

## GOVERNMENT & ADMINISTRATION COMMITTEE

### *Conflict of Interest/Employee Evaluations*

Citizen Complaint #C21 & #C22-02/03

#### **Reason for the Report**

A citizen's complaint alleges a conflict of interest exists because of the relationship between the Interim Chief Administrator Officer and the Director of Human Resources. The complaint also alleges a conflict of interest carried over into evaluations.

#### **Scope of the Investigation**

The Grand Jury interviewed the following persons:

- The Director of the Department of Human Resources;
- The Interim Chief Administrative Officer (CAO);
- Members of the Board of Supervisors individually;
- Various El Dorado County employees regarding performance evaluations.

The Grand Jury reviewed the following items:

- El Dorado County Charter (Charter);
- County Policies and Procedures;
- Various Memoranda of Understanding (MOUs).

#### **Background**

The Grand Jury agrees that a conflict of interest is possible because the CAO would need to evaluate a very close friend. However, no such evaluation took place. In this regard the Interim CAO treated the Director of Human Resources no differently than any other director in this respect.

Although the Charter states the CAO is responsible for evaluations of all the Department Directors, upon investigation it was found these evaluations were not being performed consistently. Some evaluations were not performed in a timely manner while others had not been done in the past eight years.

In addition, an MOU negotiated for July 1, 1999 to June 30, 2003 which in part stated: “Effective September 1, 1999 and for the trial period of two years, employee performance evaluations are eliminated...”.

It was also determined Human Resources Department does not perform reference checks on any prospective County employee. In addition they do not verify experience or educational requirements. Human Resources, relied on Department Directors to do background checks, and verify experience and education.

### **Findings**

- F1. The Board of Supervisors delegated responsibility for negotiating the MOU to the Director of Human Resources.
- F2. Some El Dorado County personnel have not been evaluated in over eight years.
- F3. The majority of Department Directors do not annually evaluate their personnel.
- F4. Department Directors are not evaluated in a timely manner.
- F5. Human Resources does not perform reference checks on employment applications.
- F6. Human Resources does not require submission of transcripts/diploma nor do they contact former employers to verify accuracy of the experience listed on the application.
- F7. The Department Directors have the responsibility to ensure that reference checks are conducted and that other pertinent background evaluation are performed.

### **Recommendations**

- R1. The CAO should have an experienced contractor negotiate future Memoranda of Understanding (MOUs).
- R2. Director of Human Resources should not be a negotiator for future MOUs, but serve as a technical advisor to these negotiations
- R3. County Counsel should be accountable for reviewing all issues contained in MOUs.
- R4. The Auditor-Controller should be accountable for reviewing financial aspects for all issues that have a major financial impact on the County.
- R5. All Department Directors should be evaluated yearly by the Chief Administrative Officer.
- R6. All Department Directors should be responsible for their employee evaluations and held accountable on their evaluation.

R7. Human Resources should be responsible for obtaining all records required on application transmittals. (Licenses, college transcripts, diploma's, etc)

**Responses Required for Findings**

F1 through F7	El Dorado County Board of Supervisors
F2 through F7	El Dorado County Chief Administrative Officer Director, Department of Human Resources

**Responses Required for Recommendations**

R1 through R7	El Dorado County Board of Supervisors
R1, R2 and R7	El Dorado County Chief Administrative Officer
R3	El Dorado County, County Counsel
R4 through R7	Director, Department of Human Resources
R4	El Dorado County Auditor/Controller