

MOTION BY SUPERVISOR GLORIA MOLINA

November 5, 2008

AMENDMENT TO ITEM NO. 66

The responsibility to reduce the County's exposure to claims and litigation falls on each of us—from this Board of Supervisors to Department Heads to each of our employees. Every dollar spent in a lawsuit could be better used to pay for vital services to the public and the staff to support these services. In these difficult economic times, we must be ever more vigilant in overseeing what is paid in settlements and attorneys fees. By reducing the cost of liability, the County would increase its budget. However, this requires that every employee do his or her part to change the culture to avoid legal exposure and to reduce the cost of risk to the County. Those who drive County cars should drive more responsibly; those who encounter dangerous conditions or roadways must report them immediately to prevent an injury; and those who are charged with providing the public with a service should follow established policies, protocols and common sense to avoid any exposure. In addition, every Department Head should evaluate their respective departments and implement concrete steps that would avoid

MOTION

Molina _____

Yaroslavsky _____

Knabe _____

Antonovich _____

Burke _____

exposure in their department. We should ensure that those charged with risk management in their respective departments are appropriately classified and that line managers and supervisors are properly trained on risk management issues, from personnel matters to workers compensation.

We must also develop the capacity to step back and look at the broader picture, examine trends to make systemic changes, learn from our experiences, and be more proactive in our approach to risk management. The litigation and risk management reports we receive annually should not just provide numbers—they should also provide analysis, strategies and recommended actions so that we can save money in the short-term and long-term.

I, THEREFORE, MOVE that:

1. Each Department Heads shall create MAPP goals that will decrease risk in their departments;
2. Chief Executive Officer (CEO), Department of Human Resources & County Counsel develop training for line supervisors on personnel matters including progressive discipline, documentation, accommodation and other issues;
3. CEO to evaluate the classification of risk management staff in each department and determine whether any changes should be made given the level of risk in their department;
4. The CEO, CEO Risk Management, County Counsel and other departments as appropriate create a Legal Exposure Reduction Committee that shall:
 - Meet quarterly;

- Establish an annual Countywide and departmental legal exposure reduction goal; create proactive County Counsel procedures to advise departments on various methods to reduce legal cost;
- Create procedures to discuss areas of potential exposure, and develop and implement specific strategies calculated to prevent future claims and lawsuits;
- Provide updated training on new changes in laws and policies for each appropriate department to implement;
- Assess the efficacy of corrective action plans, review management training and implementation of County policies, review lessons learned, discuss areas of potential exposure, and develop and implement specific strategies calculated to prevent future claims and lawsuits;
- Report annually on their progress and efforts.

VS/ld