

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

651



FROM: Executive Office

SUBMITTAL DATE:
May 19, 2014

SUBJECT: 2013-14 Grand Jury Report: Community Action Partnership of Riverside County

RECOMMENDED MOTION: That the Board of Supervisors:

1. Instruct Riverside County Community Action Partnership to forward to the Executive Office, within 30 days, a draft of the Board's response to the findings and recommendations of the Grand Jury that pertain to the Department's operational areas and direct the Executive Office to submit draft responses to the Board within 60 days.

BACKGROUND: The attached report has been issued by the Grand Jury.

Section 933 (c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury's recommendations pertaining to matters under the control of the Board and that a response be provided to the Presiding Judge of the Superior Court within 90 days.

Draft responses received from the affected department will be considered and presented for the Board's consideration; the response ultimately approved by the Board will then be forwarded to the Grand Jury as required by statute.

30dayCAP05.14.docx

Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$	\$	\$	Consent <input type="checkbox"/> Policy X
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS: _____ **Budget Adjustment:** _____
For Fiscal Year: _____

C.E.O. RECOMMENDATION:

APPROVE

BY: 

 George A. Johnson

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: _____ District: _____ Agenda Number: _____

3-4



RIVERSIDE COUNTY GRAND JURY

(951) 955-8990 OFFICE • (951) 955-8989 FAX

May 13, 2014

Riverside County Board of Supervisors
County Administrative Center
4080 Lemon Street, 1st Floor
Riverside, CA 92501

Subject: 2013-2014 Grand Jury Report: Community Action Partnership of Riverside County

Dear Board Members:

Please note that Penal Code Section 933 et seq. specifies that you file a response with the following agencies within ninety days.

Mark A. Cope, Presiding Judge
Superior Court of California, County of Riverside
4050 Main Street
Riverside, CA 92501

Riverside County Grand Jury
Post Office Box 829
Riverside, CA 92502

Riverside County Clerk-Recorder
2720 Gateway Drive
Riverside, CA 92507

Further, it specifies that this report be kept **confidential for a minimum of two working days** prior to public release. The contents of this report will be made public after the close of business **May 15, 2014**.

Sincerely,

Barbara A. Schlegel, Foreperson
2013-14 Riverside County Grand Jury

BAS:gs
Attach.

2013-2014 GRAND JURY REPORT

Community Action Partnership of Riverside County

Background

The Community Action Partnership of Riverside County (CAP), along with the community, strives to eliminate poverty by facilitating opportunities towards self-sufficiency through education, wealth building, advocacy, community organizing and dispute resolution.

The vision for CAP is *"To end poverty in Riverside County."* CAP is Riverside County's designated anti-poverty agency established in 1979. CAP is a public agency reporting directly to the Riverside County Board of Supervisors and administered by the Community Action Commission. CAP is a member of a national network of 1,100 Community Action Agencies created through 1964 legislation, entitled United States Public Law 88-452, *The Economic Opportunity Act of 1964 War on Poverty* and introduced by President Lyndon Johnson. CAP receives funding from public and private sources. Its primary funding source is the Federal Community Services Block Grant that is administered through the California Department of Community Services and Development.

Methodology

This report was developed from the following:

- Sworn testimony from CAP staff and management
- A review of the County of Riverside manager and supervisors *Disciplinary Process Manual*, published by The Center for Government Excellence
- Review of CAP-Riverside Strategic Plan 2013-2015
- Interview with a member of the Community Action Commission
- Reviewed Riverside County Board of Supervisors' policies and procedures
- Reviewed documents provided by CAP management including CAP policies and procedures

Findings

Executive Management and Employee Relations

1. Sworn testimony from current and past CAP employees revealed that a conflict exists between some employees and CAP management, which creates a negative work environment and impairs productive work performance efforts. Employees were harassed over department policy issues that included:
 - Scheduled and unscheduled doctor appointments
 - Initial vacation requests and pre-approved vacation requests
 - A previously approved naming, of an internal countywide blood drive, was changed without coordination with affected staff
 - Adjusted work schedules to eliminate earned compensatory time

Employees testified that these actions resulted in repeated management retaliation against some employees. Employees reported this caused unwarranted stress leading to headaches, stomach aches, insomnia, and other health related issues. The stress forced some employees to seek other opportunities within the County, retire early or suffer in a work environment that had become increasingly hostile, which prompted several employees to seek medical help. Most employees interviewed did not look forward to coming to work each day. Investigation found that this work environment prompted several employees to submit formal written complaints to Human Resources Employee Relations for help in resolving these conditions.

Employee complaints to Riverside County Human Resources (Human Resources) referenced Riverside County Board of Supervisors' Policy (Board Policy) C-25, *Harassment Policy and Complaint Procedure*, by management personnel. Investigations by Human Resources personnel did not support or substantiate employee complaints because these complaints did not fall within the definitions of Board Policy C-25.

Board Policy C-25 states:

Alleged illegal discrimination based on race, color, national origin, ancestry, religion, sex (including sexual orientation), age, physical disability (including HIV and AIDS), mental disability, medical condition, marital status or pregnancy, or denial of the provision of the federal Family & Medical Leave Act of 1993 (FMLA) or the California Family Rights Act of 1991 (CRFA).

Sworn testimony indicated that rarely are words of appreciation and encouragement given to employees to create a positive work environment. The Grand Jury concluded from testimony and evidence that management lacked appropriate training and adequate managerial skills to handle routine work issues in a manner that is educational instead of confrontational.

The focus of the *Disciplinary Process Manual*, reference Chapter 4 *Create a Good Working Environment*, reflects correct guidelines for the supervision of employees, thus minimizing the need for future disciplinary actions. A sample of these guidelines includes:

- *Set a good example*
- *Apply policies consistently*
- *Deal objectively with each offense or situation*
- *Be aware of representation rights of employees*
- *Make your expectations clear*
- *Clearly communicate work rules to employees*

Sworn testimony indicated that these guidelines were largely ignored by CAP executive management as follows:

- Employees were treated in a condescending accusatory manner without being afforded proper respect
- Employees were subjected to negative management criticism, finger pointing and eye rolling
- Management used email to communicate minor infractions and/or issues rather than discussing issues directly with employees
- Employees were threatened with job loss
- Executive management suggested employees were intentionally making mistakes

Employee Evaluations

2. CAP management failed to conduct annual written performance evaluations in accordance with Board Policy C-21 (2), which states:

Agency/department managers shall prepare, or cause to be prepared, a written, confidential evaluation of the performance of each regular employee assigned to their management responsibility. Evaluations shall be in a form prescribed by the agency/department, as reviewed by Human Resources, but shall comply with the principles encompassed in this policy.

Sworn testimony indicated that it has been three years since some employees had a performance evaluation. Board Policy C-21 (3, b) states:

The frequency of evaluations prescribed by this Policy shall be as follows:

(b) *All...regular employees of Riverside County shall be evaluated on an annual basis, approximately on the anniversary of promotion or entry into their current job classification.*

Training

3. CAP management, in conjunction with Human Resources, failed to provide mandatory training for managers and supervisors. Board Policy C-23(1), *Disciplinary Process Policy* states:

Agency/department heads, managers, and supervisors shall attend a disciplinary process training program administered by Human Resources prior to or within 90 days of appointment.

Training records provided by CAP management demonstrated that *Disciplinary Process Manual* mandatory training for supervisors and managers was not performed. Sworn testimony from supervising personnel revealed that no "disciplinary process policy" training was provided.

Staff Meetings

4. Sworn testimony from current and past employees revealed that CAP management did not conduct regular staff meetings to provide staff with CAP updates and/or policy and procedure changes.

Financial Reports

5. Evidence obtained by the Grand Jury concluded that grant income and expenditures listed on financial reports did not include income and expenditures from the County of Riverside as a separate line item. County funds were accounted for by general categories. The Grand Jury was informed that the Riverside County Auditor-Controller had only minor involvement in CAP financial activities.

Recommendations

**Riverside County Board of Supervisors
County Executive Officer
County Auditor-Controller
Community Action Partnership (CAP) Riverside – Executive Director**

Executive Management and Employee Relations

1. CAP executive management shall comply with the guidelines of the *Disciplinary Process Manual*. CAP executive management shall immediately implement the precepts of these processes, and treat employees with professionalism and respect.

Employee Evaluations

2. In accordance with Board Policy C-21 (3, b) (5, d), CAP management shall evaluate on an annual basis regular employees; i.e., any employee who has successfully completed their probation period. Anytime they give an employee an overall rating of “unacceptable” or “improvement needed,” they shall notify Human Resources and seek its review and support of the evaluation.

Training

3. CAP executive directors, managers and supervisors shall receive mandatory training on the *Disciplinary Process Manual* by Human Resources within 90 days of appointment. Formal *Disciplinary Process Manual* training shall be done annually to ensure that a positive work environment is cultivated.

Staff Meetings

4. CAP management shall conduct regular monthly staff meetings. Attendance and topics discussed shall be documented. Records of agendas and sign-in sheets shall be retained for 5 years as stated in the *Disciplinary Process Manual* on page 13 of Chapter 4, under *Staff Meeting*.

Financial Reports

5. County funds shall be separated from other sources of income on CAP financial statements and placed in a separate account.

Report Issued: 05/13/2014
Report Public: 05/15/2014
Response Due: 07/14/2014