

Procedures for handling complaints of harassment or
discrimination against department heads

The County's Sexual Harassment Policy and Discrimination and Harassment Policy address, among other things, the steps to be taken in conducting an investigation of allegations arising under the policies. The policies require a department head to make a final determination based upon facts gathered through the investigation and take appropriate action regarding resolution of the case. In the event that a complaint is made against a department head, the following procedures will apply. Nothing herein is intended to, nor does it, create any rights or entitlements.

Elected officials and elected department heads:

If a complaint is made under the applicable County policy¹ involving a department head or official holding elective office, the steps outlined in the applicable policy regarding the investigation process will be undertaken.²

As near in time as possible to the receipt of the complaint by the Department of Human Resources, the Director and/or designee will notify the County Manager and/or designee of the existence of the complaint and a proposed timetable for completion of the investigation.

Upon completion of the investigation as outlined in the applicable policy, the County Manager and/or designee will review the investigation report and make a final determination based upon the facts gathered through the investigation. With assistance of the Director of Human Resources, a written summary of the relevant findings from the investigation will be prepared. The summary may include recommendations. The County Manager and/or designee will then meet with the affected department head

¹ The word "policy" in this context refers to the County's Sexual Harassment Policy and the Discrimination and Harassment Policy. These policies have specific procedures outlined for handling complaints filed pursuant to the policies. The procedures contained in the policies set forth timeframes for processing the complaint, conducting investigations and other procedures for handling and resolving complaints. When this policy refers to "applicable policy" it means the applicable policy under which the complaint was filed.

² Whether all steps will be taken depends in part upon the response to the allegations by the person accused. It is anticipated that in some cases the accused will admit to violating the policy which may result in not all steps being taken.

or official to develop an appropriate action plan based on the summary findings and any recommendations.

Department heads appointed by the Board:

If a complaint is made under the applicable County policy involving a department head appointed by the Board of County Commissioners, the steps outlined in the applicable policy regarding the investigation process will be undertaken. See footnote 2.

As near in time as possible to the receipt of the complaint by the Department of Human Resources, the Director and/or designee will notify the County Manager and/or designee who in turn will notify the Chairman of the existence of the complaint and a proposed timetable for completion of the investigation.

Upon completion of the investigation as outlined in the applicable policy, the County Manager and/or designee will review the investigation report and may make a final determination based upon the facts gathered through the investigation. With assistance of the Director of Human Resources and/or designee, a written summary of the relevant findings from the investigation will be prepared. The summary may include recommendations. Thereafter, the County Manager and/or designee may meet with the affected department head and/or schedule a closed personnel session with the Board of County Commissioners at which the summary findings and any recommendations may be provided to the Board. If such meeting is scheduled, the Board may decide to hear from the affected department head. Thereafter, the Board may decide to modify or add to any recommendations and/or take appropriate action based on the summary findings and any recommendations.

Department heads appointed by the County Manager:

If a complaint is made involving a department head appointed by the County Manager, the steps outlined in the applicable policy regarding the investigation process will be undertaken. See footnote 2.

As near as possible in time to the receipt of the complaint by the Department of Human Resources, the Director and/or designee will notify the County Manager and/or designee of

the existence of the complaint and a proposed timetable for completion of the investigation.

Upon completion of the investigation as outlined in the applicable policy, the County Manager and/or designee will review the investigation report and make a final determination based upon the facts gathered through the investigation. With assistance of the Director of Human Resources and/or designee, a written summary of the relevant findings from the investigation will be prepared. The summary may include recommendations. The County Manager and/or designee will then meet with the affected department head to determine and take appropriate action based on the summary findings and any recommendations.

Exceptions and other modifications to procedure:

Nothing herein prohibits the County Manager and/or designee from taking other necessary or appropriate actions to protect the County's interests.

The Director of the Human Resources will determine whether the services of an outside consultant experienced in handling similar complaints will be retained to conduct any investigation referenced hereunder.

In the processing of complaints referred to herein, the County will follow all applicable laws in the processing and handling of such complaints.