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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 5. PERSONNEL [18000 - 22980] (Division 5 added by Stats. 1945, Ch. 123.)

PART 2. STATE CIVIL SERVICE [18500 - 19799] (Part 2 added by Stats. 1945, Ch. 123.)

CHAPTER 2. Administration [18650 - 18720.5] (Chapter 2 added by Stats. 1945, Ch. 123.)

ARTICLE 3.5. Employment Procedures [18720 - 18720.5] (Article 3.5 added by Stats. 1982, Ch. 1180, Sec. 1.)

18720. The employment procedures of the department and of each state agency shall conform to the federal and state laws governing employment practices, including the use of employment forms. The department and the Civil Rights Department shall work cooperatively to develop uniform employment forms where possible pursuant to the provisions of this article and shall coordinate their enforcement of this article.

(Amended by Stats. 2022, Ch. 48, Sec. 47. (SB 189) Effective June 30, 2022.)

18720.1. The department shall be responsible for the collection and review of all employment forms used by state agencies for civil service employment and for the development of standard employment forms for general use by all state agencies. The department may designate an appointing power to review employment forms in accordance with Section 18654 and board rules. Each state agency shall use the standard forms. However, the department, or an appointing power designated by the department, may approve the use of a nonstandard form by a state agency if the information requested on the form is job-related and the forms and procedures to be used conform with federal and state law governing employment practices. Copies of nonstandard forms approved by a designated appointing power shall be transmitted to the department. Nonstandard forms proposed by a state agency shall be accompanied by a petition submitted by the agency which specifies the reasons why a nonstandard form is necessary to meet the agency's needs.

(Amended by Stats. 2012, Ch. 360, Sec. 19. (SB 1309) Effective January 1, 2013.)

18720.2. The Civil Rights Department shall collect and review all other forms used by state agencies for employment, and occupational licensing and registration, to ensure conformance to law and to develop standard forms for general use by all state agencies. Each state agency shall use the standard forms. The department, however, may approve the use of a nonstandard form by a state agency based on a petition submitted by the agency which specifies the reasons why a nonstandard form is necessary to meet the agency's needs.

(Amended by Stats. 2022, Ch. 48, Sec. 48. (SB 189) Effective June 30, 2022.)

18720.3. Each state agency is responsible for ensuring that the employment application forms, and occupational licensing and registration forms, used by the agency conform to federal and state laws governing registration and employment practices. An agency shall not use a form which is not approved by either the department or by the Civil Rights Department.

(Amended by Stats. 2022, Ch. 48, Sec. 49. (SB 189) Effective June 30, 2022.)

18720.4. State agencies shall exhaust existing supplies of forms which conform with federal and state law before using any new form approved by the department or the Civil Rights Department pursuant to this article.

(Amended by Stats. 2022, Ch. 48, Sec. 50. (SB 189) Effective June 30, 2022.)

18720.45. Employment forms used by a state agency shall require a person applying for employment to disclose whether the person has entered into an agreement with the state regarding any previous employment with the state that prohibits that person from seeking or accepting any subsequent employment with the state.

(Amended by Stats. 2015, Ch. 303, Sec. 219. (AB 731) Effective January 1, 2016.)

18720.5. A violation of this article shall constitute an unlawful employment practice which is subject to the enforcement provisions of the California Fair Employment and Housing Act (Chapter 7 (commencing with Section 12960) of Part 2.8 of Division 3 of Title 2), except Sections 12975 and 12976 thereof, or to enforcement pursuant to Article 2 (commencing with Section 18670) and Article 3 (commencing with Section 18700) of this chapter and Article 2 (commencing with Section 19700) of Chapter 10.

(Added by Stats. 1982, Ch. 1180, Sec. 1.)