

The Value of a --- Respectful Workplace

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January 21, 2014

Objectives

- How do “You” define bullying?
- Review of existing policies
- Explore barriers to addressing workplace culture issues
- Review of draft proposals
- Discuss fiscal impacts and funding allocation
- Board discussion and direction to staff

What Is Bullying?

- Symptoms of an Unhealthy Work Environment
 - High turnover
 - Increased leave usage/work avoidance
 - Feelings of anxiety, fear and/or hopelessness
 - Includes raised voices, yelling, screaming & intimidation
- Bullying comes in different forms
 - Action
 - Inaction
- Venues
 - Passive-Planting rumors
 - Direct- Belittling in a meeting or public setting

Bullying results in unnecessary cost increases

San Juan School District

- 7 month investigation by Van Dermyden Maddux Law Corp found Board Member Masuoka did not take appropriate action to address employee complaints of bullying and retaliation by Glynn Thompson, Superintendent of Schools
 - Cost of Investigation= \$178,000
- December 19, 2013
 - Glynn Thompson retires
- On January 14, 2014
 - Masuoka censured for failing to take action
 - Pending employee claims totaling \$17 million



El Dorado County Board of Supervisors Take Action

Board of Supervisors Direct Action

- On April 9, 2013 the Board of Supervisors directed staff to draft an anti-bullying policy
- Board directive resulted in staff participating in developing and reviewing proposals :
 - HR Investment Team
 - HR, County Counsel and Risk Management
 - Appointed and Elected Department Heads

Informal Cultural Assessment

- Who are the sources of the information pertaining to the County's culture?
 - External Customers
 - Prospective employees
 - The Public
 - Vendors
 - Internal Customers
 - Employees

Prevention Is The Best Medicine

Most bullying occurs in front of witnesses or with the knowledge of others.

Question?

How can we create a culture where all employees feel empowered to hold each other accountable for our behavior?

Existing Policies Regarding Respectful Conduct

- El Dorado County Personnel Rules
 - Code of Ethics; Part 1, Section 102
- El Dorado County Personnel Rules
 - Disciplinary Action; Part 12, Section 1203
- El Dorado County Code of Ethics
- Employee Expectation Standards
- El Dorado County Department Head Expectations

Barriers to Addressing Cultural Issues

- The County currently lacks a procedure for reporting disrespectful conduct violations
- Employees make EEO complaints which may be more appropriately categorized as disrespectful conduct
- Employees do not report bullying due to:
 - Concern that reporting will adversely impact their ability to advance in the organization
 - Lack of confidence that anything will change
 - Coping-They have found a way to “work around it”
 - Feeling powerless in their classification to influence change at a higher level

Proposals For Respectful Workplace

- Personnel Rule 111
 - Memorializes the Board of Supervisors commitment to a respectful workplace
 - Establishes a process to initiate a complaint

The Why-Proposed Personnel Rule 111

“The County promotes and values a respectful work environment and expects that the business of the County will be carried out in the most efficient and courteous manner, therefore repeated and/or egregious disrespectful treatment of fellow employees may be reported to the Human Resource Department when personal conduct rises to a level which impairs the efficient and cost effective operation of the County. “

Types of Internal Customer Conflict

Internal Customer Relationships

Peer → Peer (same dept)
Subordinate → Sup/Manager
Sup/Manager → Subordinate

Peer → Peer (across depts)
DH/Sup/Manager → Subordinate (across depts)
DH/Sup/Manager → Sup/Manager
DH/Sup/Manager → Elected DH/BOS

BOS/Elected DH → Employee
BOS/Elected DH → Appointed DH
BOS/Elected DH → BOS/Elected DH

The How-Proposed Personnel Rule 111

- Formalized Process to Initiate A Complaint
 - New Section 111- The “How”

Complaints within a single Department, not involving the Appointed Department Head/Elected Department Head/Board of Supervisor:

Conduct occurring within a department shall first be reported to the Appointed Department Head/Elected Department Head within 15 working days of the incident/occurrence, prior to contacting the Human Resources Department. Allegations which are not responded to by the Appointed Department Head or Elected Department Head within 30 business days of the initial report may be referred to the Human Resources Department using Personnel Form 111.

The How-Proposed Personnel Rule 111

New Section 111- The “How”

Complaints involving Appointed Department Head/Elected Department Head/Board of Supervisor and/or multiple departments:

Conduct by an Appointed Department Head, Elected Department Head, and/or Board of Supervisor shall be reported to the Human Resources Department Department within 15 working days of the incident/occurrence using Personnel Form 111.

All complaints will be assessed for follow up and/or fact finding depending on the severity and/or frequency of the complaint. Follow up may include initiating coaching and/or counseling intervention and may result in disciplinary action when the subject is not an Elected Official. What action, if any, should be taken as the result of a complaint will be at the discretion of the Personnel Review Committee and will be forwarded to the appointing authority for the appropriate handling.

Proposed Revisions To Personnel Rule 1203

- Repeated and/or egregious disrespectful treatment of fellow employees; **NEW**
- Discourteous treatment of the public **and/or** employees; **New**

Complexity of Policy Application

| Internal Customer Relationships | Referred To | Discretion to Address Yes/No |
|--|----------------------|---------------------------------|
| Peer → Peer (same dept) Subordinate → Sup/Manager Sup/Manager → Subordinate | Appointing Authority | Yes |
| Peer → Peer (across depts) DH/Sup/Manager → Subordinate (across depts) DH/Sup/Manager → Sup/Manager DH/Sup/Manager → Elected DH/BOS | Human Resources | Yes |
| BOS/Elected DH → Employee BOS/Elected DH → Appointed DH BOS/Elected DH → BOS/Elected DH | Human Resources | No |

Industry Practices

- Staff hold each other accountable
- Statistical data- Assess current state of the culture
 - Conduct on-line or mail survey
- Coaching/Employee Development
- Formal Cultural Assessment
 - Interactive interviews

Potential Fiscal Impacts

- Contract for assessment, coaching and intervention
 - Municipal Resource Group- \$60,000
- Training for conflict resolution/communication-\$20,000
- Additional Staffing- \$ Unknown (based on the volume of referrals)
- Formal Cultural Assessment- \$60,000
 - Interactive Interviews
 - Survey
- **Proactive vs. Reactive**
 - **Cost avoidance (ie San Juan School District)**

Next Steps