers to increase the hiring of employees with disabilities.
- 3.** To create upward mobility of people with disabilities by ensuring that they have equal and perhaps greater opportunities for employment to allow them to be part of their communities in meaningful ways.

TAKE TIME FOR SELF-REFLECTION

As a leader, it is important to pause and reflect upon the hiring practices in your Department or Office. This Playbook will help you deepen your understanding and identify where your Department or Office might have room for growth and improvement.

Did you know that state parity law requires our CalHHS departments to maintain at least a 16% representation of employees with disabilities? What is the current status at your department? Check out where your department falls as of the last report: [ocr-census-of-employees-2018.pdf \(ca.gov\)](#) on pages 38-52.

QUESTIONS TO ASK YOURSELF?

- As a leader, when is the last time you publicly recognized how important diversity and equity is in your workplace?
- Have you engaged with people with disabilities in your department? What has their experience been? What roadblocks have they faced in the hiring or promotion process?
- Do you understand the process by which an employee obtains reasonable accommodations? Who in your Department or Office handles this? Have you connected with them recently to understand what barriers they may face?
- What active steps do you take as a leader to ensure inclusion and equity is a priority?
- Do you know what the LEAP program is? Is your department an active participant in this program?

OUR COMMITMENT PILLARS

Before your Department or Office dives deeply into change strategies, you should consider the foundation of the values of your Department or Office. The hiring of people with disabilities begins with a culture of diversity, equity, and inclusion. Here we outline pillars of commitment that are important for you to embody and build upon as you embark on this journey.



PILLAR ONE: Recognition that disability is included in our diversity, equity, and inclusion efforts that have become imperatives in today's workplace. Recognition that employees with disabilities are an untapped talent pool who are reliable, strengthen workforce diversity, and bring extensive creativity and problem-solving experience to the workplace.

PILLAR TWO: Commitment to the provision of reasonable accommodations. 57% of such accommodations are no cost and 43% are less than \$500. The vast majority of such accommodations are typically related to flexibility in schedules.

PILLAR THREE: Commitment that champions hiring, promotion, and inclusion of individuals with disabilities in all levels of the organization and that models openness from leaders about their disabilities.

PILLAR FOUR: Shift culture from recognizing the value of equality to the importance of equity, including challenging existing practices and processes which are often treated as absolutes with no discretion, and readily default to perceived limits of existing systems.

PILLAR FIVE: Create an environment that supports and welcomes individuals from all disability communities, including providing training on awareness and sensitivity to all disability groups, both visible and non-invisible.

PILLAR SIX: Fully adopt the requirements of AB 313, signed by Governor Newsom in October 2021, including requiring state entities to adopt reasonable accommodations policies; affirmative action employment plans; goals for the hire of individuals with disabilities; and report to the Legislature each state entity's performance in this regard.

STRATEGIES FOR CHANGE

In reading the strategies section, you may find areas where you are already implementing a best practice. If so, let us know! We'd love to share your experience with others. You will find other strategies that are unfamiliar to you. Choose one to three things you would like to focus on improving in your practice for this year.

Strategy #1: Establish a Person in your Department or Office to Oversee Disability Employment Activities

Designate a leader within your Department or Office to work with organizational units to coordinate and lead disability employment activities within the organization and serve as a liaison with CalHR. This position may also be used for other department diversity and inclusion activities. Duties include:

- ✓ Ensure the state entity effectively implements a reasonable accommodation policy.
- ✓ Track and report the state entity's reasonable accommodation requests and provide reports to the entity's directorate.
- ✓ If a Department or Office has below a 16% representation of employees with disabilities (parity under state law), create a plan to increase hiring of persons with disabilities that identifies at least two of the recommended strategies from best practices (see Strategy #4 Create Targeted Recruitment and Hiring

Interventions). Submit these plans to the entity's directorate annually for review and approval.

- ✓ Ensure the state entity is convening its Disability Advisory Committee (DAC), coordinates with chairs of DACs within the Agency, and be a link with the Statewide DAC.
- ✓ Identify other best practices for recruitment, hiring, and retention of employees with disabilities.

Strategy #2: Increase Transparency in Hiring Rates

Building on CalHR's practice of publishing the percentage of persons with disabilities employed by each state department (per Government Code 19230 et seq), your department or office should post its rate to its own website. You should annually self-certify that it has met the requirements under Government Code 19230, et seq. or publish its plan to meet that hiring threshold (see Strategy #5: Targeted Improvement Plans).

Strategy #3: Establish Central Supports

Establish a separate Diversity, Equity, and Inclusion organizational unit to exclusively focus on diversity, equity, and inclusion in employment, including for persons with disabilities. Among these recommendations, this organizational unit will be responsible for:

- ✓ Issuing recommendations for organizational units regarding recruitment, outreach, and hiring procedures to increase diversity in the state entity's employment, including persons with disabilities (see Strategy #4: Create Targeted Recruitment and Hiring Interventions).
- ✓ Reviewing and approving entities' plans to hire persons with disabilities (see Strategy #5: Targeted Improvement Plans), and to track and report on entities' handling of reasonable accommodation requests (see Recommendation #15: Timely Reasonable Accommodation Requests).
- ✓ Advising organizational units—in conjunction with OCR and CalHR where appropriate-- in addressing new, unique, or challenging individual reasonable accommodation issues.
- ✓ Developing recommendations for reasonable accommodations for job applicants who have disabilities during the interview process, based on individual need. These accommodations may include allowing into the interview setting reasonable supports the employee may use on the job, like a job coach for someone with an intellectual or developmental disability or a communication aide for someone with a significant communication disability. Additionally, consider a task-based selection process rather than an interview-based selection process.
- ✓ Training staff on disability inclusion and culture.

The Diversity, Equity, and Inclusion organizational unit could also be responsible for other activities and recommendations of diversity and inclusion groups.

Strategy #4: Create Targeted Recruitment and Hiring Interventions

The Diversity and Inclusion organizational unit (see Strategy #3: Establish Central Supports) shall create policies and recommendations for the entity regarding recruitment and hiring procedures to increase employment and retention of people with disabilities. It shall consult with experts to develop these policies and recommendations, including state and community organizations that represent persons with disabilities. At least two of the policies and recommendations shall be used when the department has below 16% representation of employees with disabilities (see Strategy #5: Create Targeted Improvement Plans). These policies and recommendations shall include at a minimum the following alternatives:

- ✓ Use LEAP-only hiring for any hiring in classifications if parallel LEAP-certified classes are available.
- ✓ Work with its DAC and the entity to identify entity-specific classifications that can be designated as LEAP-certified classes and commit to hiring from LEAP for those classes.

- ✓ Ensure that at least 16% of those interviewed for each position are individuals with disabilities, if those individuals apply and are eligible for appointment.
- ✓ Commit to hiring a qualified person with a disability as disclosed in the voluntary demographic survey in the hiring packet who is as qualified as other reachable candidates on the employment list, unless the appointing power can demonstrate that the person cannot perform the essential functions of the job, even with reasonable accommodation and appropriate training.
- ✓ Make vacant positions available for internships for persons with disabilities and make every effort to hire those who successfully complete the internships (see Strategy #9: Create Pathways to Employment for People with Disabilities.)
- ✓ Expand outreach to the disability community and agree that no hiring process will proceed unless qualified individuals with disabilities are adequately represented in the applicant pool.
- ✓ Review all duty statements to ensure that they do not include unnecessary required elements that are barriers to people with disabilities (see Strategy #10: Review Duty Statements for Barriers to Employment).
- ✓ Review hiring processes to identify and remove elements of the process that are unnecessary barriers to

people with disabilities. Ensure the provision of reasonable accommodations during the hiring process.

- ✓ Consult with the Department of Rehabilitation, the State Council on Developmental Disabilities, the State Independent Living Council, and other state agencies or organizations with expertise in employment of persons with disabilities, and implement any strategy recommended by such agency or organization that the department and the hiring entity determine to be potentially effective in hiring persons with disabilities.

Strategy #5: Create Targeted Improvement Plans

Direct any organizational unit with 100 or more employees that has a disability representation rate below 16% to submit a plan for hiring persons with disabilities pursuant to Government Code section 19232 to specifically identify which of the recommendations to use (see Strategy #4: Create Targeted Recruitment and Hiring Interventions). Such organizational units shall also include in their plan how they implemented strategies identified in the prior year. Such plans shall be submitted to the Diversity and Inclusion organizational unit (see Strategy #3: Establish Central Supports) along with a plan to address the deficit and progress updates after six months.

Strategy #6: Inclusive State Entity Practices

Ensure that entity plans and strategies to promote overall diversity in state employment include persons with disabilities as a target population. Ensure that training of entity employees on topics such as implicit bias, diversity, equity, and inclusion cover issues specifically relating to persons with disabilities.

Strategy #7: Adopt Reasonable Accommodations Policy

Establish a reasonable accommodations policy to contain the specific set of standard elements including a standard workflow for reasonable accommodation requests, suggested timeframes for each step of the workflow process, and standards and criteria to consider when evaluating reasonable accommodation requests. The policy should contain a process to alert applicants to their right to receive reasonable accommodations during the hiring process.

Strategy #8: Provide Timely Reasonable Accommodation Requests

Establish a mechanism for organizational units to track and report on the handling of reasonable accommodation requests according to the workflow and timelines. Data elements should include: the date of the initial request, the accommodation requested, the date a decision is reached, what, if any, accommodation is authorized, whether procurement of equipment or services is required and, if so,

when purchase orders or contracts are issued, and when the accommodation is actually provided.

Strategy #9: Create Pathways to Employment

Offer internships to people with disabilities, including through LEAP (Government Code 19242) and the DDS paid internship program.

Strategy #10: Review Duty Statements and Remove Unnecessary Barriers to Employment

Review all job classifications and duty statements to ensure that they contain language that specifically relates to actual job requirements and to avoid disparate impact on persons with disabilities. For example, is the ability to drive a car or lift 20 pounds truly an essential function for the position? If there is a job requirement to communicate effectively in the duty statement, it should be modified to clarify that the requirement can be met with reasonable accommodations. All duty statements shall contain a declaration that the department will provide reasonable accommodations.

Strategy #11: Tighten the Description of Disability in the Disability Survey

The Change in Disability Status Survey used by state entities for employees to self-report whether they are a person with a disability should be clarified so that the interpretation of a

definition aligns with the more restrictive definition in the Americans with Disabilities Act description of a substantial limitation of a major life activity rather than using the broader state law definition.

Strategy #12: Consult with Subject Matter Experts at the Department of Rehabilitation

DOR can help with these efforts, including by providing:

- ✓ Training on disability awareness and culture, digital accessibility
- ✓ Technical assistance on identifying and procuring reasonable accommodations goods and services
- ✓ Identification of qualified candidates with disabilities
- ✓ Services to support the advancement of existing staff with disabilities
- ✓ Services to support retention of staff who experience a change in their disability or who acquire a disability.

ACTION PLANNING

After reflecting on your Department's or Office's culture and current activities that support the hiring of people with disabilities, take a moment to define your next steps.

Please identify the top two to three strategies you can focus on over the next week, month and year.

Strategy 1:

Strategy 2:

Strategy 3:

