

# **THE YOLO COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT: PERSONNEL PRACTICES**

## **SUMMARY**

After receiving a number of complaints from employees, the Grand Jury investigated the personnel practices of the Yolo County Health and Human Services Department (YCHHSD, the Department). These complaints pertained to hiring, promotion, employee transfers, civility, favoritism, retaliation, grievance procedures, and allegations of the misuse of county funds for persons receiving aid. After investigation, the Grand Jury determined that the July 2015 reorganization of the YCHHSD failed to adequately address employee complaints. The Grand Jury determined that while many allegations proved to be accurate, many allegations were based on personal experience and subjective criteria, which did not allow the Grand Jury to render specific findings and recommendations concerning many of the allegations. The Grand Jury found that there are substantial internal personnel and management problems as documented by the number of similar complaints.

## **BACKGROUND**

The Yolo County Health and Human Services Department has undergone a recent restructuring to allow more centralized control and oversight, including the formation of a separate Human Resources division. The personnel involved with these changes have been with the Department for many years and should have a basic understanding of policies and procedures regarding both union contract items and internal employment practices and policies.

The Grand Jury received complaints from employees working in the Yolo County Health and Human Services Department, specifically the Emergency and Intensive Services section. These complaints were similar in nature and described incidences of favoritism, inappropriate fraternization, retaliation, and allegations of the misuse of county funds. These individuals described situations where supervisors used offensive language, behaved rudely, were menacing, and threatening. They stated that fear of retaliation caused them to seek assistance from the Grand Jury as opposed to other available options within the Department.

## **METHODOLOGY**

The Grand Jury interviewed management and staff within YCHHSD, including Emergency and Intensive Services, complainants, and an employee union representative. The Grand Jury also conducted background research and document reviews of California Code of Ordinances, Yolo County Health and Human Services Administration organizational information, Yolo County administrative policies and procedures, including those related to recruitment interviews, employee conduct, complaint resolution, and internal and external hiring statistics for ESS I, II, and III positions since July, 2013.

## **DISCUSSION**

### **Personnel Issues**

The Grand Jury investigated a number of personnel issues with special attention to promotion policy, fraternization, department transfers, performance review practices, internal and external hiring, and civility. During the Grand Jury investigation, it became apparent that there are

serious concerns within the Department and specifically within the Emergency and Intensive Services section.

### **Morale**

The complaints received by the Grand Jury were submitted by employees within the Department of Emergency and Social Services. In July of 2015, with a new Director, the Department was combined and integrated into the Yolo County Health and Human Services Department.

After in-depth investigation which included key personnel interviews, policy and procedure manual review, and complaint investigation, it was found that several high-level administrators, manager and supervisors, seem unaware of most personnel and promotional issues under their supervision, dismissing many of these issues as “resolved” or “nuisance.”

There is a strong divide between management and employees. While management references civility policy and practices when admonishing employees, this workplace expectation flows in one direction. Accounts of rudeness, use of profanity, dismissive tone, and discourteous mannerisms on the part of supervisors are not unusual. Many employees fear retaliation if they report this unacceptable behavior through the regular chain of command. Retaliation takes the form of work load distribution (complainers get a larger caseload), failure to be considered for a promotion, or office transfer without explanation.

Employees are distressed and claim managers are “untouchable.” The Grand Jury interviewed individuals involved in all levels of the Department about the grievance process. While filing a formal grievance may be an option for employees covered by a union contract, most are unwilling to do so, for fear of retaliation. The statements from the individuals interviewed were too similar to dismiss as simply from disgruntled employees. Complaints made by employees to supervisors or the manager are not routinely documented, allowing management to deny or minimize any problems or concerns within their organization.

### **Performance Reviews**

Department management admitted that supervisors were not held accountable for the timely completion of employee performance reviews. Many performance reviews are not up to date. Employees often do not receive formal, timely feedback, and do not have an opportunity to sit down with their managers on an annual basis to discuss their concerns and challenges.

Furthermore, if a new employee who is under a probationary period does not receive a performance review within the required time, the new employee has a right to be retained in the position. This clearly affects efficiency of operations as less than satisfactory employees may be retained and are difficult to terminate once they have cleared their probationary period.

### **Promotions**

The Human Resources Unit within the YCHHSD is following prescribed policies regarding transfers and internal and external promotions. However, the ultimate hiring decision is discretionary, allowing subjectivity in filling the available positions.

Qualified internal applicants for promotional positions within the Department are interviewed first. However, there were allegations that a number of candidates from outside of the Department and the Yolo County organization without the proper credentials were hired. The Grand Jury discussed the internal promotion policy with several witnesses. It was determined that several of the front line staff employees believed that current employees were to be

interviewed first and that a current employee should be selected if any were qualified. This is not how the policy works as explained by the Department's human resource representative and confirmed by the union representative. The collective bargaining agreement stipulates that current employees are interviewed first, then qualified outside candidates are interviewed, and a choice is made from the entire pool. All applications are accepted by the County human resources department and a prescreened list of qualified applications is forwarded to the hiring committee. The committee can hire any applicant from this list.

The Performance Improvement Plan for internal applicants is meant to provide the employee with the means to improve his or her performance and promotional opportunities. Many internal candidates did not receive the appropriate feedback concerning their failure to obtain positions for which they applied.

Promotion panels are composed of three to five individuals, so a more equitable or impartial decision would be expected. An Interview Rating Form is used by the interviewers to ensure impartiality (Appendix, Exhibit 1). The supervisor of the position is a member of the panel and can greatly influence the selection process. Some promotions were denied when the reviewing supervisor gave the lone dissenting vote.

The Grand Jury determined that the hiring statistics do not support the claim of unfair hiring practices; however, the choice of the candidate selected may still be highly dependent on subjective criteria. The statistics presented in the Appendix Exhibit 2, which show the number of internal versus external applicants who were interviewed and subsequently hired for the available positions during 2013-2015, were provided to the Grand Jury by the County personnel department. It is important to note that the number of applicants will differ from the total number of applicants interviewed due to meeting position hiring criteria. When taken as a whole, the total number of internal qualified and interviewed applicants over this time period was 49, of which 12, or approximately 25 percent, were hired (promoted), versus a total of 55 qualified external applicants interviewed, resulting in five, or approximately a ten percent hire rate.

### **Employee Transfers**

Concerns regarding voluntary and involuntary transfers were investigated after learning that several employees were transferred to another office subsequent to voicing workplace complaints and concerns to managers and supervisors. In many cases, no explanation was given to the transferred employee. The Grand Jury determined that although some transfers may have given the appearance of selective transfers, the Department has the ability to transfer based on their assessment of work load and mission need and, as such, has not violated any written policy.

### **Misuse of County Funds**

The allegations of improper spending were confined to a single case involving a manager who allegedly overruled a case worker and directed the staff to process payments to a client (a family requiring public assistance) for car repairs of \$13,000, zoo tickets, and museum tickets. While these types of payments are not common, they can be made under the broad discretion given to the manager by the County.

There is no evidence that anyone, other than the clients, profited from or was enriched by the purchases referenced in the complaint.

All transactions in question were known by more than one employee, and no one denied that they were made. The Grand Jury questions if this is the best use of government funds. The manager stated that she has discretion over this type of spending. The Grand Jury questions the latitude of discretion given to managers and supervisors in approving non-essential expenditures.

Almost all spending plans are made in group triage meetings where there is discussion of the case and the appropriate actions are agreed to by the supervisor and the case workers without consulting the manager. If there are questions or disagreement on the best solution, the manager is brought into the discussion. In the end the manager has the final word on spending.

The policies that are used to guide program spending are available to all employees. However, these policies are open to interpretation, and the spending limits were quoted differently by several witnesses. For example, case workers quoted upper limits ranging from \$100 to \$500. Higher limits up to \$5000 apply to supervisors and managers.

The amount spent on common household items varied from case to case depending on the case worker's judgment and the location of the family receiving the assistance.

A case worker who disagrees with a supervisor or manager can note the item of disagreement in the case file. Most requests for payment are submitted by the case worker via email. Requests are then reviewed by the supervisor who approves the payment. The approved payment request is forwarded to accounting, which issues a check or adds money to an EBT card held by the client.

All policies and procedures are available to county personnel electronically on the secure county employee website. Initial training is done by teaming new employees with established case workers who train them. This seems to work well to get new employees up to speed and familiar with the system. Most people who are trained this way rely on "how they were taught" and do not reference the Department's written policies and procedures very often. This often leads to confusion as to what course of action to follow.

## **FINDINGS**

- F1. The Grand Jury found the Yolo County Health and Human Services Department, Emergency and Intensive Services supervisors and manager do not foster a culture of open communication in addressing personnel complaints.
- F2. The Yolo County Health and Human Services Department has awarded permanent employment status to some probationary employees without proper performance evaluations.
- F3. The Yolo County Health and Human Services Department does not consistently conduct timely annual performance evaluations for permanent staff.
- F4. The Grand Jury found many front line staff do not understand the procedure for hiring internal applicants versus external applicants as it applies to hiring preferences.

## **RECOMMENDATIONS**

- R1. By September 1, 2016, the Yolo County Health and Human Services Department will provide additional training for supervisors and managers to promote open communication and resolution of personnel issues.
- R2. By January 2, 2017, all probationary and permanent employee evaluations are to be up to date, and the Department will conduct all evaluations in a timely manner.

## **INVITED RESPONSES**

- Yolo County Administrator: – F1, F2, F3, R1, and R2
- Director, Yolo County Health and Human Services Department: – F1, F2, F3, R1, and R2
- Director, Human Resources, Yolo County Health and Human Services Department: – F1, F2, F3, R1, and R2

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

## BIBLIOGRAPHY

- Memorandum of Understanding, County of Yolo and Yolo County Supervisor and Professional Employee’s Association, 11/1/12-6/30/2016, which contained language describing promotion, employee evaluation, transfers and grievance procedures: <http://www.yolocounty.org/general-government/general-government-departments/human-resources/labor-relations>
- California Code of Ordinances, chapter 6, Personnel Merit System: <http://www.yolocounty.org/general-government/board-of-supervisors/county-code>
- Flyer for “Avenues for Yolo County Employees”: <http://www.yolocounty.org/general-government/general-government-departments/human-resources/avenues-program>
- E-mail correspondence from Health and Human Services (H&HS) Director of Human Resources
  - H&HS Strategic Plan April-June, 2015 flyer
  - H&HS Implementation Plan, July-December 2014
  - H&HS Organizational Chart
  - County of Yolo, Administrative Policies and Procedures manual, “Workplace Civility”
  - Yolo County Health and Human Services Department “Interview Rating Form”
  - Yolo County Health and Human Services Department – “Conducting Effective Hiring Interviews Training – Resources Material”
  - Internal/external hiring statistics for the ESS I, II and III position since July, 2013
  - County of Yolo Administrative Policies and Procedures manual, policy on employee timekeeping
  - Internal and external hiring statistics for the ESS I, II and III position since July, 2013

## APPENDIX

Exhibit 1: Interview Rating Form

Exhibit 2: Internal and External Hiring Statistics

Exhibit 1

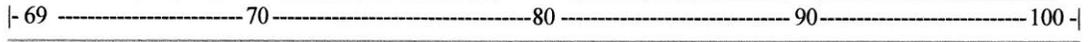
<b>Yolo County:</b> _____		<b>Interview Rating Form</b>	
<small>Department</small>	<small>Classification</small>		
Date _____	<b>Final Score:</b> _____	<b>Rater Initials</b> _____	
Applicant's Name: _____		Rater: _____	
<b>Not Acceptable</b> (No evidence of skill) (69)	<b>Satisfactory</b> (Average evidence of skill) (70 - 79)	<b>Very Good</b> (Above average evidence of skill) (80 - 89)	<b>Excellent</b> (Outstanding evidence of skill) (90 - 100)
- 69 -----	70 -----	80 -----	90 ----- 100 -
1.) First question here			
Circle the rating below which best reflects your evaluation of the candidate for Question 1:			
Not Acceptable	Satisfactory	Very Good	Excellent
2.) Second question here			
Circle the rating below which best reflects your evaluation of the candidate for Question 2:			
Not Acceptable	Satisfactory	Very Good	Excellent
3.) Third question here			
Circle the rating below which best reflects your evaluation of the candidate for Question 3:			
Not Acceptable	Satisfactory	Very Good	Excellent
<small>Revised August 2006</small>			

**Yolo County:** \_\_\_\_\_ **Interview Rating Form**

Date \_\_\_\_\_ *Department* \_\_\_\_\_ *Classification* \_\_\_\_\_ **Final Score:** \_\_\_\_\_ **Rater Initials** \_\_\_\_\_

Applicant's Name: \_\_\_\_\_ Rater: \_\_\_\_\_

<b>Not Acceptable</b> (No evidence of skill) (69)	<b>Satisfactory</b> (Average evidence of skill) (70 - 79)	<b>Very Good</b> (Above average evidence of skill) (80 - 89)	<b>Excellent</b> (Outstanding evidence of skill) (90 - 100)
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4.) Fourth question here.


Circle the rating below which best reflects your evaluation of the candidate for Question 4:  
 Not Acceptable                      Satisfactory                      Very Good                      Excellent

5.) Fifth question here


Circle the rating below which best reflects your evaluation of the candidate for Question 5:  
 Not Acceptable                      Satisfactory                      Very Good                      Excellent

6.) Sixth question here


Circle the rating below which best reflects your evaluation of the candidate for Question 6:

*Revised August 2006*

**Yolo County:** \_\_\_\_\_ **Interview Rating Form**

Date \_\_\_\_\_ *Department* \_\_\_\_\_ *Classification* \_\_\_\_\_ **Final Score:** \_\_\_\_\_ **Rater Initials** \_\_\_\_\_

Applicant's Name: \_\_\_\_\_ Rater: \_\_\_\_\_

**Not Acceptable**  
(No evidence of skill)  
(69)

**Satisfactory**  
(Average evidence of skill)  
(70 - 79)

**Very Good**  
(Above average evidence  
of skill)  
(80 - 89)

**Excellent**  
(Outstanding evidence  
of skill)  
(90 - 100)

- 69 ----- 70 ----- 80 ----- 90 ----- 100 -

Not Acceptable

Satisfactory

Very Good

Excellent

7.) Seventh question here


Circle the rating below which best reflects your evaluation of the candidate for Question 7:  
Not Acceptable                      Satisfactory                      Very Good                      Excellent

8.) Eighth question here


Circle the rating below which best reflects your evaluation of the candidate for Question 8:  
Not Acceptable                      Satisfactory                      Very Good                      Excellent

Yolo County: \_\_\_\_\_ **Interview Rating Form**

Date \_\_\_\_\_ *Department* *Classification* **Final Score:** \_\_\_\_\_ **Rater Initials** \_\_\_\_\_

Applicant's Name: \_\_\_\_\_ Rater: \_\_\_\_\_

**Not Acceptable**  
(No evidence of skill)  
(69)

**Satisfactory**  
(Average evidence of skill)  
(70 - 79)

**Very Good**  
(Above average evidence  
of skill)  
(80 - 89)

**Excellent**  
(Outstanding evidence  
of skill)  
(90 - 100)

- 69 ----- 70 ----- 80 ----- 90 ----- 100 -|

OVERALL SUMMARY:

FINAL SCORE: \_\_\_\_\_  
(Score using a number from rating standards and carry forward to front page)

Additional Comments:


Exhibit 2

The following table provides statistics on number of internal versus external applicants who were interviewed and subsequently hired for the advertised positions.

Recruitment	Internal Apps	External Apps	Internal Interviewed	External Interviewed	Internal Selected	External Selected
2013 – ESS I/II	20	222	4	17	1	0
2014 – ESS I/II	40	0	28	0	6	0
2015 – ESS I/II	46	193	16	29	4	1
2015 – ESS III	4	24	1	9	1	4
<b>Totals</b>	<b>110</b>	<b>439</b>	<b>49</b>	<b>53</b>	<b>12</b>	<b>5</b>