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GRAND JURY

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February 1, 2007

Honorable Jerald M. Lasarow
Superior Court 2, South Lake Tahoe
1354 Johnson Blvd.
South Lake Tahoe, CA 96150

Honorable Judge Lasarow:

Enclosed is the second mid term report of the 2006-2007 El Dorado County Grand Jury. The report reflects the Grand Jury concerns about the Human Resources Department ability to perform required and essential functions. In addition, a follow up investigation was performed by this year's Grand Jury members into the animal shelter in South Lake Tahoe.

The Grand Jury takes this report seriously and would like to release this report as soon as possible. This jury is deeply concerned about the Human Resource Department's readiness to perform its assigned tasks. We would like to acknowledge the cooperation of county employees, and the Human Resources Department in this investigation.

We request that your Honor approves this report for release to the Board of Supervisors and to the public at large.

Thanks you for your support and guidance in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rene (Ray) Van Asten".

Rene (Ray) Van Asten
Foreman
2006-2007 Grand Jury

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF EL DORADO**

Criminal Division
1354 Johnson Boulevard, Suite 1
South Lake Tahoe, California 96150
(530) 573-3044
(530) 542-9102 Fax

JERALD M. LASAROW
JUDGE

February 27, 2007

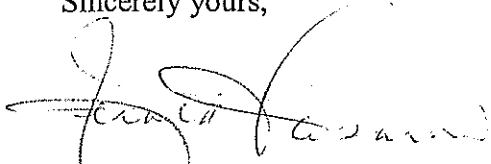
Grand Jury
Attention: Foreman Mr. Ray Van Asten

I have received and reviewed the Grand Jury Report 06-030 regarding the Animal Control Department and 06-022 regarding the Human Resources Department.

I approve both of these reports. I also approve this report released to the Board of Supervisors and to the public.

I will fax this letter and mail the original.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jerald M. Lasarow", written over a horizontal line.

Judge Jerald M. Lasarow
Supervising Judge of the 2006-2007 Grand Jury

EL DORADO COUNTY HUMAN RESOURCE DEPARTMENT

(GJ 06-022)

February 1, 2007

SUMMARY

The El Dorado County Grand Jury conducted an exploratory investigation in response to county agencies' problems in timely recruiting, receiving information and training from the Human Resources Department.

The investigation shows that eight (8) Human Resources "Directors" in the past three (3) years resulted in major policy changes within the department. This inconsistency affects the Human Resources staff, and in turn, all county agencies. Due to the resignation of seasoned staff, the department is struggling. The department performed admirably considering limited resources, staffing and budget.

A Human Resource Director is in place. He has the cooperation from within the county available to assist him as he explores and sets in place a rebuilt Human Resources Department. The Grand Jury recommendations offer independent suggestions resulting from this investigation. This definitive report is prepared for the Board of Supervisors, who are the policy makers for El Dorado County, and for public information.

Reason for the Report

It was brought to the attention of the Grand Jury by current and former employees that turnover and instability within all levels of the Human Resources Department has impacted the Department's ability to perform required and essential functions.

The Grand Jury responded to these concerns by conducting a review of the Human Resources Department. Upon completion of the initial Grand Jury inquiry it was apparent that there are and have been issues that affect County Departmental interactions and consistency of defined services.

Scope of Investigation

People Interviewed:

- El Dorado County Chief Administrative Officer
- El Dorado County Auditor/Controller
- El Dorado County Deputy Director Development Services for Administration
- El Dorado County Under Sheriff
- El Dorado County Supervisor District II
- El Dorado County Counsel
- El Dorado Deputy County Counsel

- El Dorado County District Attorney Legal Secretary, Social Services Supervisor
- El Dorado County Chief Assistant, County Counsel
- El Dorado County Acting Labor Relations Manager
- El Dorado County Director of Department of Transportation
- El Dorado County Former Deputy Director Human Resources
- El Dorado County Former Analyst, Human Resources (2)
- Public Employees Union Local #1, Executive Director

Documents Reviewed:

- *El Dorado County Charter*
- *County of El Dorado Policy Prohibiting Discrimination, Harassment and Retaliation and Report and Complaint Procedure*
- *The County of El Dorado Invites You To Apply For The Position of Director of Human Resources*
- *Job Class Title, Director of Human Resources*
- *El Dorado County Personnel Management Book*
- *County of El Dorado Fiscal Year 2006/2007 Budget & Work Plan*

Background

In keeping with the Grand Jury's directive, the initial inquiry involved an overview of the Human Resources Department and its inter-relationship with other County departments. The purpose of this inquiry was to obtain an awareness of the Department's services and to develop an understanding of its operations. The El Dorado County Charter identifies the Board of Supervisors as ultimately responsible for setting Human Resources policy and personnel rules.

During this investigation a significant number of issues are identified and substantiated by multiple testimonies. The most obvious issues include:

- The Department is undervalued by the Board of Supervisors.
- The Department is dysfunctional due to turnover and inconsistent management.
- The Department turnovers and vacancies result in loss of experienced and knowledgeable employees and reduce the level of service to County departments.
- The lack of proactive staff management in employee performance and training results in early dismissals and unnecessary costly recruiting throughout the County departments.

Facts, Findings & Recommendations:

1F. Facts:

- Some County departments do not utilize or engage the Human Resources Department when conducting personnel related activities.

- The Board of Supervisors does not demonstrate a consistent policy related to County departments handling of personnel matters that circumvent the Human Resources Department.

1F. Finding:

These issues have the potential for increasing liability in the event of mishandling of personnel related issues. Further, this inconsistency demeans and lessens the stature of the Human Resources Department.

1R. Recommendations:

- The Board of Supervisors must review, update, reiterate and enforce policy for consistency regarding the Human Resources Department's role and responsibilities.
- The Board of Supervisors must effectively communicate their directives with regard to the working relationship between other County departments and the Human Resources Department.
- The Board of Supervisors through the Chief Administrative Officer must enforce the Departmental interface and relationships that meet their stated policy.

2F. Facts:

- There is excessive turnover in the Human Resources Department directorship since 2003.
- While this investigation looked primarily into issues within the Human Resources Department, it is also notable that there is an unusually high level of turnover at the executive level within other County departments. This negatively impacts the ability of County departments to effectively perform essential functions.

2F. Finding:

- Eight (8) Human Resources Directors staffed this position in the last three and a half (3 ½) years.
 - July, 2003 Human Resources Department Director retires
 - July, 2003 to February, 2004 Deputy County Counsel, acting Human Resources Director
 - February, 2004 to November, 2004 Chief Administrative Officer, acting Human Resources Director
 - November, 2004 to August, 2005 Human Resources Director
 - August, 2005 to November, 2005 contract Human Resources Director
 - November, 2005 to June, 2006 Human Resources Director
 - June, 2006 to January, 2007 Chief Administrative Officer, acting Human Resources Director
 - January, 2007 Human Resources Director

2F. Recommendations:

- The Board of Supervisors must set goals and objectives in collaboration with the Director regarding implementation of a Human Resources Department strategic plan.
- The Board of Supervisors must be supportive and allow the Director to make necessary changes to implement the Human Resources strategic plan.

3F. Facts:

- The *County of El Dorado Fiscal Year 2006/2007 Budget & Work Plan* appropriates \$1,272,646 and eighteen (18) full time equivalent positions to the Human Resources Department.
- Budget and staffing are inadequate; the Human Resources Department cannot satisfactorily perform its role and responsibilities.
- Human Resources employee turnover since June, 2003 include:
 - Ten (10) employees resigned for employment elsewhere
 - Six (6) employees accepted re-assignment in El Dorado County
 - Five (5) employees retired or left County employment.
- El Dorado County labor bargaining units have increased from five (5) to thirteen (13) over the past decade.

3F. Findings:

- Inadequate staffing and funding within the Human Resources Department results in inadequate training and recruiting.
- Excessive employee turnover and unfilled positions severely impacts the Human Resources Department's ability to provide comprehensive and timely services to other County departments.

3R. Recommendations:

- Implement a competitive and diligent recruitment program that fills County vacancies with qualified employees on a timely basis.
- The Human Resources Department must provide State and Federal mandated Human Resources training in addition to supervisory training to El Dorado County employees.
- The Human Resources Department must maintain accurate and current employee training records.
- Adjust the level of authorized positions in the Human Resources Department from the current level to a level that supports the organizational workload as identified in the *County of El Dorado Fiscal Year 2006/2007 Budget & Work Plan*. These functions are:

- Discipline, EEO (Equal Employment Opportunity), Discrimination Complaints
 - Recruitment and Testing
 - Training and Orientation
 - Labor Relations
 - County Personnel Operations, Support
 - Classification/Salary Administration
 - Risk Management
- The Board of Supervisors must provide the necessary adjustment in the budget to allow the Human Resources management to make the needed changes.

4F. Fact:

- The *El Dorado County Personnel Management Book* has not been updated.

4F. Finding:

- The *El Dorado County Personnel Management Book* is outdated and does not reflect current applicable laws and human resources practices

4R. Recommendation:

- The *El Dorado County Personnel Management Book* must be reviewed and updated as a minimum on an annual basis, to reflect changes in applicable laws and human resource practices.

COMMENDATION REPORT: SOUTH LAKE TAHOE ANIMAL CONTROL (GJ 06-030)

SUMMARY

The El Dorado County 2006-2007 Grand Jury commends the South Lake Tahoe Animal Control shelter for their excellent work in serving the citizens of the County.

The South Lake Tahoe Animal Control shelter was investigated by the 2003-2004 Grand Jury resulting in six (6) recommendations. The 2005-2006 Grand Jury conducted a follow-up inspection to determine the status of the work related to the county's response to the 2003-2004 Grand Jury Final Report. The Jury in 2005-2006 reports that as of June 1, 2006 no recommendations were implemented, but would be implemented in the future.

On October 4, 2006 the 2006-2007 Grand Jury conducted an additional follow-up site inspection of the South Lake Tahoe Animal Control shelter. The Supervising Animal Control Officer provided a comprehensive tour; including a briefing about the status and scope of their facilities improvements. Within days prior to the inspection, the county closed escrow on land adjacent to the shelter. This purchase allows for building modifications and facilities improvements that will address the recommendations in the 2003-2004 Grand Jury. Given the broad scope of this project, the work will begin as weather permits and is expected to be completed in 2007. Remodeling plans include:

- Expansion of the building by 700 square feet, with improved floor space to maximize space
- New reception and lobby area for greeting the public
- Improving parking lot with additional capacity
- New pet meeting room to enhance the adoption process
- Improving dog kennels, resurface flooring to enhance sanitation, new gates to reduce barking, and skylights to allow for natural lighting
- New housing and adoption rooms for cats
- New quarantine areas for housing sick animals or those that need to be isolated.
- A raised roof in the kennel area
- Adding outdoor covered exercise areas for animals
- Drainage and ventilation improvements
- Effective, functional workspaces for staff and volunteers
- Improved security.

The South Lake Tahoe Animal Control staff is commended because they are providing exemplary service under difficult conditions. Therefore, the 2006-2007 Grand Jury compliments El Dorado County South Lake Tahoe Animal Control for the caring and meaningful service they provide.

SUMMARY OF HUMAN RESOURCES AREAS OF RESPONSIBILITY *

LABOR RELATIONS: Negotiate and administer all labor contracts; interpret MOU and policy provisions, investigate and respond to grievances, meet and confer on county-wide departmental policies affecting wages, hours, terms and conditions of employment, and responsible for overseeing all bargaining unit modifications.

COUNTY PERSONNEL OPERATIONS, SUPPORT: Respond to all public and department contracts; process and verify all payroll/personnel changes; maintain official personnel files; develop and modify personnel policies and systems; maintain and revise official position allocation lists, salary tables, class descriptions; and develop/revise County personnel programs and policies.

RECRUITMENT AND TESTING: Initiate advertising and outreach criteria to maximize competition and ensure compliance with Civil Service rules; identify critical dimensions for testing; selecting testing materials; administer tests and prepare department certifications consistent with Federal, State and local laws and ordinances.

CLASSIFICATION/SALARY ADMINISTRATION: Ensure that employees are working within stated classifications. Maintain and revise classification plan to reflect span of responsibility, typical duties and required qualifications according to Federal, State and local laws, local ordinances rules and policies. Responsible for interpretation and correct implementation of wage and hour requirements as mandated by the *Fair Labor Standards Act* and labor contracts.

DISCIPLINE, EEO, DISCRIMINATION COMPLAINTS: Help departments prepare disciplinary actions; investigate discrimination complaints; interpret laws, rules and procedures, and maintain Equal Employment Opportunity (EEO) policies and standards to ensure compliance with Federal, State and local laws and regulations; and prepare Equal Employment Opportunity Plans (EEO's) required by the Federal and State governments to receive Federal and State program funds.

TRAINING AND ORIENTATION: Conduct orientation sessions for new hires, develop, coordinate and provide training on topics which are applicable across departmental lines, and within any budgetary limitations.

RISK MANAGEMENT: This area is composed of sub-topics and operates as a unit at this time.

- **Liability Management:** Handles general liability claims against the County. Coordinates procurement of outside insurance program such as excess insurance, airport liability and medical malpractice. Identifies the County's exposure to losses and develops program to reduce and prevent losses.
- **Disability Management:** Mandatory benefit program covers occupational injuries/illnesses, including working with claims and litigation through third party administrator, and an employee assistance program with mental health benefits for employees.
- **Benefits Management:** Provides County-sponsored health benefits for employees and their family members through fully insured, self-insured health plans and add-in programs.

**EL DORADO COUNTY
2006-2007 GRAND JURY**

**RENE (RAY) VAN ASTEN
(FOREMAN)
FREDERICK (FRITZ) ENGEL
(FOREMAN PRO-TEM)**

- **CHARLOTTE BLASIER**
- **IRIS CAPRIOLA**
- **RITA CLAYTON**
- **MARY ANN DANTE**
- **BILL JONES**
- **HARVEY MARROW**
- **DUANE MATTHEWS**
- **THELMA MILLER**
- **ROSEMARY MULLIGAN**
- **JEROME PASTO**
- **MICHAEL POWELL**
- **ROBERT ROWBERG**
- **JANE SULLIVAN**
- **ALLEN SAMSON**
- **WILLIAM TRINIDAD**
- **LARRY WILLIAMS**
- **HARLAN YELLAND**

NOTICE TO RECIPIENTS

Recommendations by the Grand Jury require action. Penal Code § 933.05 requires report recipients to structure their findings according to:

Response to FINDINGS (#1 or #2)

- 1 Agree with the Finding.
- 2 Disagree either (a) wholly or (b) partially. The response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons for the disagreement.

Response to RECOMMENDATION (1 of 4)

- 1 The Recommendation has been implemented. Please include a summary of the implemented action.
- 2 The Recommendation will be implemented in the future. Please include a time frame for implementation.
- 3 The Recommendation requires further analysis. When the agency responds in this manner, the law requires that within six (6) months a detailed written explanation of the analysis/study must be submitted to the director or governing body of the agency being investigated.
- 4 The Recommendation will not be implemented because it is not warranted or is not reasonable. A written explanation is required within the time limits below.

When (Time), Where and to Whom to Respond (Penal Code § 933.05)

PUBLIC AGENCY (non-elective). The governing body of any public agency must respond within 90 (ninety) days to the Presiding Judge of the Superior Court, with an information copy provided to the Board of Supervisors.

ELECTED OFFICER OR AGENCY HEAD: All elected officers or heads of agencies who are required to respond must do so within 60 (sixty) days to the Presiding Judge of the Superior Court, with an information copy provided to the Board of Supervisors.