

MOTION BY SUPERVISOR ZEV YAROSLAVSKY

July 22, 2008

At the time of the Martin Luther King-Harbor Medical Center closure in August 2007, the Department of Health Services started the process of transferring nearly half of the 1,602 MLK employees into other positions within the Department. Prior to transferring an employee to another position, the Department reportedly reviewed and updated every employee's personnel file including previous performance evaluations and discipline records; testing and competency results, if a clinical employee; and criminal background checks. These efforts were undertaken to ensure qualified and competent MLK employees were either appropriately transferred into new assignments or remained at the newly configured MLK Multi-service Ambulatory Care Center (MACC). Moreover, prior to the transfers and thereafter, the Department was to continuously track the performance of MLK employees, particularly those with disciplinary records and criminal histories; and take action when appropriate.

The Board recently learned, however, that the Department has in fact failed to consistently monitor MLK employees with disciplinary records and criminal histories. For example, the Department reportedly ordered Live Scan testing of all MLK employees in August 2007, but failed to act on those with affirmative results.

In light of the recent reports, the Chief Executive Officer and the Department

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have taken immediate steps to address those employees who appear to be employment risks to the County. Nonetheless, the apparent failure to follow through on management directives, and to keep management informed of the progress being made on those directives, is extremely troubling. The Board should commission a detailed and independent review of how and when the personnel review process at MLK broke down.

I, THEREFORE, MOVE that the Board of Supervisors instruct the Acting Auditor-Controller to:

1) investigate the roles and responsibilities of all county departments involved in the personnel review of the 1602 MLK employees;

2) identify the time at which the involved departments became aware of those MLK employees with disciplinary records and criminal histories, what were the appropriate steps to be taken to deal with those employees and by which departments, and what steps actually were and were not taken;

3) analyze why certain appropriate steps were not taken;

4) analyze failures in the reporting process to County management; and

5) make recommendations for any new mechanisms that should be put in place to ensure that departments review and monitor employees on a consistent and timely basis so as to ensure that competent and qualified employees remain within the County service.

I FURTHER MOVE that the Board instruct the Acting Auditor-Controller to provide a report back on her findings and recommendations to the Board within four weeks.