

ORIGINAL

✓

MEMORANDUM

41575

SEP 16 1993

GRAND JURY

DATE: September 4, 2003

TO: Presiding Judge Hardcastle

FROM: Ray Myers
Director of Human Resources



BT

9/5/03

RE: Human Resources Responses to Grand Jury Report

Attached you will find a report containing responses to two of the findings and four of the recommendations from the Grand Jury related to human resources issues. Please let me know if you have any questions or need further clarification on any issue.

Thank you.

C: Former Presiding Judge Tansil
Mike Chrystal, CAO

SONOMA COUNTY HUMAN RESOURCES DEPARTMENT RESPONSE TO THE 2002-2003 GRAND JURY REPORT

INVESTIGATING THE INVESTIGATORS

Recommendation R2, Page 18: Develop and implement a process for removing employees for poor performance during and after the probation period.

The Recommendation has been implemented.

The process for removing employees in the detective specialty assignment for poor performance during and after the probationary period is established and controlled by the following:

- Civil Service Rules for the County of Sonoma (Attachment 1)
- Deputy Sheriffs' Association FY 2000-2003 MOU, Article 8 (Attachment 2)
- Government Code Sections 3300-3311-Public Safety Officers Procedural Bill of Rights
- Recommended Disciplinary Action Procedures in Department Memo No. 00-003-P, dated October 20, 2000 (Attachment 3).

County Counsel periodically conducts training for department representatives on the County's disciplinary process and procedures, the most recent of which was held on March 13, 2003. A copy of the materials provided during the training is attached (Attachment 4).

These procedures are current and in effect throughout the County. These procedures lay out clear and effective steps for disciplining an employee, up to and including termination. The Human Resources Department is confident that disciplinary issues that are brought to our attention are dealt with consistently and in accordance with these policies.

Recommendation R3, Page 18 - Develop a mechanism which ensures that written evaluations are accurate and reflect actual performance, poor as well as good.

The Recommendation has been implemented.

Currently, a Department Head policy memo dated 1994 (Attachment 5), discusses the need and value of timely, accurate performance evaluations. The current policy does require annual performance evaluations until an employee reaches the top of the salary scale, after which reviews can be done every two years.

Additionally, Human Resources has made available the *Sonoma County Performance Evaluation Rater's Guidebook* (Attachment 6). This Guidebook gives detailed information to supervisors and managers to assist them in conducting an accurate and fair employee evaluation.

Recommendation R6, Page 19 - Establish and implement objective promotion standards.

The Recommendation has been implemented.

Pursuant to the Deputy Sheriffs' Association Memorandum of Understanding, the selection process for specialty assignments such as Investigations is conducted by the hiring authority. This process is not covered by the Civil Service Commission and is not handled by Human Resources. However, we believe the current system of promotion to specialty assignments within the Sheriff's Department is objective and merit based.

PROFESSIONALS DEFEND SONOMA COUNTY'S INDIGENTS

Recommendation R5, Page 62 - The Sonoma County Human Resources Department should revise their processes and performance and understand and use progressive discipline when appropriate.

The Recommendation has been implemented.

The Human Resources Department and County Counsel are available to all County departments to advise on employee disciplinary processes, including progressive discipline. In Department Memo No. 00-003-P (Attachment 3), Recommended Disciplinary Action Procedures, Human Resources' role in addressing progressive discipline issues is described. The Human Resources Department is confident that disciplinary issues that are brought to our attention are dealt with consistently and in accordance with these policies.

Findings F4, Page 57 - Eighteen counties responded to our external survey, and fifteen of those have a Public Defender's Office. Sonoma County is one of the only three respondents that does not have a written performance review policy; it is only one of those 15 that does not require an annual evaluation throughout an employee's career.

The respondent disagrees partially with the finding.

The County has a written performance review policy. Attached is a copy of Sonoma County's written policy on Employee Performance Evaluations (Departmental Memo 94-004-P) (Attachment 5). Also attached is Sonoma County's Performance Evaluation Rater's Guidebook. (Attachment 6) These are the policy and guidelines used by the Public Defender's Office. The current policy does require annual performance evaluations until an employee reaches the top of the salary scale, after which reviews can be done every two years.

Findings F13, Pages 57 & 58 - The forms distributed by the county personnel office do guide managers through a progressive discipline process. However, the process outlined on the discipline form focuses on "infringements" and "incidents" rather than poor performance.

The respondent disagrees partially with the finding.

The Recommended Disciplinary Action Procedures address poor performance, as well "infringements" and "incidents". Responding to poor performance is not specifically addressed in the checklist included with the procedures, as that format is more appropriate for initial assessment and determination of response to a single incident/infringement.

Poor performance may indicate any number of employee issues and appropriate corrective responses are dependent on the specifics of each situation. Determination and implementation of a plan for responding to overall performance issues is better accomplished through an ongoing dialogue between the appointing authority and Human Resources and/or County Counsel staff. The established procedures clearly direct managers and supervisors to consult Human Resources and/or County Counsel for guidance and direction in this area:

Section A – Informal Disciplinary Action states: “The Human Resources Department should be consulted initially on performance problems (including misconduct) before they require serious (formal) disciplinary actions.”

Section B – Formal Disciplinary Action states: “The County Counsel’s role usually begins when the appointing authority decides there is a performance problem that warrants formal disciplinary action.”