

2001-2002 GRAND JURY REPORT

Riverside County Personnel Policies and Procedures

Background

The preamble of the Riverside County's Code of Ethics states, in part, "While it is recognized that a County-wide code of ethics cannot be prescribed to totally address each department's circumstances where variations occur in departmental missions and responsibilities, the purpose of the universal standards reflects the Board of Supervisors' expectations for organization values that reflect professionalism and the highest degree of public accountability for the benefit of those we work with and serve." The code further states, "We will avoid any interest or activity which is in conflict with the conduct of our official duties." A conflict of interest is a situation where a public official has a private or personal interest sufficient that it appears to influence his or her official duties.

The county's leadership goals (item 12 of the code) state in part, "We are cognizant of our responsibilities and opportunities for leadership, and strive to be positive role models."

The failure to properly evaluate personnel annually has been a long standing issue in Riverside County. Board of Supervisors Policy C-1 (performance evaluation reports, appointed department heads), states, "...provide the Board of Supervisors members with the methods and procedures to effectively evaluate the performance of all appointed County Department Heads" (November 1994) Board of Supervisors Policy C-21 (employee performance evaluation reports), states, "It is the intent of this policy to provide agency managers, department heads, and other senior staff with methods and procedures to evaluate the performance of regular employees." The policy further states, "It is the responsibility of the Chief Executive Officer to administer this policy." (July 1996)

The purpose of these policies is to establish a system where all employees are evaluated on their job performance on a consistent and timely basis.

Findings

1. County Ordinance 442.3 (1996) created the position of County Executive Officer, with the powers and duties set forth under Title 2.2.16, including, but not limited to:
 - * Exercise decision-making authority on matters requiring Board of Supervisors' approval.
 - * Administer and enforce policies established by the Board of Supervisors.

- * Appoint or dismiss appointive department heads upon Board of Supervisors approval.
- 2. Riverside County utilizes its Human Resources Department to investigate and report on any and all personnel complaints including those filed against department heads, directors, and the County Executive Officer.
- 3. The Human Resources Department investigated a recent personnel complaint, levied against the county executive office.
- 4. The Human Resources Department Director reports directly to the Chief Executive Officer and is a county Assistant Chief Executive Officer.
- 5. In response to a 1991-92 Grand Jury Report, the Board of Supervisors directed the (then titled) Chief Administrative Officer and Personnel Director to develop a plan and timetable for compliance with Board Policy C-1 by October 1, 1992.
- 6. The revised policy C-1 states that all performance evaluation reports, along with any written documentation, are to be filed in a secure file in the county administrative office (November 1994).
- 7. An outside consultant was hired by the executive office in 1996 to study the methods of evaluating employee performance.
- 8. The Board of Supervisors responded to the study, stating "...agree that there is a need to incorporate a performance evaluation policy to bring consistency and oversight to the process."
- 9. The 1996 study also revealed, "Most board appointed department heads reported that they had not been evaluated annually, some had not been evaluated in writing since their appointment."
- 10. The 2001-02 Grand Jury found instances of failure to conduct written performance evaluations for high level appointed department personnel. The response from the executive office, based on guidance from county counsel, was that, "Oral performance evaluations to department heads had been given," and that, "in retrospect...should have been given written evaluations..."

Recommendations

**Riverside County Board of Supervisors
Riverside County Executive Officer
Riverside County Counsel
Riverside County Department of Human Resources**

1. The Riverside County Board of Supervisors contract with an outside consultant for all personnel investigations deemed sensitive, which would present, or appear to present a potential conflict of interest.
2. The Riverside County Board of Supervisors direct the County Executive Officer to immediately adhere to board policies regarding performance evaluations as covered in C-1 and C-21.