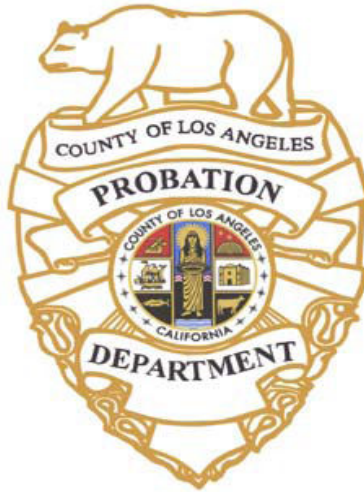




LOS ANGELES COUNTY PROBATION DEPARTMENT

POLICY MANUAL 2010

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LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL EMPLOYEE ORIENTATION	Section Number: PDPM-100
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

101 INTRODUCTION

The Los Angeles County Probation Department was established in 1903 with the enactment of California's first probation laws. As a criminal justice agency, the Department has expanded to become the largest probation department in the world and is among the national leaders in the field of corrections. Currently funded by a net appropriation of approximately \$700 million, the Department provides an extensive range of services through the efforts of over 6,000 employees deployed in more than 50 locations throughout the County.

This manual describes the policies and procedures for the Los Angeles County Probation Department, consistent with the Department's vision, mission, and core values. Bureau/operation policy and procedure manuals provide detailed information about specific assignments. To support and enhance staff development in accordance with the Probation Department's policies and procedures, all employees shall receive orientation on the philosophy and mission of the Department.

102 MISSION, VISION, AND CORE VALUES

The Los Angeles County Probation Department's vision statement is intended to provide employees with a comprehensive picture of the organization's common goal. The mission statement provides the focus needed to operationalize the vision. The core values outline the necessary elements for successfully achieving the mission.

Vision

Rebuild lives and provide for healthier and safer communities.

Mission

Enhance public safety, ensure victims' rights, and effect positive probationer behavioral change.

Core Values

The Department fundamentally subscribes to the fair and impartial administration

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of justice and embrace the following values:

- **Dignity & Respect** for our clients, public and employees.
- **Integrity** to do the right things for the right reasons – all of the time.
- **Leadership** to develop an organization that is sustainable and will attain national prominence.
- **Rehabilitation** is founded in a belief that people have the ability to transform into law-abiding individuals.
- **Contribution** of everyone is valued and everyone has the opportunity to perform to their highest potential.
- **Commitment** to providing service excellence to achieve positive outcomes for healthy families and communities.
- **Collaboration** by working with others to maximize efforts and achieve positive results.
- **Evidence-based practices and policies** as a way of assuring that our best efforts are leading to desired outcomes.

103 ORIENTATION

Upon hire, Probation Department employees are required to attend an initial orientation program. This orientation will include:

- An overview of the Probation Department, including its structure and functions;
- Discussion of work conditions, leaves of absence, employee benefits, retirement, payroll, and deferred compensation; and
- Discussion of policies and procedures including, but not limited to, discipline guidelines, sexual harassment, workplace violence/threat management, and employee conduct.

Employees newly assigned to a position shall also receive an orientation to that assignment by their immediate supervisor within the first week of their arrival. This orientation will include:

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- Discussion of assigned duties and standards, performance expectations, and the work schedule;
- Direction to review the Probation Department Policy Manual and relevant Bureau/operation manual with an emphasis on the policies and procedures pertinent to the new assignment; and
- Introduction to staff and a tour of the work location.

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL PROFESSIONAL DEVELOPMENT	Section Number: PDPM-200
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

201 INTRODUCTION

According to Peter Senge's *The Fifth Discipline: The Art & Practice of the Learning Organization*, a learning organization is one "where people continually expand their capacity to create the results they truly desire, where new and expansive patterns of thinking are nurtured, where collective aspiration is set free, and where people are continually learning."

In support of the Department's incorporation of evidence-based practices as a learning organization, the following model was defined to drive Department-wide professional development:



The Probation Department strives to support and enhance professional development that increases the ability of employees to carry out the vision and mission, and exemplify the core values.

202 DEPARTMENTAL APPROACH

Professional development can be accomplished in the following ways:

- Formal training supplemented by participation in corrections-related organizations
- Attendance at the conferences and meetings of such organizations
- Work diversification

203 TRAINING

The Probation Department's Staff Training Office (STO) administers and provides training for all peace officer personnel as mandated by and in accordance with the State of California's Standards and Training for Corrections (STC) Program. This mandatory training includes Core, Annual, and Transfer Training. Optional training may also be provided to meet the special needs and interests of both

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employees and the Probation Department.

Training is prioritized in the following order:

- Knowledge and skills essential to competent performance of assigned job duties;
- Knowledge and skills that enable a transfer of the employee from one function to another within the same classification; and
- Knowledge and skills to carry out new procedures or master techniques relevant to professional growth.

Employees are encouraged to pursue additional training on their own through enrollment in approved courses of study, attendance at professional institutes, and learning opportunities at local colleges. Verification of successful completion of any such training must be reported to the STO. The STO will credit the employee with up to half of his or her required annual STC training hours for the successful completion of outside training, pending approval from Sacramento.

204 TRAINING GUIDELINES AND EXPECTATIONS

The Department strives to offer a training curriculum that provides the knowledge and skills required for the majority of job assignments. Training is an important ongoing learning experience provided to staff to ensure that they have the necessary tools to efficiently, effectively, and consistently deliver services. The breadth of services provided by the Department, the emergence of new techniques and regulations, and evolving community and stakeholder expectations all result in the need for both new and/or refresher staff training. The Department seeks to provide staff with applicable training prior to, or as soon as possible following, their appointment to a new position or assignment.

Training is most effective for all participants and the instructor when each individual adheres to reasonable expectations of professionalism. Participation in a training course is a work assignment. Therefore, all attendees are expected to adhere to the following guidelines:

- **Arrive on time and stay for the duration of the training session.** Trainees who arrive 15 minutes or more after the start of the class will not be allowed into the class. Trainees who leave before the end of either a morning or afternoon session forfeit credit for the entire session.
- **Sign the roster.** For an eight-hour class, trainees must sign the roster at the beginning and end of the class. For two-hour classes and four-hour classes, trainees must sign the roster only once at the end of the class.

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- **Attend enrolled classes only.** Trainees shall only attend classes that they have officially been enrolled in. Walk-ins will not be allowed into any class.
- **Return from breaks and lunch on time.** Trainees who return 15 minutes or more late from a break or lunch will not be allowed into a class and forfeit credit for the entire session.
- **Dress appropriately.** Trainees are expected to wear appropriate business casual attire to all training classes. At a minimum, appropriate attire excludes jeans, sweats, shorts, t-shirts, shirts with sports or other inappropriate logos, and baseball caps. Some classes, such as those involving physical activity, may necessitate clothing specific to the training as directed by the instructor or the STO.
- **Exhibit professional behavior.** Trainees must exhibit exemplary professional behavior, both at the training site and in class. They shall be attentive at all times and not read materials (e.g., magazines, newspapers) that are not part of the training curriculum. Trainees are not permitted to use cell phones, laptop computers, iPods, Game Boys, or other electronic devices during class that are not approved by the instructor. Cell phones and pagers should be placed on vibrate during the entire class. Any unprofessional behavior will result in dismissal from class and forfeiture of credit for the entire session.
- **Complete the course evaluation form.** Trainees are expected to complete the course evaluation form at the end of the class.
- **Observe rules.** Trainees shall observe all rules at any training site.
- **Bring materials.** At a minimum, trainees must bring a pen or pencil and paper to all classes unless otherwise directed by the instructor or the STO.

In accordance with Departmental expectations, any directors or supervisors who attend a training class shall assist the instructor in enforcing the prescribed guidelines. It may be necessary for a director or supervisor to prepare a *Special Incident* report or memo to document inappropriate classroom behavior for subsequent disciplinary follow-up.

Note: Directive 1101 (06/28/2006)

205 PROFESSIONAL ORGANIZATIONS

Any employee who wishes to participate in the activities of professional organizations during his or her work time must obtain authorization from his or

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her office/facility head. The position the employee holds in the professional organization, the benefit to the Probation Department as a result of the employee's participation, any budgetary constraints, and language pertaining to the participation in existing Memoranda of Understanding will all be considered in the granting or denying of authorization.

206 CONFERENCES/MEETINGS

When an employee requests to attend a conference during his or her scheduled work time, it is to be treated as a planned absence. Therefore, prior approval must be obtained from the employee's immediate supervisor. When salary, mileage, tuition, and/or any other reimbursement is claimed, the following rules apply:

- Attendance within Los Angeles County and nearby counties must be approved by the requesting employee's Bureau Chief. The employee must submit a written request through his or her chain of command.
- Attendance outside Los Angeles County or nearby counties must be authorized by the Chief Deputy Probation Officer. The employee must submit a written request through his or her chain of command.
- An employee authorized to travel for the purpose of testifying on legislative matters must submit a *Travel Request* form through his or her chain of command.

207 TRAVEL REQUESTS

Employees are required to complete a *Travel Request* form under the following conditions:

- When travel outside the County requires an overnight stay
- When travel outside the County requires commercial transportation
- When attending a special training, seminar, or conference for which the Probation Department is paying registration fees

Travel Request forms are available on ProbNet. The employee's Bureau Chief must sign and date the request. The employee will then submit it to the Deputy Director of the Administrative Services Division for approval. The Administrative Services Division will retain the original *Travel Request* and forward it to the staff development specialist/travel coordinator in the STO. The original *Travel Request* will not be returned to the employee.

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The STO travel coordinator will make all travel arrangements using the County's agreement with travel agencies. Employees are not permitted to make their own travel arrangements (e.g., in order to earn air miles). The STO travel coordinator will arrange the most practical and timely flight available, balancing the travel time options with travel costs.

The employee shall make arrangements for lodging in accordance with Los Angeles County's travel policy (<http://auditorweb.co.la.ca.us>). The employee may request reimbursement for lodging by submitting an *Expense Claim* form, available on ProbNet. An *Expense Claim* cannot be processed without a pre-approved *Travel Request*. Within 10 business days after the completion of travel, expense claims must be submitted to Fiscal Services with original receipts and a copy of the approved *Travel Request* form.

Note: Directive 1172 (08/01/2008)

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL EMPLOYMENT AND ASSIGNMENT OF PERSONNEL	Section Number: PDPM-300
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

301 INTRODUCTION

This section contains information about the employment and assignment of Probation Department personnel. All related endeavors shall be carried out according to the business needs of the Department, applicable Memoranda of Understanding, County Code, and state and federal laws.

302 TRANSFERS

The Human Resources Management Office (HRMO) coordinates inter-office and inter-Bureau assignments. The HRMO also provides consultation on such matters to management personnel. In general, non-represented employees are assigned according to Departmental needs. Assignment of represented employees is mandated by procedures defined in existing Memoranda of Understanding/Agreement.

Administrative transfers are made to meet specific Departmental needs. Such transfers are accomplished by the HRMO after consultation with Probation Administration and representatives of the affected bargaining unit when required. If a non-represented employee must be administratively transferred for disciplinary reasons, that employee shall remain in his or her assignment for at least six months. If the transfer is not disciplinary, the time requirement is waived.

Employees cannot be transferred between County departments if a disciplinary process has been initiated against them (e.g., *Notice of Intent to Discipline*) by the current employer (appointing power) until the disciplinary process has been completed (e.g., until a suspension has been fully served and the employer's internal grievance process has been completed). An employee may be transferred between departments after the disciplinary process has been completed even if an appeal of the disciplinary action is pending before the Personnel Director or the Civil Service Commission.

Refer to Section 304 for specific procedures.

EMPLOYMENT AND ASSIGNMENT OF PERSONNEL**303 CHANGING EMPLOYMENT STATUS**

Employees who want to change their employment status from a higher level position to a lower level position or item of lesser status (e.g., full-time permanent to daily as-needed) shall submit a written request to his or her office/facility head. The request must detail the desired change, the reason, and an acknowledgement of any benefit losses entailed. The request must also be approved by the Personnel Director and the appropriate Bureau Chief(s).

304 TERMINATION OF PROBATION DEPARTMENT EMPLOYMENT

Severance of employment occurs through resignation, termination, retirement, inter-departmental transfer, or discharge. Resignations from County service, as well as transfers to other County departments, must be processed in a timely manner and in accordance with County policy and procedure. All related forms are available on ProbNet.

In the case of resignations, terminations, and transfers to other County departments, employees shall submit a *Separation Notice* form. Once submitted, the notice may not be withdrawn without the approval of the department head or his or her designee. In the case of verbal or deemed resignations (e.g., when an employee fails to report for duty as required), the employee's director or office/facility head shall refer the matter to the HRMO Performance Management Unit.

For internal transfers, employees shall complete the *Outgoing/Transfer Employee Checklist* sheet and submit it to their immediate supervisor.

Procedures to be Completed by the Employee

The employee shall submit the *Los Angeles County Probation Department Separation Notice* form to his or her immediate supervisor, giving a minimum two weeks notice of the effective date if possible. When no date is given, the resignation will be the effective date of the notice. The employee is required to provide a reason for resignation. An explanation is not required but is recommended, particularly if the employee wants to be considered for future employment with the County.

Within the last work week of Probation Department employment or at the particular assignment, the employee shall complete the *Probation Department Outgoing/Transfer Employee Checklist* form. The employee must return all County property by the final day of employment. Required in person check-out with the following persons and/or locations includes:

- Supervisor or designee, who must sign the checklist to acknowledge

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receipt of the returned items

- Communications Office
- Information Systems Bureau (ISB)
- HRMO

The employee is allowed to process out on County time. The employee's supervisor will approve and designate the time that the employee may use.

If the employee was not issued any items by the Communications Office or ISB, he or she must indicate that on the form and sign it. The supervisor will provide a copy of this checklist to the employee.

The employee shall contact HRMO at (562) 940-2551 to schedule an exit interview with the director if he or she decides to share his or her tenure experience with the Department. If the employee does not wish to have an exit interview, he or she is strongly encouraged to complete the *Exit Interview Questionnaire* form. This information will be used for the sole purpose of enhancing the work experience and environment at the Probation Department.

The employee shall submit all completed and signed forms to HRMO (*Separation Notice*, *Outgoing/Transfer Employee Checklist*, and *Exit Interview Questionnaire*). Failure to return all County-issued property will delay the process.

For intra-departmental transfers, the employee must complete the described steps for the *Outgoing/Transfer Employee Checklist* and submit it to HRMO.

Failure to properly check out can delay the processing of the final Probation Department paycheck.

Procedures to be Completed by the Supervisor

The supervisor must sign and date the *Separation Notice* to confirm receipt and acceptance. The supervisor will then forward a copy of the *Separation Notice* to the director or office/facility head and the unit timekeeper. The original notice must be forwarded immediately to the HRMO staffing technician. It is the supervisor's responsibility to ensure that the employee is given time to return all County-issued property and meet with HRMO. The supervisor must also arrange for the employee to complete the *Outgoing/Transfer Employee Checklist* by the last scheduled work day. On the final timecard next to the last date worked, the supervisor indicates the hours O/S (out-of-service). The supervisor will put the final timecard and mileage claim in a sealed envelope. He or she will sign his or

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her name across the seal and attach the sealed envelope to the *Outgoing/Transfer Employee Checklist*. Payroll will not process these documents if the seal is broken.

For intra-departmental transfers, the employee will receive a new timecard at the new location for the remainder of the pay period. The previous supervisor will only sign for the period of time that he or she supervised the employee.

Procedures to be Completed by the Director or Office/Facility Head

The director or office/facility head shall place the copy of the *Separation Notice* in the employee's section file.

NOTE: The HRMO staff technician should receive the *Notice of Separation* within three business days of the date it is received by the director or office/facility head. In order to fill the vacancy created by the resignation, the director or office/facility head must prepare a *Personnel Action Request (PAR)* form and submit it according to PAR procedures.

Procedures to be Completed by HRMO

If the employee has requested an exit interview, HRMO staff must make an appointment with the personnel officer or the Administrative Deputy at the time of check out. HRMO staff must provide the employee with a copy of the signed *Outgoing/Transfer Employee Checklist* and process all submitted forms. The entire package, excluding the questionnaire, will be placed in the employee's official personnel folder.

305 EMPLOYMENT AND ASSIGNMENT OF RELATIVES

Nepotism can generally be defined as favoritism of relatives. The purpose of this policy is to alleviate the perception of favoritism shown toward relatives including conflict of interest, insider knowledge, and preferential treatment. The Department also intends to avoid the assignment of immediate relatives to positions of interlocking trust that would impair the designed system of checks and balances in any way.

Immediate relatives shall not be assigned to the same unit, and an employee shall not supervise or be supervised by an immediate relative as a direct-line, immediate, or higher-level supervisor. An immediate relative is defined as a spouse, domestic partner, father, mother, stepfather, stepmother, father-in-law, mother-in-law, grandfather, grandmother, brother, sister, child, stepchild, or any other genealogical or marital relationship that generates a perception of favoritism.

EMPLOYMENT AND ASSIGNMENT OF PERSONNEL

Upon hire, all employees must provide the name and relationship of any immediate relatives working for the Department. The HRMO will establish procedures to ensure that incoming employees comply, and notify the incoming employee's assigned Bureau to ensure that a nepotistic situation is not created.

Current employees must proactively disclose any relationship that places them in a position of interlocking trust with a relative in writing to their manager. If that manager is his or her relative, the employee's disclosure shall be made to the next higher level manager in the chain of command. If a nepotistic situation exists, reassignment will be considered in accordance with applicable County Code and/or Memorandum of Understanding.

Note: Directive 1112 (10/23/06)

306 AMERICANS WITH DISABILITIES ACT (ADA)

The Probation Department will adhere to the guidelines established by the Americans with Disabilities Act of 1990 (ADA) and the California Fair Employment and Housing Act (FEHA) by providing equal employment opportunities to qualified workers in all aspects of the employment process. This includes recruiting, testing, hiring, assignments, evaluation, training, promotion, compensation, leave, and other employment benefits.

Definitions

- **Individuals with a Disability:** A person who has a physical or mental impairment that limits one or more of the person's major life activities, has a record of such impairment, or is regarded as having such an impairment.
- **Major Life Activity:** Basic activities that the average person in the general population can perform with little or no difficulty, including caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- **Qualified Individual with a Disability:** An individual with a disability who satisfies the requisite skill, experience, education, and other job-related requirements of the employment position such individual holds or desires to hold and who, with or without reasonable accommodation, can perform the essential functions of such position.
- **Reasonable Accommodation:** Any modification or adjustment to a testing procedure, job, or work environment that will enable a qualified individual with a disability to participate in the application process or to perform essential job functions and enjoy the same privileges and benefits of employment as employees without disabilities.

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- **Undue Hardship:** Any accommodation that requires significant difficulty or expense to implement. This includes any action that is unduly costly, extensive, substantial, disruptive, or that would fundamentally alter the nature or operation of business.

The Department has a complaint procedure in place that provides for the informal review and resolution of ADA complaints. Non-employees may file an informal complaint if they believe they have been discriminated against because of their disability. Employees may file complaints directly with the Departmental affirmative action compliance officer, the Los Angeles County Office of Affirmative Action Compliance, the Equal Employment Opportunity Commission, or the California Department of Fair Employment and Housing.

Implementation

The Departmental affirmative action compliance officer has the overall responsibility of ensuring Departmental compliance with ADA and the proper administration of the complaint procedure.

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL EVALUATION OF PERFORMANCE AND APPRAISAL OF PROMOTABILITY	Section Number: PDPM-400
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

401 INTRODUCTION

The performance of Probation Department employees shall be evaluated at least once each fiscal year in accordance with Civil Service Rules and in order to accomplish the following:

- Provide a permanent record of employee performance
- Provide recognition of good performance
- Identify and establish plans to rectify previously documented performance problems
- Define employee training needs
- Assist the employee in strengthening present performance

This section contains information about how employee work performance is evaluated and describes the process of evaluating employees for the purpose of promotion.

402 PERFORMANCE EVALUATIONS (NOT APPLICABLE TO MAPP PARTICIPANTS) **ANNUAL**

Employee performance is rated annually on a *Report of Performance Evaluation* (form 76E520AZ). These evaluations are reviewed and approved by the office/facility head or their designee to ensure impartiality, uniformity of standards, and adherence to Departmental procedures. Annual performance evaluation dates are based on an employee's birth month.

PROBATIONARY

Employees serving a six-month probationary period shall be evaluated at least once prior to the last day of the probationary period using the *Final Report on*

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Probationer (form 76R338 J-2/71). A six-month probationary employee is automatically passed if they are not presented with the *Final Report on Probationer* by the last day of their probationary period.

Employees serving a 12-month probationary period shall have progress reports prepared at the conclusion of the fourth and eighth months. Progress reports must be discussed with the employee and retained in the work location personnel file for incorporation into the *Final Report on Probationer*. The *Final Report on Probationer* shall be prepared during the 11th month of the probationary period and given to the employee by the last day of the 12th month.

A 12-month probationary employee is automatically passed if they are not presented with the *Final Report on Probationer* by the last day of the probation period.

If a probationary employee experiences any performance problems that may result in unsuccessful completion of the probationary period, factual evidence must be presented to substantiate the rating and weigh the decision not to approve final and complete appointment (Civil Service Rule 20.04.B2).

NOTE: When an employee receives a probationary performance evaluation, there is a possibility that they may receive another performance evaluation prior to the completion of a 12-month period. This will occur if the employee's birthday month is shortly after the end of the probationary period. If this occurs, the next performance evaluation will be due at the end of the month (prior to the employee's birthday month).

INTERIM

Whenever a significant part of an employee's work performance is below the standards of performance for the position and there is reason to believe that the employee is capable of bringing performance up to acceptable standards, the *Interim Report of Performance Evaluation* shall be completed with an overall rating of improvement needed. Factual evidence must be presented to substantiate this rating. This evaluation may be prepared at any time. It is not necessary to wait for the annual evaluation date or the *Final Report on Probationer*.

A *Plan for Individual Improvement* must accompany all overall improvement needed evaluations. The improvement plan must include realistic and measurable criteria that the employee is required to achieve within a prescribed time frame to bring performance up to standard. Supervisors are encouraged to contact HRMO for guidance when developing a *Plan for Individual Improvement*.

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The six-month interim period is effective from the date the employee signs the improvement needed evaluation. A new evaluation with an overall rating of either competent or unsatisfactory must be completed within a period not to exceed six months.

403 TRANSFERS DURING RATING PERIOD

The responsibility for evaluating the performance of employees who transfer during the rating period is assigned as follows:

- If the current supervisor has supervised the employee for less than 90 days, the previous supervisor must complete the performance evaluation with input from the current supervisor and sign as the rater.
- If the current supervisor has supervised the employee for 90 days or more, the current supervisor shall complete the performance evaluation with input from the previous supervisor and sign as the rater.

404 PERFORMANCE EVALUATION DISPUTES

Employees may request revisions to their performance evaluations through procedures established in the applicable Memorandum of Understanding and/or through the Department's grievance process.

405 MANAGEMENT APPRAISAL AND PERFORMANCE PLAN (MAPP) EVALUATIONS

The rating period for MAPP evaluations is designated by the Los Angeles County Chief Executive Officer. However, the supervisor or their designee will review the performance of each participant periodically during the performance period. At the conclusion of the rating period, the supervisor or their designee will review the performance of each participant and complete an evaluation form in the manner established by the Director of Personnel.

406 DISCUSSION OF PERFORMANCE EVALUATIONS

All necessary approval signatures must be obtained before performance evaluations of any type can be shared with the employee being evaluated.

Supervisors are encouraged to contact the HRMO with questions pertaining to the appropriateness of ratings.

407 APPRAISAL OF PROMOTABILITY

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All promotional examinations must include an Appraisal of Promotability (AP). The AP is based on an evaluation of the candidate's potential to perform in the higher-level position. The AP may be excluded from the examination upon approval from the Director of Personnel. In the event that the AP is excluded from the examination process, seniority, character, and efficiency will be evaluated by one or more of the methods enumerated in Civil Service Rule 7.08.

408 AP GUIDELINES

WEIGHT

Civil Service Rule 7.13C indicates that the weight of an AP shall not exceed 50% of the total weight of the examination. For management positions, the AP may be weighted as high as 100%. An AP weighted below 25% of the total weight of an exam should not be used.

Candidates who receive a final AP score of 70% or higher will be placed on the eligible list/register.

DOCUMENTATION

All APs must be documented in writing with factual supporting comments based upon an evaluation of the candidate's record as contained in their official personnel folder. The candidate's seniority, efficiency, and character in relation to the class or position for which they are being examined must also be evaluated.

RATER

The current supervisor should complete the AP if the rater has supervised the candidate for at least six months. If an employee has been in their current job item for less than 90 days, the previous supervisor should complete the AP. If the previous supervisor is not available, the next person in the chain of command who is familiar with the work of the employee should complete the AP. If an employee has been in their job item for more than 90 days but less than six months, their previous supervisor should provide performance input to the rater before the AP is completed. It should also be noted on the AP that the previous supervisor was consulted.

An individual should never act as a rater if they are also a candidate for the same examination.

A rater should never appraise a candidate for a position that is higher than the rater's current position.

A rater should never be directly or indirectly involved with the scoring of any other part of the examination, nor should the rater have knowledge of individual scores in

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other part of the examination.

A rater should never include disciplinary matters that are still pending.

A rater is not allowed to discuss their recommended rating with an employee at any time during the examination process. That rating is only a recommendation and may change.

REVIEWER

A reviewer must be a management employee or an employee working in a supervisory capacity at least one functional level higher than the rater.

The reviewer must ensure that the recommended ratings are in accordance with established standards and guidelines, reflect performance records, and are properly supported by factual, written comments. The reviewer may make necessary changes to recommended ratings to be consistent with standards and procedures.

An individual should never act as a reviewer if they are also a candidate for the same examination.

The reviewer should not review the AP of a candidate for a position higher than the reviewer holds.

A reviewer should never be directly or indirectly involved with the scoring of any other part of the examination, nor should they have knowledge of individual scores in other part of the examination.

The AP rating scale should not be included with the AP instructions and standards packet given to the rater and reviewer. However, the rating scale may be provided to a review committee for assistance with calculating the numeric scores.

REVIEW COMMITTEE

A review committee can be used to review completed APs for management, specialized, and Department-wide classes. This committee consists of two or more managers who are at least one functional level higher than the rater.

The review committee ensures the following:

1. All procedures and standards are properly followed by the rater(s) and reviewers(s) in preparing and completing APs.
2. AP ratings are consistent with the documented performance of the candidate (s).
3. Supporting comments are appropriate and justify each factor rating.
4. The final ratings are consistent with the standards and rating scale established for the examination.

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If a review committee is used to determine AP scores, all AP documents are considered recommendations until the committee chair signs and affixes the score to the AP.

Members of a review committee should not be directly or indirectly involved with the scoring of any other part of the examination process, nor should they have knowledge of individual scores in other part of the examination.

409 APPEAL OF APPRAISAL OF PROMOTABILITY

Examination results are mailed to each candidate. They have 10 business days from the postmarked date on the envelope to file any written protest to the Director of Personnel. A copy of the AP, including the instructions, standards, and rating scale, must be provided to the candidate upon request. A candidate may request a copy of their AP and related documents within 180 calendar days from the date they were placed on the eligibility list/register. No fee is charged for copies of the AP package, and a candidate may request copies without filing an appeal.

An employee may appeal their AP by following the procedures outlined in Civil Service Commission Rule 7.20. They may also simultaneously file a protest in the form of a grievance.

410 EMPLOYEE HONESTY

Employees are expected to act in a way that embraces honesty in all matters of work, including oral and written communication. All dishonest acts committed during the course of employment are considered a violation of this policy. The following are some examples of situations where, if an employee is dishonest, discipline may be warranted. (This list is not intended to be exhaustive):

- Falsification of time records.
- Work-related written, oral, or electronic communications.
- Responses to questions during investigations and or inquiries. Deliberate omission of relevant information will also be considered an act of dishonesty.
- Leave requests (abusing leave policies to obtain time off while not ill or injured).
- Pilfering departmental property for personal use (regardless of the value).
- Using departmental funds or equipment, such as vehicles, for unauthorized personal.

When employees commit dishonest acts, they negatively affect the interests of the County of Los Angeles and this Department. Honesty is an essential element of an

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employee's official duties. Failure to adhere to the principles contained in this policy may be grounds for discipline, up to and including discharge from County service. In addition, in some instances, it could lead to criminal prosecution.

Known and suspected acts of dishonesty should be immediately reported to management staff or an outside investigative agency as appropriate.

411 EMPLOYEE COOPERATION

Cooperation by a charging party, witness, or subject of investigation is required during inquiries, investigations, pre-disciplinary hearings, settlement negotiations, legal proceedings, and appeals, with those authorized to perform such functions. This may involve internal and external entities at any point of a case; including but not limited to other law enforcement agencies, county departments, commissions, or boards. Expectations relative to cooperation are detailed below.

INQUIRIES AND INVESTIGATIONS

The Probation Department has developed a process for collecting evidence to support or refute allegations of employee misconduct. An administrative inquiry and/or investigation may be conducted by the work location or by a specialized unit within the Department, such as the Internal Investigations Office (110) or the Department's Affirmative Action Compliance Programs Office (AACPO). In addition, as we are representatives of the government and criminal justice community, it is important that we assist associates of other agencies in carrying out their official duties. This includes, but is not limited to, cooperating with law enforcement, criminal justice, and external county agencies during their inquiries and investigations.

Without full cooperation, the Department and other external agencies are unable to make appropriate determinations. It is therefore important that a complete record of all relevant facts having an impact on an agency's operations is attained. A complete record supports the integrity of the investigation and ensures that all interested parties are treated fairly.

Employees who are identified as a charging party, witness, or subject of an internal or external investigation, or law enforcement inquiry, shall comply with the following:

1. Notify their supervisor, manager, or other appropriate superior upon receipt of the subpoena or notice so appropriate steps can be taken to mitigate workload or scheduling impact.
2. Appear at the date, time, and location identified on the Interview Notice.
3. Promptly notify the unit or person issuing the Interview Notice of any scheduling conflict.

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4. Provide truthful and complete responses to questions asked by the investigator(s).
5. Provide any and all requested information or evidence. Concerns about the provision of confidential documentation should be discussed with Performance Management before documentation is released.
6. Cooperate fully with designated law enforcement personnel in carrying out their official duties.

The Public Safety Officer's Procedural Bill of Rights and the Weingarten rights allow the subject to be represented during an investigatory interview. The subject of investigation may not be represented by someone who is also a subject or who is a witness to the matter being investigated. Witnesses are not entitled to representation. Employees who fail to answer questions directly related to the administrative investigation may be charged with insubordination, which could result in disciplinary action up to and including discharge.

At times, employees may be required to participate in a deposition process. Deposition testimony shall be truthful and complete. Trial, hearing, and/or Civil Service testimony that is substantively inconsistent with statements made by the same individual within a deposition and/or as part of an investigation are subject to investigation. Knowingly providing inaccurate testimony may lead to disciplinary action.

ADMINISTRATIVE HEARINGS

The Civil Service Commission plays an important role in evaluating various administrative actions. Probation employees may be issued subpoenas requiring their appearance and testimony at a Civil Service hearing. Decisions by Probation to subpoena a witness are made with careful consideration of the relevance of the witness to the proceedings, and the operational burden of the employee's absence from his/her regular work assignment. Subpoenas may also be issued by the plaintiff's representative. Employees who receive a subpoena for their appearance or testimony shall comply with the following:

1. Notify their supervisor, manager, or other appropriate superior upon receipt of the subpoena or notice so that appropriate steps can be taken to mitigate workload or scheduling impact.
2. Promptly contact the party who issued the subpoena.
3. Make themselves available to discuss their testimony.
4. Fully answer all questions and provide the requested documentation. Concerns about confidential documentation should be discussed with Performance Management before provision to plaintiffs' counsel.

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5. Appear at the date, time, and location identified on the subpoena. 6) Testify truthfully.

Employee cooperation is required in preparation for the proceedings with designated departmental representatives and for the duration of the proceedings.

It may also be necessary for employees to provide relevant documentation for or testify at other administrative hearings, such as the California Unemployment Insurance Appeals Board or the Workers' Compensation Appeals Board. These proceedings differ from the Civil Service Commission in that subpoenas may not be issued. However, employees who are notified to appear or provide documentation are expected to comply in the same manner as if they had received a subpoena. Administrative hearings are not limited to those described above.

RETALIATION AND INTERFERING

Employees who participate in the administrative or criminal investigative process should do so free from any improper influence. Under no circumstances shall an employee contact another employee, directly or indirectly, for the purpose of interfering with their cooperation or participation at any point of the process. This includes but is not limited to inquiries, investigations, pre-disciplinary hearings, settlement negotiations, legal proceedings, appeals, and through the final disposition, resolution, and discipline of an administrative or criminal matter. Retaliation, an adverse action due to an individual's involvement in a matter (past or present), is absolutely prohibited. The Department will take action to prevent retaliation, including the discipline of any employee who engages in such behavior. These admonitions extend to prohibit any such contact with probationers, Department staff conducting the investigation, or any other individual who may have been involved.

CONFIDENTIALITY

Other than as part of the investigation interview process or testimony as described above, the content of an investigation or administrative hearing shall be kept confidential at all times. Employees who are involved in these proceedings shall not discuss the nature of their testimony or documentation with anyone other than designated Department staff, their own representative, or pursuant to a subpoena.

Employees who fail to cooperate with designated staff or who fail to comply with the admonition not to discuss matters outside the investigative setting could be the subject of disciplinary action up to and including discharge.

It should be noted that nothing in this directive is intended to limit an employee's constitutional rights; rather, it is intended to address a critical need to cooperate with similar agencies or other County Departments.

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Subject: PROBATION DEPARTMENT POLICY MANUAL EMPLOYEE TIME	Section Number: PDPM-500
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

501 INTRODUCTION

To inform and improve employee understanding of both Departmental and personal responsibilities and requirements, this section provides detailed information about the establishment of Probation Department work schedules, time card guidelines, and the different types of employee leave.

502 WORK SCHEDULES

Within limits imposed by County government and applicable Memoranda of Understanding, and in accordance with the needs of the Department and past practice, the office/facility head sets the work schedule for his or her work location. He or she may authorize deviations from the established work schedule. Employees must adhere to their assigned work schedule.

Employees are expected to arrive to and depart from the workplace as scheduled. Employees are responsible for keeping their supervisor informed if arriving or leaving other than as scheduled. Generally, the supervisor should be informed of schedule deviations in advance, and in writing when practical.

Note: Directive 1120 (03/01/2007)

Alternate Work Schedules

Eligible employees may request to participate in the Probation Department's Alternate Work Schedule (AWS) program. An *Alternate Work Schedule Agreement* form must be completed by each eligible employee. Employees on a *56-hour* camp schedule and some juvenile hall schedules, as well as new hire probationary staff, full-time telecommuters, and trainees, are not eligible for an AWS.

Participation in the AWS Program is voluntary and at the discretion of the Department. Continued participation is based upon operational needs, job assignment, attendance, compliance with work hours, productivity, and a competent or better performance evaluation.

This section is not intended to alter provisions of any collective bargaining agreement.

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Existing Schedules

- The *5/40* regular work schedule consists of an employee working 40 hours in five work days. Start and end times shall be between the hours of 7:00 AM and 7:00 PM, except when a different start or end time is structured to facilitate operational need and/or enhance public service.
- The *5/40* juvenile hall schedule generally consists of an employee working 40 hours in five consecutive work days. Start and end times shall be 6:00 AM and 2:00 PM, 2:00 PM and 10:00 PM, and 10:00 PM and 6:00 AM.

There are some juvenile hall *5/40* schedules that have differing start and end times to meet operational needs and provide some overlapping continuity between the traditional juvenile hall shifts. Scheduled shifts and days off are determined by management.

- A *5/40* flex schedule is one where work hours may vary from day to day and consist of more than 8 hours per day, or the start and end times may vary from day to day, or a combination of the two. The weekly total hours worked shall not exceed 40 hours. A *5/40* flex schedule must be approved in advance by management.
- The *56-hour* camp schedule consists of two 24-hour days (48 hours) plus an eight-hour shift. Start and end times for the *56-hour* camp schedule are established by the camp director based upon the needs of the operation, and should be rotated at least every six months. All *56-hour* camp employees should have a reasonably equal opportunity for a particular shift during rotation cycles irrespective of seniority. Camp directors may consider structuring shifts to balance skill and experience levels.
- The *9/80* AWS consists of an employee working 80 hours within fourteen consecutive calendar days. The 80 working hours will generally be served as four nine-hour work days and one eight-hour work day, two days off, then four consecutive nine hour days followed by three consecutive days off. The regular day off need not be a Monday or Friday, so the three days off may not be consecutive. The eight hour day during the first week is the same day of the week as the designated day off during the second week.
- The *4/40* AWS consists of an employee working 40 hours in four days of ten hours shifts with three days off per week. The three days off need not be consecutive, but the designated day off will be the same day each week. The *4/40* AWS is only available when it is operationally feasible in the best interest of the clients we serve, and require approval from a Bureau Chief or higher.

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Upon establishment of an AWS, the scheduled day off is considered permanent until formally changed in writing. Temporary adjustments to the AWS agreement for operational necessity must be pre-approved in writing. The following matrix identifies standard AWS start and end times:

WORK SCHEDULE MATRIX

(Based upon amount of time for lunch and work schedule)

START TIME	WORK SCHEDULE END TIME w/ ONE HALF HOUR LUNCH			WORK SCHEDULE END TIME w/ONE HOUR LUNCH		
	5/40	9/80	4/40	5/40	9/80	4/40
7:00 A.M.	3:30 P.M.	4:30 P.M.	5:30 P.M.	4:00 P.M.	5:00 P.M.	6:00 P.M.
7:30 A.M.	4:00 P.M.	5:00 P.M.	6:00 P.M.	4:30 P.M.	5:30 P.M.	6:30 P.M.
8:00 A.M.	4:30 P.M.	5:30 P.M.	6:30 P.M.	5:00 P.M.	6:00 P.M.	7:00 P.M.
8:30 A.M.	5:00 P.M.	6:00 P.M.	7:00 P.M.	5:30 P.M.	6:30 P.M.	7:30 P.M.
9:00 A.M.	5:30 P.M.	6:30 P.M.	7:30 P.M.	6:00 P.M.	7:00 P.M.	8:00 P.M.

Time Off/Time Earned

An employee on an AWS who is ill or on vacation on a scheduled nine or ten hour day must use the corresponding number of hours to cover the time off.

If a holiday falls on a regular work day of an employee on an AWS and the employee is not assigned to a post position, the employee will be given eight hours of holiday time regardless of the number of work hours scheduled. Respectively, 9/80 and 4/40 AWS employees covered by the Fair Labor Standards Act (FLSA) must use one or two hours of vacation, personal sick, compensatory overtime, or holiday earned time to satisfy the scheduled workday requirement. Employees may not flex their schedule to make up for the hour(s) required to cover a holiday that falls on a nine or ten-hour regular workday.

If a holiday falls on the regular day off (RDO) of an employee on an AWS or on a regular work day of an employee assigned to a post position, the employee will be credited with eight hours of holiday time. With prior approval, this time may be taken off at a later date.

Meal Periods and Breaks

Meal periods and/or breaks cannot be combined, used to leave early or arrive late, or substituted for time off under any circumstances.

Under the FLSA, meal periods must be taken prior to the completion of the work day or after six continuous hours of work.

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Regardless of the work schedule selected, the time allotted for a meal period (30 or 60 minutes) is in addition to the number of hours in the work schedule, except for peace officers in a custody facility, juvenile hall, or camp. All non-peace officer staff are required by the FLSA to have a meal period of at least 30 minutes in addition to their scheduled hours of work.

General Guidelines for Continued AWS Participation

Abuse of an AWS, such as unscheduled absences, excessive late arrival or early departure, or failure to adhere to the fixed schedule, will result in termination from the AWS program. However, removal of an employee from an AWS is not a disciplinary measure. Corrective action related to punctuality or attendance will be handled as a separate performance management process.

Continued availability of the AWS program will be evaluated on the basis of service levels, assignment, productivity, attendance, and compliance with working hours. An employee's participation in the AWS program may be discontinued due to critical operational needs. An AWS must not hinder coverage of all operational functions or interfere with client service needs and hours. Work locations may need to stagger days off among staff to ensure full coverage of client service operations.

The regular day off may not be flexed to a different day of the week to cover for an absence, holiday, or a desired day off.

AWS employees participating in a lengthy training program may be required to work a traditional 5/40 schedule for the duration of the training. A similar change may be necessary for employees serving on lengthy jury trials. AWS employees on long-term leave that extends beyond 30 days will be put on a traditional 5/40 schedule at the end of the nearest AWS cycle after the 30 day period has lapsed.

Employees should be given two weeks notice before their schedule is changed unless otherwise specified within an applicable union MOA, or in circumstances where an immediate change is necessitated and legally permissible.

Note: Directive 1185 (02/09/2009)

503 REPORTING ABSENCES

In part, Los Angeles County Code Section 6.20.120 states that employees absent due to sickness or injury, or non-emergency dental or medical care, may be required to furnish a doctor's certificate or other proof satisfactory to his or her supervisor that the absence was due to such causes before the absence is authorized or payment is made. An unscheduled absence is any absence without prior supervisory approval. Failure to provide satisfactory proof for an unscheduled absence may result in the absence being coded as A time (unauthorized). An unauthorized absence, excessive absences, or patterns of unscheduled or unauthorized absences is grounds

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for discipline.

Employees are responsible for notifying their immediate supervisor or the designee in instances of unscheduled absence or tardiness. Notifications must be made in a timely manner to ensure adequate work coverage.

For post positions, appropriate and timely notification is defined as informing a supervisor or his or her designee of the illness or injury one hour or more prior to the start of a shift. Email and voicemail messages are not appropriate notification methods. For non-post positions, notification is defined as informing a supervisor or his or her designee no later than one hour after the start of the shift, or as directed by the supervisor. Failure to comply with proper notification may result in corrective action.

If an employee is involved in an accident, medically incapacitated, or otherwise injured, notification must be made as soon as it is feasible. Documentation of the accident, medical incapacity, or injury will serve to support an unavoidable delay in notification.

Note: Directive 1184 (02/09/2009)

When an employee is injured or suffers an illness on or off duty and is unable to return to work, the employee is responsible for notifying his or her immediate supervisor or his or her designee as soon as possible prior to the beginning of the shift. The employee is required to remain home during the period of time that he or she would normally be at work and provide his or her immediate supervisor with a direct contact telephone number where he or she can be reached.

If the injury or illness is expected to continue or does continue for a period greater than five consecutive days, the employee will be placed on an 8:00 AM to 5:00 PM, Monday through Friday schedule. The employee shall be instructed in writing by his supervisor that he or she is required to remain at his or her residence during these hours. For AWSs, unit timekeepers will make changes at the end of the employee's work cycle. A waiver from home assignment for short periods of time for medical appointments, therapy, civil service exams, etc., may be obtained with prior approval of the employee's supervisor.

It is the responsibility of the supervisor to make regular contact with the employee throughout the recovery process. Regular contact needs to be documented, and at a minimum, include calling the employee weekly to determine the status of the employee's general welfare, return to work status, and morale. Occasional random home visits may also be performed. Significant changes to the employee's general welfare shall be reported to their Bureau Chief, and a remedy for the concerns will be sought on the employee's behalf. It is the goal of the

supervisor to expedite the return to work of the employee upon recovery or the development of a temporary accommodating assignment while the employee's

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recovery is ongoing. The Return to Work Coordinator may also contact the attending physician to inform the physician of the availability of temporary light-duty workplace accommodations that address the employee's work restrictions.

If it is found that the employee is not complying with this policy, the employee will be subject to disciplinary action, wage or benefit interruption, and possible termination from County service.

Prior to returning to work, employees that are absent five workdays or more due to illness or injury shall present a written release from the attending physician indicating the ability to return to work. Approval to return to work is contingent upon review of the medical release by the Department's Return to Work Unit.

Note: Directive 1102 (07/03/2006)

504 TIMECARDS

A timecard is an official record that may include, but is not limited to, hours worked, variance time, and overtime. It is important that the timecard precisely depicts an employee's time at work and the time away from work during normal work hours. A timecard must be completed each pay period for all employees assigned at a work location, including those who are not coming to work.

Timecards must be completed in ink. Circumstances may dictate the need for some modification to reported hours. Changes made to timecards shall be in the form of crossing-out errors, with the correction written above and initialed by the employee. Timecard changes cannot be made in the form of liquid cover-up materials under any circumstances. If extensive timecard changes are necessary, and/or the extent of the changes are cumbersome, illegible, or confusing, the employee should complete a new timecard. Each employee must confirm the accuracy of reported hours and sign his or her timecard.

Timecards must be signed by an authorized supervisor or manager. The original timecard shall never be returned to the employee after the supervisor or manager has signed it, except when the Payroll Unit annotates the original card and returns it to the work location for replacement.

Supervisors and managers shall not make any changes to an employee's timecard without the employee's knowledge and consent. An employee must acknowledge each timecard change by initialing next to each change. If the supervisor or manager does not agree with the employee's recorded hours and variances, they will sign the timecard and handle the disputed time as a separate matter for investigation, resolution, or progressive corrective action as applicable. It is important to maintain sufficient documentation, such as log books and memoranda, to aid in the resolution of timekeeping disputes.

Payroll will annotate any timecard that is illegible, confusing, or includes liquid cover-

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up materials and return it to the employee's work location. The work location must ensure a replacement timecard is returned to the Payroll Unit in a timely manner for accurate recording of variance time earned, accrued, or consumed.

Note: Directive 1157 (01/16/2008)

505 SICK TIME

100% sick time may be used as accrued for any illness or injury which incapacitates employees for duty. It may also be used for medical or dental care. With prior approval of the Department head or designee, up to 24 hours (or 36 hours for 56-hour employees) of sick time may be used as personal sick time each year by employees other than Local 660 represented employees.

Employees represented by Local 660 may use up to 32 hours for the same purpose. Mega-Flex participants are excluded.

With prior supervisory approval, an employee can use 100% sick leave to cover non-emergent medical or dental care, or personal leave to the extent that the employee has sufficient sick leave benefits available. These pre-approved situations do not constitute unscheduled absences.

Note: Directive 1156 (01/16/2008)

The use of sick leave may be authorized to cover an unscheduled absence if:

- An employee has accrued sick leave available
- Appropriate and timely notification of the unscheduled absence was provided to the employee's supervisor

Covered employees may not use vacation, compensatory, or accumulated holiday time to cover unscheduled absences without management approval.

Note: Directive 1184 (02/09/2000)

Partial-pay sick time is only available after 100% sick time is exhausted there are five consecutive days of absence for illness or injury, unless the employee is hospitalized.

506 VACATION TIME

Use of accrued vacation time is requested by employees on a *Vacation Request* form provided at each work location. It should be submitted by March 31st of each year for the office/facility head's approval. Approval of individual vacation requests depends on the pattern of requests at the work location and the office/facility head's perception of what constitutes an adequate work force, especially during traditional vacation seasons. Consideration is given to seniority as defined by the applicable Memoranda of Understanding and in Civil Service Rules.

Vacation time should be used in the calendar year it is earned. If this is not possible,

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the accrued vacation time may be deferred yearly to a maximum of 320 hours. Any time accrued beyond that must be used by the end of the next calendar year. Mega-Flex participants are excluded.

If an employee transfers from one work location to another, any previously approved vacation request is subject to reconsideration by the office/facility head at the new work location.

507 ANNUAL AND ELECTIVE LEAVE (MEGA FLEX EMPLOYEES)

Annual leave may be carried over on a yearly basis to a maximum of 320 hours. Elective leave must be used in the benefit year it is purchased.

508 OVERTIME

Overtime may only be worked at the direction of or with the prior approval of the appropriate Bureau Chief.

Employees cannot work more than 24 hours of overtime in any one calendar week and/or more than 96 hours in any one calendar month.

FLSA-Covered Employees Represented by a Bargaining Unit

Overtime is defined, assigned, accrued, and paid according to the FLSA, Memoranda of Understanding, and the Salary Ordinance. Overtime worked that does not qualify for monetary payment will be credited to the employee as compensatory overtime for future use. Accrued overtime may be taken as compensatory time off with the approval of an employee's immediate supervisor.

FLSA-Covered Non-Represented Employees

At management's discretion, covered employees who work overtime are permitted to:

- Accumulate compensatory time off at a rate of one and a half hours for each hour of overtime worked, to a maximum of 54 hours, in lieu of pay.
- Be paid regular time for the first hour and accumulate the remaining one-half hour as compensatory time off for each hour of overtime worked.

FLSA-Exempt Employees

Exempt employees who work a full shift of overtime are permitted to accrue that time in full shift increments. A maximum of five full shift increments may be recorded at any one time.

General Guidelines for Overtime

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This section is intended to outline the Department's general overtime policy. Bureau-specific procedures may be in place to define overtime policy in greater detail based upon the unique aspects of Bureau operations.

- Authorized overtime will be paid if the total hours worked (excluding paid leave such as sick and vacation) by a covered employee exceed 40 hours during the work week, or the maximum hours allowed for any other work period permitted by the FSLA.
- All overtime must be pre-approved by the Bureau Chief, except in the event of an immediate major emergency. A major emergency is defined in Title 6 of the County Code as a fire, flood, or other cause involving significant danger to life or property.
- Pre-approvals are specific to a particular timeframe or limited duration of need, and shall not be delegated below the manager level. Pre-approval must be appropriately documented to minimally include the name of the staff working overtime, the authorizing manager, the time and date of pre-approval, and the reason(s) for overtime. Managers shall not grant open-ended approvals.
- Pre-approvals must specifically document the need for overtime. Documentation shall be retained locally and provide a reasonably sufficient audit trail. Overtime documentation must clarify the specific project or task requiring overtime; a special assignment is not sufficient. When overtime is necessary to meet camp or hall staffing ratios, approval documentation shall identify the current number of child supervision staff and the number of minors in the facility or living unit. For reasons such as late relief or call-outs, the specific name of the late or sick staff shall be documented. Supervisors and managers will pursue progressive corrective action for staff who violate attendance standards.
- Overtime worked at a location other than the employee's usual work assignment is subject to the same aforementioned documented manager pre-approval requirements. The employee's customary work location manager and the overtime location manager must each pre-approve the specific assignment when overtime is worked outside of the employee's usual Bureau. Employees shall not act independently of their customary work location manager to seek overtime opportunities. Instead, in a timely manner, employees will keep their customary manager informed in advance of overtime to be worked in other assignments. Documentation verifying overtime pre-approval shall be forwarded by the supervisor or manager from the overtime location directly to the supervisor/ or manager at the customary work assignment prior to approval of the employee's pay period timecard.

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The employee who worked overtime shall not be involved in the forwarding or handling of overtime documentation to his or her customary supervisor.

- The supervisor of the employee's customary work assignment will ensure a local record is maintained of each of his or her employees' cumulative overtime hours worked, including overtime hours worked at other locations.
- Excessive overtime accrued by an individual employee can result in fatigue and inattentiveness. Cumulative overtime hours for an individual employee shall not exceed 24 hours in any seven consecutive days. Employees shall not work back-to-back double shifts, defined as an eight- hour period of overtime on each of two consecutive days.
- Staff working overtime must be relieved as soon as the need for overtime is resolved. Overtime does not need to be worked in full-shift increments.
- Overtime shall be distributed as equitably as possible among all qualified employees in the same organizational unit and/or work location. Management may consider special skills required to perform a particular assignment.
- Overtime indicated on the employee's timecard must be appropriately and legibly approved by a supervisor. The timecard must be coded with the five-digit organization code of the location the overtime was worked. An employee shall never have access to his or her original timecard after the timecard has been approved by a supervisor or manager.
- An employee's signature on a timecard indicates that he or she accurately recorded all regular and overtime hours worked, as well as applicable variance time during the time period. All overtime hours worked, including hours for which the employee did not obtain pre-approval, will be paid in accordance with applicable legal mandates. Overtime worked that is not pre-approved will result in appropriate disciplinary action.

Note: Directive 1120 (03/01/2007)

- Employees who are assigned work based on the points system must accurately record the hours worked on their timecards, irrespective of assigned points. For example, overtime worked on a pre-plea, disposition, or P&S report does not automatically entitle the employee to a specified number of overtime hours. The employee is only entitled to overtime pay for the hours actually worked in excess of 40 hours. Hours worked in excess of 40 hours in a week are compensated at the applicable hourly overtime rate. Regular and overtime hours are not incurred or earned based on points. Points are only used as a method of workload distribution and tracking.
- The FLSA considers hours devoted to work taken home or performed while

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at lunch by a non-exempt employee to be part of an employee's workweek hours for overtime calculation. A non-exempt employee who, based on his or her own initiative, takes work home or works through lunch, must accurately record the hours worked on his or her timecard, and will be compensated at the applicable rate. Non-exempt employees cannot take work home without pre-approval consistent with policy. Working through lunch violates the FLSA-required meal periods. Note: Directive 1145 (09/28/2007)

At the end of each pay period, supervisors or managers are to sign their employees' completed timecards. This signifies that they have reviewed and confirmed the hours worked. All hours must be supported by an appropriate internal control structure that includes a secondary records trail, such as logs, time off approvals, and/or shift condition notations. Uncertainties about regular and/or overtime hours actually claimed should be confirmed with applicable records before approving a timecard. The supervisor's or manager's approval signature indicates that he or she is sufficiently aware of and agrees with the claimed hours. When in doubt, a supervisor or manager should seek a secondary record to confirm that the hours claimed were in fact worked.

509 PERSONAL LEAVES OF ABSENCE

Personal leaves of absence are granted in accordance with the Salary Ordinance, Civil Service Rules, Memoranda of Understanding, and Departmental policy.

Short term or extended leaves may be approved to meet an employee's special and verified needs. Leave request approval is always contingent upon the maintenance of an adequate work force and other considerations affecting operations at a work location. Urgency of need, the employee's submission of proof of need, and employee seniority may also be considered.

The Family School Partnership Act of 1994 allows employees to use up to eight hours per month, not to exceed 40 hours per year, of paid or unpaid leave to participate in the school activities of their children in kindergarten through 12th grade. In 1996, the Board of Supervisors extended the benefits of this act to County employees with children under five years of age who are enrolled in childcare or preschool programs. For complete policies and procedures on this act, see Probation Notice 669 (issued 05-09-1996).

510 EXTENDED LEAVES OF ABSENCE

Extended leaves of absence are for periods of 31 days to one year. If known, employees requesting extended leave should submit a written request to their immediate supervisors at least six weeks in advance of the requested leave start date. Requests must include the basis for the requested leave. The supervisor will route the request through their chain of command for approval of the office/facility head and

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the Bureau Chief, in cooperation with the Chief Probation Officer. The request is then submitted to the Personnel Services Office.

The Personnel Services Office will notify both the employee and their office/facility head in writing if the Bureau Chief grants the extended leave of absence. The notification will include the beginning date and expiration date of leave, the employee's responsibility while on leave, and whether the leave is with or without pay.

Leaves of over 12 months require final approval by the Director of Personnel.

511 TYPES OF EXTENDED LEAVE

Family Leave

This type of leave is granted subject to the provisions of the State Family Rights Act of 1991 and the Federal Family and Medical Leave Act of 1993.

Education Leave

This type of leave is granted to employees for the pursuit of their education. Consideration will be given to employees requesting such leave only after three years of continuous Probation Department employment. The course of study must be related to the employee's work and must be of benefit to the Department.

Travel Leave

This type of leave is granted after five years of continuous Probation Department employment and only if such leave is beneficial to the Department.

Union Business Leave

This type of leave is without pay and is granted to permit employees to work with their respective unions in accordance with individual Memoranda of Understanding.

Medical Leave (Non-work related)

This type of leave is granted upon the receipt of satisfactory proof of injury or illness. The employee must notify his or her supervisor of the name, address, and telephone number of the attending physician, and keep his or her supervisor apprised throughout the period of treatment. During the medical leave, the employee must remain at his or her residence for the time of period that would constitute an eight hour day. Personnel who are unable to report for duty for more than five consecutive workdays will be placed on a Monday through Friday work schedule from 8:30 AM to 4:30 PM. The employee is required to remain at his or her residence during those hours. A short-term waiver of this policy may be obtained for doctor's appointments, therapy,

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etc., with prior approval from the employee's supervisor or director.

Prior to returning to work, the employee must obtain a physician's release authorizing the return and submit the release to his or her supervisor as soon as possible. Approval for return will be contingent upon review of the medical release by the director and the Return to Work Unit, when applicable. Employees absent due to non-work related illness for 30 days or longer may also be required to submit a return-to-work medical clearance through the County Health, Safety, and Disability Benefits Administration.

Pregnancy Disability Leave and Transfer/Reassignment/Accommodation General Policy

Pregnant employees will not be discriminated against in terms of retention, promotion, assignment, transfer, or any other terms and conditions of employment. Leave and/or transfer/reassignment to pregnant employees is granted in accordance with Department policy, various Memoranda o Understanding in effect, and county, state, and federal laws.

Pregnancy Disability Leave

If an employee is disabled as a result of pregnancy, childbirth, or related medical conditions, a leave of up to four months will be granted upon receipt of medical certification from the employee's health care provider from the date the disability begins. The leave may be taken in one block of time, intermittently, or on a reduced work schedule when medically advisable as determined by the employee's health care provider. If possible, the employee must provide at least 30 days advance notice for foreseeable events such as the expected birth of a child. For events which are unforeseeable, notification must be given as soon as the employee is aware of the need for the leave.

A pregnant employee may work as long as her health care provider states that she is physically able. If there is a question regarding the employee's physical condition and/or her ability to perform her duties, a certification from the employee's health care provider must be requested. When there is a serious concern regarding an employee's medical condition and/or her ability to perform her duties, medical re-evaluation may be invoked (Civil Service Rule 9.07).

Pregnancy leave is considered the same as a temporary medical disability in terms of sick leave benefits. The employee must submit a medical statement

from her health care provider giving the date the disability began, an estimated length of disability, and the expected date of her return to work. The employee may elect to use accrued vacation time or other accrued personal time during the leave. If the disability continues beyond the estimated time, a statement must be submitted by the

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employee's health care provider to extend the leave.

Upon expiration of the pregnancy disability leave, the employee will be reinstated to her original position or a comparable position. Reinstatement is subject to any defense allowed under the law. This includes the possibility that an employee's job may no longer be available for reasons unrelated to the employee taking the leave.

Transfer/Reassignment Accommodation

A pregnant employee's request for a temporary transfer/reassignment to a less strenuous or hazardous position, or request for reasonable accommodation in her position, will be granted if her health care provider certifies that it is medically advisable or necessary. The accommodation will be predicated upon the extent of the employee's medical restrictions and safety, and the department's security, safety, and staffing needs.

512 RETURN TO WORK FROM EXTENDED LEAVE

Employees who fail to return to work upon termination or expiration of their leave are considered to be absent without leave and are subject to disciplinary action. When employees return from leave, they must contact the Personnel Services Office six weeks prior to their return and furnish all necessary documents at that time.

513 MILITARY LEAVE

This type of leave is granted based on provision of federal law and the California Military and Veterans Code.

Short-Term Military Leave

This type of leave applies to all County employees and shall not exceed 180 consecutive days annually, including travel time. This leave includes orders for active duty, active duty training, and inactive duty training.

Long-Term Military Leave

This type of leave is granted to permanent employees for active military service and generally does not exceed four years. Upon completion of military duty, a certificate of satisfactory completion must be shown. Application for reinstatement must be submitted within 90 days for active duty and 30 days for reservist duty.

Reserve Training Leave

This type of leave is granted to employees who present military orders for weekend or monthly reserve duty. The Military and Veterans Code does not provide paid time off

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for weekend or monthly reserve training. Therefore, such time must be taken on an employee's regular days off. When necessary, office/facility heads should make every effort to adjust an employee's work shift so that the reserve training occurs on the employee's regular days off.

Employees who have completed one full year of County service by the day before their military leave are eligible to receive full pay for the first 30 days of active duty or active duty training. Any prior military service shall be included to establish the qualifying year.

514 ATTENDANCE AT EMPLOYEE FUNERALS

Based on operational needs, office/facility heads should allow as many staff as possible to attend the funerals of co-workers. Attendance shall be on County time if employees are on duty.

The wishes of the family/survivor must take precedence in regard to Probation Department employee attendance or service participation.

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Subject: PROBATION DEPARTMENT POLICY MANUAL EMPLOYEE CONDUCT	Section Number: PDPM-600
	Effective Date: September 1, 2011
	Approved By: Donald H. Blevins, Chief Probation Officer

601 INTRODUCTION

Employees of the Probation Department shall conduct themselves in a manner consistent with professional standards governing County employment, and the stated expectations of the Chief Probation Officer. As a member of the law enforcement community, Probation Department employees have a duty to the public to adhere to exemplary moral and ethical standards, and to project a professional image at all times. These standards apply to both on and off duty conduct.

Note: Directive 1183 (02/09/2009)

Violations of the stated policies in this section or other policy statements are cause for disciplinary action up to and including discharge from County service.

602 STAFF RELATIONS

Employees are expected to behave in a courteous and businesslike manner toward fellow employees and other agency representatives.

Employees must follow the direct legal orders of persons in authority. Failure to follow a direct legal order is considered insubordination and may be grounds for disciplinary action.

603 CONDUCT TOWARDS MEMBERS OF THE PUBLIC

The Board of Supervisors requires County employees to conduct themselves in a polite, courteous, and professional manner at all times in all interactions with members of the public. Employees who engage in inappropriate conduct are subject to disciplinary action under Civil Service Rule 18.031. This includes inappropriate conduct of a sexual nature, either intended or unintended, with or in the presence of any member of the public. Members of the public include, but are not limited to, probationers and their relatives, recipients of public services, benefits, and health care services, as well as contract employees, outside vendors, relatives of recipients of public services, friends of employees, and other visitors.

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604 SEXUAL HARASSMENT

Sexual harassment is a form of unlawful sex discrimination that is a violation of Title VII of the Civil Rights Act of 1964 as amended. In accordance with Los Angeles County and Probation Department policies, sexual harassment is prohibited and will not be tolerated. All complaints will be investigated and will result in disciplinary action when warranted.

Types of sexual harassment Include:

- **Written** - Sexually suggestive or obscene letters, notes, invitations, cartoons, posters, or electronic mail
- **Verbal** - Sexually explicit comments, slurs, jokes, remarks, epithets, whistles, catcalls, threats, insults, pressure for dates, or propositions
- **Physical** - Touching, assault, attempted rape, impeding movement, or blocking movement
- **Visual** - Displaying sexually suggestive objects, pictures, cartoons or posters; leering or making sexual gestures

State and federal laws mandate that employees have a right to work in an environment that is free from all forms of discrimination, including sexual harassment. Federal guidelines state that unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature are considered sexual harassment when:

- Submission to such conduct is either explicitly or implicitly made as a term or condition of an individual's employment.
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that individual.
- Regardless of intent, such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Managerial and Supervisory Responsibility

Managers and supervisors are legally responsible for reporting complaints of sexual harassment. Failure to report a complaint is grounds for disciplinary action. By law, managers and supervisors can be held personally liable in resultant civil action. The Probation Department requires all allegations of sexual harassment to be reported.

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605 PERSONAL APPEARANCE

Probation Department staff will dress and groom themselves in a manner that is professionally acceptable and meets appropriate business standards. Dress and grooming play a significant role in shaping the Department's image, the respect for the duties the employees are entrusted to perform, and the level of professionalism that is conveyed to coworkers, partner agencies, and clients.

Employees must dress appropriately for assigned duties and responsibilities. This policy extends to all representatives of the Department, including contract employees and volunteers.

All staff are required to be neat, clean, well groomed, and conform to considerations of safety, professionalism, and modesty. Visible piercings (eyebrows, tongue, lips, etc.) are not permitted during work hours except for a maximum of two earrings per ear. Earrings or other jewelry should be of modest size. Juvenile hall and camp staff shall not wear large or dangling earrings due to potential safety concerns. Visible body tattoos must be covered during work hours, except tattoos on hands and above the neckline. New hire peace officers are not permitted to have facial hair until they have completed their probationary period. All facial hair must be neatly groomed.

Dress Code for Line Staff Assignments

Staff conducting business at Probation Department headquarters or assigned to field offices, community programs, schools, partner agencies, or training shall dress in a manner appropriate for interfacing with the colleagues, clients, and the public at all times. Appropriate attire for field staff is defined as business casual and shall consist of the following properly fitted attire:

- Slacks
- Dress shirts, collared polo-style shirts (Hawaiian-style shirts are excluded)
- Dress or casual shoes in good repair (athletic footwear is excluded)
- Females: dresses, blouses, sweaters, slacks, dress sandals
- Socks, stockings, or hose (as appropriate)
- Appropriate outerwear commensurate with weather conditions

EMPLOYEE CONDUCT**Dress Code for Juvenile Halls and Camps**

Detention Services Bureau and Residential Treatment Services Bureau staff must wear uniforms. Staff assigned to these operations should refer to their Bureau-specific policies for further information.

Court Attendance

Employees required to appear in court are expected to dress in business attire that is consistent with the formal atmosphere of the judicial environment. Male business attire includes a dress shirt and tie, slacks, and a coat including a suit, sport coat or blazer, and dress shoes. A turtleneck, mock t-shirt, or open collared shirt accompanied by a coat is not considered business attire. Female business attire includes a business suit, dress, ensemble skirt, dress pants or slacks, dressy top, blouse, dressy sweater, and dress shoes.

Business casual attire is not appropriate for court appearances. Field staff may be called before the court on short notice and should have an appropriate change of business clothing readily available. Institutional staff may appear in court in uniform if they are on-duty and unexpectedly summoned to appear. In all other instances, staff must dress appropriately for a scheduled court appearance.

Dress Code for Supervisors and Managers

The attire of supervisors and managers should exemplify a professional standard for subordinate staff. It is imperative that supervisors and managers also represent a professional image to the Department's customers, clients, and fellow employees.

Consistent with Department policy that employees project a positive and professional image, business attire is required work apparel for all managers and supervisors. Business casual attire may be worn for offsite training unless the training is sponsored by external agencies that specify appropriate attire.

Specialized Programs

Staff in specialized programs, such as Special Enforcement Operations (SEO) employees, lifeguards, transportation personnel, crew instructors, janitors, and cooks, are expected to observe the guidelines prescribed for the unique aspects of those functions. Specialized programs that do not have prescribed dress standards must adhere to the line staff business casual attire described above. All staff should be cognizant of their professional image, their role as child advocates, and the example they set for the youth in their care. Staff attending training sessions that involve specialized curriculum, such as physical fitness,

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lifeguards, or role-playing, shall dress in clothing appropriate for the duration of the activity as defined by the instructor.

SEO staff, including armed deputies, mobile gang unit deputies, and deputies assigned to specific law enforcement task forces (i.e., the LAPD San Fernando Valley project) may wear neat, appropriately laundered, and correctly sized denim pants for field enforcement duties. These deputies are expected to comply with the existing dress code when their workday does not involve field enforcement work. Denim is not permitted for training courses except the specific courses involving SEO-type field enforcement training. Note: Directive 1135 (05/31/07)

Blue Denim Days

Probation Department employees may wear neat, appropriately laundered, and correctly sized blue denim pants on designated days when upheld by a motion by the Board of Supervisors for specific events (e.g., March of Dimes Campaign) and/or when approved by the Chief Probation Officer or Chief Deputy on designated days for specific events (e.g., Probation fundraisers). Employees required to appear in court must dress in business attire consistent with the formal atmosphere of the judicial environment regardless of the motion by the Board of Supervisors and/or approval by the Chief Probation Officer or Chief Deputy.

Prohibited Denim Clothing

- Denim Pants of any color other than blue
- Denim with holes
- Cutoffs
- Capri pants
- Shorts
- Shirts
- Skirts
- Dresses
- Jackets
- Vests

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- Blue denim pants with graphics (clothing graphics and artwork, such as silk screening, designer labels, or embroidery, are restricted to Probation Department-approved logos, or small unobtrusive clothing designer labels)

Note: Directive 1265 (08/08/11)

Prohibited Clothing

Business casual attire prohibits:

- Denim of any color
- Revealing clothing of any type
- Military/fatigue-type clothing
- Clothing commonly attributed to gang culture
- Spandex pants
- Sweat pants, sweat shirts, sweat suits, or track suits
- T-shirts or oversized shirts
- Sagging or baggy pants
- Exposed undergarments
- Shorts
- Athletic shoes (except as previously allowed by aforementioned definition)
- Baseball-type hats (except those issued by the Probation Department)
- Flip-flops or casual sandals,
- Sports team jerseys
- Clothing printed with graphics (clothing graphics and artwork, such as silk-screening, designer labels, or embroidery, are restricted to Probation Department approved logos, or small and unobtrusive clothing designer labels)

Note: Directive 1113 (10/23/06)

EMPLOYEE CONDUCT**606 EMPLOYEE-CLIENT RELATIONS**

Probation Department employees shall not knowingly enter into relationships or engage in any contact with clients, parolees, or their family members or friends unless necessitated by the employee's performance of official duties. An employee must report all contacts, including those that are incidental and not preventable, to his or her immediate supervisor. In all cases, the report must be made within 48 hours of the initial contact.

When an employee is assigned to investigate or supervise a client with whom he or she has or has had a social or business relationship, the employee is required to report the circumstance to his or her immediate supervisor. The employee will not be allowed to conduct the investigation or supervision process.

In person or telephone contact with clients, parolees, and their family members or friends shall be limited to those required to carry out the employee's official assignment.

Employees are prohibited from giving personal telephone numbers or addresses to clients, parolees, or their family members or their friends.

Employees are not permitted to accept any gifts or services from probationers, parolees, their family members or friends, persons connected with a probation case, or contractors who have secured or are bidding on a service contract with the Department.

Employees are forbidden to engage in any form of religious persuasion, admonition, or commentary when in contact with clients.

607 CORPORAL PUNISHMENT

Probation Department employees are forbidden to strike, slap, choke, or inflict any form of physical or psychological punishment upon juvenile or adult clients.

608 USE OF FORCE

In situations where the safety of staff, other clients, or the public is threatened by violence or immediate threat of violence by a probationer, employees shall use only the level of force necessary to immobilize the probationer. The level of force and type of restraint must be consistent with established policies and procedures.

609 DRUG AND ALCOHOL USAGE

Employees are prohibited from being in possession or under the influence of any

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intoxicant or controlled substance while on duty.

Employees arrested for possession of a controlled substance as generally defined in Health and Safety Code, Chapter 6, Section 11350, or possession for sale or sale of any illegal or controlled substance, with a subsequent criminal filing, will be suspended pending the outcome of the criminal matter.

- If the employee is convicted, the employee will be discharged
- If there is no conviction, the employee will be discharged if the facts of possession can be reasonably substantiated.

Employees arrested for possession of a controlled substance as defined in Health and Safety Code, Chapter 6, Section 11350, or possession for sale or sale of any illegal or controlled substance, where there is no subsequent criminal filing, will be discharged if the facts of possession can be reasonably substantiated.

The Department retains the flexibility to deviate from this policy when highly unusual circumstances justify a departure.

Note: Notice 1514 (07/18/07)

610 SMOKING AND THE LOS ANGELES COUNTY ORDINANCE

Employees of the Probation Department shall abide by the Los Angeles County ordinance that bans smoking in all County facilities and vehicles.

Smoking in County facilities is regulated by Section 2.126 of the Los Angeles County Code. Section 2.126 states the following findings and determinations of the Board of Supervisors:

- Secondary smoke is a hazard to the health and safety of County employees and the general public.
- With limited exception, all portions of County-owned facilities, all portions leased by or from the County which are not open to the sky, and all County vehicles, are designated as non-smoking areas/vehicles.
- Smoke free access to buildings shall be maintained by disallowing smoking within 20 feet of any entrance to a Probation facility unless the design of the entrance is such that secondary smoke would not impact employees or the general public entering or leaving the facility.

611 SMOKING BY JUVENILES

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Staff shall not allow juveniles under the jurisdiction of the Department to smoke in any county institution, office, juvenile court work program, transportation vehicle, or on any field trips under Departmental auspices.

612 FIREARMS

Employees of the Probation Department are expressly prohibited from possessing or carrying firearms or ammunition while on duty and/or on County property, including parking lots, unless approved to do so in writing by the Chief Probation Officer. Probation employees are also prohibited from securing a weapon and/or ammunition in their personal vehicle or a County vehicle while on duty, unless approved to do so in writing by the Chief Probation Officer.

The Arming Program's Specialized Operations Unit is the only exception to this policy.

613 CERTIFICATION FOR USE OF FIREARMS

Some deputized staff may have attended non-Post Certified firearms familiarization courses for certification to carry firearms off duty. Courses that are not Post Certified are not genuine, and carrying firearms without genuine certification creates serious criminal liability for the individual.

Employees who choose to carry firearms off duty are personally responsible for verification of the authenticity of the certification they receive.

Note: Notice 646 (06/09/1995)

614 USE OF EMPLOYEE IDENTIFICATION

Use of the Departmental badge, identification, letterhead, or business cards is strictly and solely limited to the scope of official duties. They are not to be used in any private matter to seek specific benefit, considerations, or other advantages. Additionally, they must never be altered in any way.

All Probation Department employees are required to display their picture identification badges at all times while at their work location and/or visiting any other County location, facility, or court.

Employees must not to loan or borrow Department issued identification including badges, ID cards, letterhead, and business cards. Employees shall immediately report the loss or theft of badges or ID cards to their immediate supervisor in writing. The employee shall report the loss of a badge to the Personnel Services Office by completing the *Deputy Probation Officer Badge Declaration* (form P9768), clearly stating the circumstances leading to the loss and any efforts

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made to recover the badge. The loss or theft of a badge or ID card also requires the filing of both a police report and *Security Incident* report.

Employee badges and identification cards are County property and therefore must be returned upon demand. Each employee is required to turn in these items upon discharge, reduction, extended leave of absence, resignation, retirement, or transfer to another department.

615 BUSINESS RECORDING AND DOCUMENTATION

Employees shall enter and maintain factual, accurate, and complete information on all official Departmental documents, records, or reports. Employees that knowingly enter or cause entry of false, inaccurate, misleading, or improper information are subject to disciplinary action up to and including discharge from County service. Business records must not be removed, secreted, or destroyed for the purpose of concealing information from the court, administrators, or Probation Department managers or supervisors.

616 ARRESTS

Any employee who is arrested or cited for a misdemeanor or felony offense must report the arrest to his or her immediate supervisor or the office/facility head the next business day following the arrest or citation. Any police contact, excluding minor traffic infractions, must also be reported. The employee must submit a written account of the circumstances surrounding the arrest or citation within one week of its occurrence to the office/facility head. The employee is not obligated to provide information that may jeopardize him or her in any criminal proceedings that may be brought against him or her.

617 RELATIONSHIPS INCONSISTENT WITH PROBATION DEPARTMENT EMPLOYMENT

Probation Department employees shall not knowingly establish or maintain any personal, social, or business associations with identified criminal, street, or prison gang members or organizations, incarcerated individuals, registered sex offenders, and/or felons who are on parole or formal probation, unless expressed written permission is received from the employee's Bureau Chief. The restriction against association does not apply to close family members defined as a grandparent, parent, legal spouse, siblings, or any child for whom the employee is the parent, step-parent, or legal guardian.

Within 30 calendar days of return to work for employees on any form of extended leave, or within 30 calendar days of becoming aware of a potential association issue, and as part of the background check process for new hires, employees are to disclose any associations they may have with the above described individuals

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or groups in writing to their manager, including when those associations involve family members. Employees who fail to disclose associations inconsistent with Probation Department employment may be subject to disciplinary action up to and including discharge from County service.

Employees unwittingly within circumstances inconsistent with probation Department employment, such as locations where controlled substances are illegally distributed or consumed and/or areas where gang members congregate, must remove themselves from these circumstances as soon as reasonably possible. Employees must report such circumstances in writing to their manager within one work day. Employees must also notify their manager in writing if they visit a prison or jail for non-work related purposes. The manager shall notify his or her Bureau Chief and HRMO Performance Management.

Note: Directive 1183 (02/09/2009)

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL DISCIPLINE AND CORRECTIVE ACTION	Section Number: PDPM-700
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

701 INTRODUCTION

The Probation Department generally practices progressive discipline when corrective action is warranted. However, if an employee's substandard performance or misconduct rises to a higher degree of seriousness, the Department will proceed with disciplinary action appropriate to the severity of the infraction without progressive discipline.

This section defines and describes disciplinary regulations and procedures. It also includes the Skelly process, which affords employees the opportunity to respond prior to final disciplinary action.

702 LETTER OF WARNING

A *Letter of Warning* is the first level of formal disciplinary action. It is written and signed by an employee's supervisor after consultation with the office/facility head and with the HRMO Performance Management Unit.

The *Letter of Warning*:

- Describes the specific act of misconduct or problem performance
- Summarizes the employee's response to the charge
- Clarifies expectations regarding future conduct or performance
- Advises the employee of the consequences of future derelictions of duty or misconduct
- Informs the employee of his or her right to respond to the action in writing
- Notifies the employee that the response will be placed in his or her work location personnel folder in accordance with respective MOUs.

The *Letter of Warning* shall be referenced in the employee's performance evaluation covering the period in question. At that time, the letter shall be removed from the employee's work location personnel folder.

DISCIPLINE AND CORRECTIVE ACTION**703 LETTER OF REPRIMAND**

The *Letter of Reprimand* is written and signed by an employee's supervisor in consultation with the office/facility head and the HRMO Performance Management Unit. It is more severe than the *Letter of Warning*, though its contents include the same points made.

The procedural steps are the same as the *Letter of Warning*. However, a copy of the *Letter of Reprimand* and the employee's response are made part of the employee's master personnel file consistent with provisions outlined in the employee's bargaining unit MOA.

704 LETTER OF SUSPENSION

A *Letter of Suspension* results in an employee's temporary removal from duty, without pay, for cause for up to 30 days. Under Civil Service Rule 18.01, a suspension may exceed 30 days if it is imposed pending the outcome of a criminal matter. In cases of suspension pending the outcome of criminal matters, the ultimate action must be completed 30 days after sentencing.

A *Letter of Suspension* for less than 30 days is signed by the office/facility head. A *Letter of Suspension* for 30 days or longer must be reviewed by the HRMO Performance Management Unit and approved and signed by the appropriate Bureau Chief.

705 INVOLUNTARY REDUCTION

An *Involuntary Reduction*, synonymous with demotion, is imposed when there has been unsatisfactory work performance or misconduct in the particular position held by an employee.

The action is taken when the misconduct or poor performance would not be expected to occur in the reduced position. A *Letter of Reduction* must be reviewed by the HRMO Performance Management Unit and approved and signed by the appropriate Bureau Chief.

706 DISCHARGE

Discharge is the final and permanent removal from the Probation Department and County service for cause. *Discharge* may result from unsatisfactory work performance or after lesser discipline has failed to correct continuing misconduct. *Discharge* may also result when an incident of misconduct renders the employee unsuitable for employment in the Probation Department and County service.

A County *Letter of Discharge* must be reviewed by the Chief Probation Officer or

DISCIPLINE AND CORRECTIVE ACTION

Chief Deputy Probation Officer. It must then be reviewed by the HRMO Performance Management Unit and approved and signed by the appropriate Bureau Chief.

707 LETTERS OF INTENT AND SKELLY MEETINGS

Disciplinary *Letters of Suspension, Reduction and Discharge* shall be preceded by a *Letter of Intent* to take action. The *Letter of Intent* is prepared by the Discipline Unit and approved and signed by the appropriate manager.

The Skelly meeting took its name from a landmark case involving disciplinary action taken against a public employee. It is a formal meeting that provides the employee an opportunity to offer additional information to management on his or her behalf before a decision on final disciplinary action is reached. Skelly establishes minimum standards of due process for public employees when serious discipline is being considered. These minimum standards include:

- Notice of the action imposed
- The grounds for discipline
- The charges and materials upon which the action is based
- The opportunity to respond to the proposed action

The Skelly process enables the employee to provide and/or present information to a reasonably impartial and uninvolved reviewer who can convey information to the decision maker relevant to the disposition of the matter.

After an *Intent to Discipline* letter is issued to an employee by an authorized manager, a Skelly meeting is to be conducted by another manager of equal rank or as designated by the Chief Probation Officer. Rank is determined by equivalent payroll item or MAPP range. The Department considers the ranks of Probation Director 1 and Probation Director to be equivalent for Skelly purposes.

New and/or additional information brought forth in the Skelly process is conveyed by the Skelly manager to the manager who signed the *Intent to Discipline* letter. The information is considered, and the manager who issued the *Intent* letter must make a determination and finalize an imposition letter as the decision maker.

The Probation Department designates the Skelly manager and schedules the Skelly meeting. Established in the *Intent to Discipline* letter, the Skelly meeting will be scheduled within 10 business days following the date of service of the *Intent to Discipline*. An employee may appear in person with or without a designated representative and/or provide a written response. Reasonable

DISCIPLINE AND CORRECTIVE ACTION

accommodations will be considered to ensure that a Skelly meeting will not be unreasonably delayed due to the employee's industrial injury or medical leave.

Prior to the Skelly meeting, the Department will provide copies of documentation that the proposed action is based upon by either mailing them to the employee's address of record or by providing the documentation to the employee's bargaining unit or his or her designated representative. If an employee declines union representation (e.g., retains private counsel), the bargaining unit will be notified of the Skelly meeting in writing. It is the employee's responsibility to ensure that he or she is prepared to go forward with the Skelly meeting date. If the employee fails to appear and/or fails to provide additional information, the Department will be prepared to move forward and finalize the disciplinary action.

Note: Directive 1019 (01/25/2005)

708 SERVICE OF DISCIPLINARY LETTERS

Service of intent letters is usually accomplished by the manager that signs the letter or his or her designee. If an employee has been transferred, the current manager must be informed of the intent notification. The letter must be given to the employee in person or sent by certified mail to the employee's last known address on file with the Probation Department. Employees are requested to acknowledge the receipt of a discipline letter by signing and affixing the date in the space provided in the letter.

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL EMPLOYEE GRIEVANCES FOR NON-REPRESENTED AND REPRESENTED EMPLOYEES	Section Number: PDPM-800
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

801 NON-REPRESENTED EMPLOYEES

In all cases, the Probation Department shall work toward the resolution of a grievance within the framework of the County and the Department's policies. This will be accomplished through a system of rules and procedures that provide for the systematic presentation, consideration, and resolution of employee relation matters.

A grievance is defined as:

- An employee complaint concerning the interpretation or application of the provisions of a union contract
- An employee complaint concerning the rules and regulations governing personnel practices or working conditions that remain unresolved after an informal meeting between an employee and his or her supervisor

The term *business days* refers to calendar days exclusive of Saturdays, Sundays, and legal holidays as designated by the Board of Supervisors.

Procedures

If a non-represented employee chooses to file a formal written grievance, he or she must follow the procedures set forth below.

Employees are encouraged to discuss complaints with their immediate supervisors prior to filing a grievance.

802 GRIEVANCE LEVELS

Level 1- Supervisor

- Within 10 business days from the occurrence or the employee's knowledge of the occurrence of the matter on which the complaint is based, an employee who has discussed his or her complaint in a meeting with his or her immediate supervisor and has not had it resolved may file a formal written grievance with the immediate supervisor using a *Grievance* form (Prob. 745).

EMPLOYEE GRIEVANCES FOR NON-REPRESENTED EMPLOYEES

- On the form, the employee must clearly and concisely state the specific actions being grieved, the specific remedy requested, and make three copies. Two copies shall be submitted to the employee's immediate supervisor and the third copy shall be retained by the employee.
- Within 10 business days, the employee's immediate supervisor will give his or her decision to the employee in writing on the original copy of the *Grievance* form.

Level 2 - Office/Facility Head

- Within 10 business days of the receipt of the Level 1 decision, the employee may appeal to the office/facility head using the returned original copy of the *Grievance* form.
- The office/facility head or a designated representative not involved in the grievance at the prior level shall meet and discuss the grievance with the grievant and his or her representative. Prior to responding to the grievant, the office/facility head or designated representative should consult with the Level I supervisor.
- Within 10 business days of the Level 2 meeting, the office/facility head will provide a written decision to the employee on the original copy of the *Grievance* form and forward a copy to the Department's grievance hearing officer.

Level 3 - Department Grievance Hearing Officer

- Within 10 business days of the receipt of the decision at Level 2, the employee may appeal to the Department's grievance hearing officer using the original copy of the *Grievance* form.
- Within 10 business days from the receipt of the grievance, the grievance hearing officer shall meet and discuss the grievance with the grievant and his or her representative. The grievance hearing officer will consult with all parties involved before providing a written decision to the employee.

803 WAIVERS AND TIME LIMITS

Failure to reply to an employee's grievance within the time limits specified above automatically grants to the employee the right to process the grievance at the next level.

If an employee fails to take the grievance from one level to the next level within established time limits, the grievance will be considered settled on the basis of the last decision and the grievance will not be subject to further appeal or consideration.

EMPLOYEE GRIEVANCES FOR NON-REPRESENTED EMPLOYEES

Any level of review or any procedural time limits may be waived or extended by mutual agreement confirmed in writing. The grievance may also revert to a prior level for reconsideration by mutual agreement.

It should be noted that the grievance process concludes at Level 2 for non-represented classes.

804 REPRESENTED EMPLOYEES

Note: Directive 1164 (04/30/2008)

In all cases, the Probation Department shall work toward the resolution of a grievance within the framework of the applicable Memoranda of Understanding for represented employees. The procedures outlined below should provide for systematic presentation, consideration, and resolution of grievance matters in a timely manner.

This does not modify or change the negotiated applicable Memorandum of Understandings. It merely is intended to provide clear grievance process guidance.

805 INFORMAL GRIEVANCE PROCESS

Many grievances can be resolved in an informal meeting by simply discussing the problem, listening to what the employee has to say, and then working together to reach a mutual agreement. The supervisor should obtain as much information as possible from the employee and do a thorough review of all relevant facts to try to settle a complaint.

806 WAIVERS AND TIME LIMITS

Any level of review or established time limits may be waived or extended by mutual written consent. Section 809 contains a schedule that highlights grievance timelines for various bargaining units.

Failure to reply to an employee's grievance within the specified time limits automatically grants the grievant the right to process the grievance at the next level.

If an employee fails to take the grievance from one level to the next level within established time limits, the grievance will be considered settled on the basis of the last decision and the grievance will not be subject to further appeal or consideration. By mutual written agreement, a grievance may revert to a prior level for reconsideration.

807 FORMAL GRIEVANCE PROCESS**A. Non-Sworn Employees: SEIU Local 721****Level 1- Immediate Supervisor**

EMPLOYEE GRIEVANCES FOR NON-REPRESENTED EMPLOYEES

- Within 10 business days from the occurrence or the employee's knowledge of the occurrence of the matter on which the complaint is based, an employee who has discussed his or her complaint in a meeting with his or her immediate supervisor and has not had it resolved may file a formal written grievance using a *Grievance* form.
- The employee will clearly and concisely state his or her understanding of the MOU section(s) violated and the remedy requested. The employee shall then submit the original *Grievance* form and two copies to the supervisor. A third copy should be retained by the employee. The supervisor will forward one copy to the personnel officer.
- Within 10 business days of receipt of the grievance, the immediate supervisor shall give his or her written decision and the reasons therefore, to the employee on the original copy of the *Grievance*. It is important that the supervisor make a good faith attempt to meet with the employee and obtain all information necessary to resolve the issue. *Cannot resolve at this level* does not provide sufficient detail.

A copy of the decision shall be forwarded to the personnel officer.

Level 2 - Middle Management (e.g. Head Clerk, Office Manager)

- Within 10 business days from receipt of the written decision at Level 1, the employee may appeal the decision to the middle manager.
- Within 10 business days of receipt of the grievance, the manager shall discuss the grievance with the Level 1 supervisor; meet with the employee and his or her representative, if represented, and render a decision. The manager shall give his or her written decision and reasons therefore to the employee.

A copy of the decision shall be forwarded to the personnel officer.

Level 3 - Department Head, Grievance Hearing Officer, or Designee

- Within 10 business days from receipt of the written decision at level 2, the employee may appeal the decision to the grievance hearing officer.
- Within 10 business days of receipt of the grievance, the grievance hearing officer shall meet and discuss the grievance with the employee and his or her representative and give a written decision, including the reasons therefore, to the employee and the union representative.
- If the grievance remains unresolved and is jurisdictional for arbitration, within 30 business days of receipt of the written response, the employee may refer the grievance to the union for possible submission to arbitration. On matters that are not subject to arbitration in

EMPLOYEE GRIEVANCES FOR NON-REPRESENTED EMPLOYEES

accordance with the applicable MOU, the written decision of the grievance hearing officer shall be final.

B. Sworn Employees**(1) AFSCME, Local 685****Level 1 - Office or Institution Head (e.g. Director, Superintendent)**

- Within five business days from the occurrence or the employee's knowledge of the occurrence of the matter on which the complaint is based, an employee who has been unable to resolve a matter after an informal meeting with his or her supervisor may file a formal written grievance using a *Grievance* form.
- The employee will clearly and concisely state his or her understanding of the actions being grieved, the MOU section(s) violated and the remedy requested. The employee shall then submit the original *Grievance* form and two copies to the director/superintendent. A third copy should be retained by the employee. The director/superintendent will forward one copy to the personnel officer.
- Within five business days of receipt of the grievance, the director/superintendent shall give his or her written decision, and the reasons therefore, to the employee on the original copy of the *Grievance* form. It is important that the supervisor attempt to meet with the employee and obtain all information necessary to resolve the issue in a timely manner.

A copy of the decision shall be forwarded to the personnel officer.

Level 2 - Chief Probation Officer or Designee

- Within five business days from receipt of the decision at Level 1, the employee may appeal to the Chief Probation Officer or his or her designee.
- Within 10 business days of receipt of the grievance, the Chief Probation Officer or his or her designee shall meet and discuss the grievance with the employee and his or her representative, if represented, and render a decision. The Chief Probation Officer or his or her designee shall give his or her written decision and the reasons therefore, to the employee.
- If the Chief Probation Officer or his or her designee fails to meet with the employee within the stated time period, the employee may refer the grievance, within 30 business days, to the union for possible submission to arbitration.

EMPLOYEE GRIEVANCES FOR NON-REPRESENTED EMPLOYEES

American Federation of State, County and Municipal Employees (AFSCME) Local 685 and management agree that grievances involving disciplinary suspensions will immediately be processed to Level 2 of the grievance procedure.

(2) SEIU Local 721- Supervising Deputy Probation Officers**Level 1- Immediate Supervisor (e.g. Director)**

- Within 10 business days from the occurrence or the employee's knowledge of the occurrence of the matter on which the complaint is based, an employee who has been unable to resolve a matter after an informal meeting with his or her supervisor may file a formal written grievance using a *Grievance* form.
- The employee will clearly and concisely state his or her understanding of the actions being grieved, the MOU section(s) violated, and the remedy requested. The employee shall then submit the original *Grievance* form and two copies to the supervisor. A third copy should be retained by the employee. The supervisor will forward one copy to the personnel officer.
- Within 10 business days of receipt of the grievance, the immediate supervisor shall give his or her written decision and the reasons therefore, to the employee on the original copy of the grievance form. It is important that the supervisor attempt to meet with the employee and obtain all information necessary to resolve the issue in a timely manner.

A copy of the decision shall be forwarded to the personnel officer.

Level 2 - Chief Probation Officer or Designee

- Within 10 business days from receipt of the decision at Level 1, the employee may appeal to the Chief Probation Officer or his or her designee.
- Within 10 business days of receipt of the grievance, the Chief Probation Officer or his or her designee shall make a thorough review of the grievance, and give his or her written decision, and the reasons therefore, to the employee.
- If the Chief Probation Officer or his or her designee fails to meet with the employee within the stated time period, the employee may refer the grievance to the union for possible submission to arbitration within 30 business days.

A grievance involving discharge of an employee will be heard by the Chief

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Probation Officer within 10 days of receipt of the grievance.

808 GRIEVANCE TIMELINE

GRIEVANCE TIME LINE (In business days)

REPRESENTED CLASSIFICATIONS

Bargaining Unit	Time to File Grievance	Level 1 Response Due	Appeal to Level 2	Level 2 Response Due	Appeal to Level 3	Level 3 Response Due	Request to Union to Arbitrate
AFSCME Local 685 B.U. 701: GSN DPO DSO Sr. DSO	5 Days	5 Days	5 Days	10 Days	N/A	N/A	30 Days from receipt of Department's written decision
SEIU Local 721 B.U. 702: SDSO SDPO	10 Days	10 Days	10 Days	10 Days	N/A	N/A	30 Days from receipt of Department's written decision
SEIU Local 721 Clerical, Janitorial, Admin., Tech. and Staff Services Support	10 Days	10 Days	10 Days	10 Days	10 Days	10 Days	30 Days from receipt of Department's written decision

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL OUTSIDE EMPLOYMENT AND CONFLICT OF INTEREST	Section Number: PDPM-900
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

901 INTRODUCTION

Probation Department employees are prohibited from engaging in any outside employment or activity when it is in conflict with Department employment or their assigned work hours.

Per County Code, the Chief Probation Officer has the right to require Probation Department employees to disclose the details of any outside employment. If necessary, he or she may also require employees to cease outside employment that may conflict with their Probation Department duties and responsibilities.

902 EMPLOYEE RESPONSIBILITIES

Each employee must immediately inform his or her office/facility head in writing of any outside profession, trade, business, or occupation that he or she is engaged in using an *Employee Report on Outside Employment Activities of Full-Time Permanent Employees* form. The information must include:

- The position, title, address, and telephone number of the outside employer
- A description of duties
- The number of hours worked per week
- A work schedule of outside employment
- Any other information that is required in order to complete the form
- Any other information required by the Department head
- The employee's signature

If the employee's outside employment or activity materially changes in terms of employer, duties, working hours, paid status, etc., a new *Employee Report on Outside Employment or Activities* form must be completed.

Additionally, each calendar year, the employee shall report his or her outside

OUTSIDE EMPLOYMENT AND CONFLICT OF INTEREST

employment or activity by submitting a new *Employee Report on Outside Employment Activities* form. Approval may be reconsidered at any time during the year by the office/facility head or Department head.

903 OFFICE/FACILITY HEAD RESPONSIBILITIES

Upon the receipt of written notification from an employee of his or her outside employment or activity, the office/facility head or Department head must ascertain whether or not the employee is in conflict with the provisions of this policy statement.

If it is determined that no conflict exists, the office/facility head or Department head will sign the *Employee Report On Outside Employment Activities* form and return a copy of the form to the employee. The original form must be forwarded to the Personnel Services Office and included in the employee's master personnel file. If the office/facility head or Department head determines that a conflict of interest exists, the employee shall be notified that the employment or activity must be discontinued. An employee may appeal the office head's decision to the Bureau Chief for reconsideration. The employee will be notified in writing of the Bureau Chief's decision, which shall be final. An employee who fails to discontinue proscribed outside employment after final notification is subject to disciplinary action up to and including discharge from County service.

If the office/facility head or Department head determines that no conflict exists, he or she may give Departmental approval for up to one year. At the end of the approved time period, the employee's employment must be reevaluated based on the provisions of this policy statement. Approvals may be reviewed for reconsideration at any point during the year.

904 GUIDELINES FOR REVIEWING OUTSIDE EMPLOYMENT OR ACTIVITIES

Approval of an employee's outside employment or activities is not granted when any one or more of the following exists:

- The employee has a less than competent performance evaluation.
- The employment, by its nature, schedule, or extent, is in conflict with efficiency in County service.
- The employment involves the use of County time, staff, property, tools, records, confidential information, vehicles, telephones, or buildings.
- The employment is directly related to information possessed by the employee as result of his or her position with the Probation Department.

OUTSIDE EMPLOYMENT AND CONFLICT OF INTEREST

- The employment involves the use of a County badge, uniform, and/or the prestige or influence of County employment for private gain or advantage.
- The employment involves work in which information, records, files, or correspondence that the employee has access to might be of value to the employer. For full-time employees, the outside employment requires more than 24 hours per week.
- The duties of the outside employment involved are in conflict with the operation, function, or responsibilities of the Department. In particular, Welfare and Institutions Code Section 16516 and Health and Safety Code Section 1522.4 preclude Probation Department employees from outside employment with placement agencies or group homes.
 - Welfare and Institutions Code 16516(A) states that "No social worker or probation officer acting as an officer of the court for purposes of this chapter shall, directly or indirectly, lobby for, act as a consultant to, enter into a business transaction with, acquire ownership of, or obtain a pecuniary interest in, any business, whether organized for profit or as a non-profit entity, which has received any funds or income from court-ordered child welfare services" Any person who violates Section 16516(A) is subject to civil penalties as ordered by the court. These can include restitution of funds received in violation of this section, statutory damages of no less than \$1,000, actual damages resulting from the violation, termination of the contract, and reasonable attorney's fees.
 - Health and Safety Code Section 1522.4(C)(1) provides that "No employee of a placement agency shall accept any gift or other remuneration of any type from a group home or foster family agency licensee or employee, member of the board of directors, or officer of a group home or foster family agency licensee that exceeds \$320 per year." Pursuant to Health and Safety Code Section 1536.1, the Probation Department is considered a placement agency. Therefore, no employee of the Department, regardless of a specific assignment or position, may accept remuneration, including income, in excess of \$320 per year from a group home or foster family agency licensee.

905 CONFLICT OF INTEREST

Further examples of employment or activities that may represent a conflict of interest with Probation Department employment include, but are not limited to, the following:

OUTSIDE EMPLOYMENT AND CONFLICT OF INTEREST

- Criminal law practice
- Law practice in any case involving a ward of the court where the County is a party to the lawsuit; or where such involvement would be inconsistent or incompatible with the employee's County duties
- Any investigation, consultation, or other work for lawyers or their clients who are involved in any of the activities mentioned in the first two bullet points
- Bail bondsman
- Private investigation or security guard work for firms involved in any of the activities mentioned in the first two bullet points
- Debt Collection
- The employer is a person, firm, or agency with which the Probation Department does business
- The employee has a business partner or is a business associate of anyone with whom the Probation Department does business
- Employment involving counseling of other probation Department employees or probationers and/or their immediate families
- A business relationship with clients under investigation or supervision by the Probation Department
- The administration, consultation, or other involvement in any enterprise doing business with the County or any enterprise preparing to do business with the County
- The employee's Probation Department assignment would unfairly advantage any enterprise doing business with the County or any enterprise preparing to do business with the County

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL EMPLOYEE PERSONNEL FILES	Section Number: PDPM-1000
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

1001 INTRODUCTION

The Personnel Services Office maintains a master personnel file for every Probation Department employee and supervises its use. This section provides detailed information about the procedures and responsibilities that are applicable to employee personnel files. The goal is to ensure that the files are properly maintained for all employees and guarded with the highest degree of confidentiality.

1002 MASTER PERSONNEL FILE

An employee must be notified when a document is placed in his or her master personnel file. Additionally, the provisions of respective Memoranda of Understanding or Agreement must be adhered to when placing documents in an employee's master personnel file.

Master personnel files are confidential and can only be inspected at the Personnel Services Office by:

- Executive staff and their assistants
- Office/facility heads and supervisors when consulting files of past, present, or prospective subordinate employees
- The employee

Any exception to the above requires the written authorization of the employee. Inspection by the employee and/or his or her representative is by appointment only and must be conducted in the presence of an authorized Personnel Services Office representative. Employees or their representatives may not remove or revise any material in a master personnel file.

Personnel files of former employees shall be retained for five years from the date of the termination. After five years, the files may be destroyed.

EMPLOYEE PERSONNEL FILES**1003 OFFICE PERSONNEL FILE**

The office/facility head maintains office personnel files for all employees at his or her work location. The contents include basic personnel data, performance evaluations, and change of status forms retained throughout the period of a person's employment. The contents may also include material such as recent memoranda or letters regarding significantly good or poor performance, committee participation, and public relations activity.

An employee may request that any of the above material be included in his or her office personnel file. Once this material has been reflected in the employee's performance evaluation, it is returned to the employee or destroyed.

The office personnel file is transferred with the employee to each new Departmental assignment. After termination of employment, the file is retained for one year in the last office of assignment and then destroyed.

An employee may review his or her office personnel file in the presence of his or her immediate supervisor or office/facility head. With written authorization from the employee, an authorized representative may also review the office personnel file in the presence of the employee's supervisor or office/facility head. Employees or representatives are not permitted to remove or revise any material in an office personnel file.

1004 REMOVAL OF DOCUMENTS FROM PERSONNEL FILES

The removal of documents from personnel files must be accomplished according to existing law and Memoranda of Understanding/Agreement. Documents removed from an employee's master personnel file must also be removed from the employee's office personnel file and vice-versa.

1005 EMPLOYEE RESPONSIBILITY REGARDING PERSONNEL FILES

Each employee must ensure that his or her files are kept accurate and current by submitting an *Employee Information Update* sheet to his or her office/facility head within five working days of the following changes in status:

- Name
- Home address
- Home telephone
- Person to notify in case of emergency (including address and telephone)

EMPLOYEE PERSONNEL FILES

Failure to comply may result in disciplinary action.

1006 VERIFICATION OF AND RELEASE OF INFORMATION CONTAINED IN PERSONNEL FILES

Verification of information sought on Departmental personnel is limited to confirming that an item of information in the hands of an inquirer is a matter of record.

The Probation Department is obligated to verify and/or release personnel information to agencies and organizations that have a right and need to know. It does so under exacting guidelines based on the overall confidentiality of personnel records, current law, and the need for maintaining the tightest controls over what information is released and to whom. Employees with special concerns that the confidentiality of certain information be preserved should address their requests in a letter to the Departmental personnel officer.

All inquiries regarding past or present employees must be referred to the Personnel Services Office.

The Personnel Services Office:

- Does not release the work locations, home addresses, or telephone numbers of employees
- Does not release or verify any information relating to medical records without the employee's signed permission
- Verifies and provides employee information in an employee's signed credit application and returns the application directly to the source by mail
- Does not verify or release police records to any inquirer without legal authorization.

In the absence of a signed release/waiver from the employee, the Personnel Services Office will only release an employee's date of employment and position(s) held.

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL COUNTY PROPERTY AND PERSONAL PROPERTY	Section Number: PDPM-1100
	Effective Date: July 27, 2010
	Approved By: Donald H. Blevins, Chief Probation Officer

1101 INTRODUCTION

All Probation Department employees are held accountable for the proper and safe use of County property and equipment. This section identifies and explains the regulations for such use and what employee responsibilities exist in the operation and care of County-owned equipment and personal equipment used in County service.

1102 USE AND CARE OF COUNTY PROPERTY AND EQUIPMENT

Equipment, including computers, printers, typewriters, and dictating machines, shall not be removed from any office or facility without the prior written approval of the office/facility head.

Employees are responsible for operating equipment properly and safely and must promptly report any damage to County property or malfunction of equipment. Loss of, damage to, or unserviceable condition of County property must be reported in writing to supervisory staff. Negligence or willful abuse, mutilation, or destruction of County property is grounds for disciplinary action.

1103 LOSS OF PORTABLE EQUIPMENT AND SUPPLIES

Probation Department employees are responsible for the reasonable care and security of the portable equipment and supplies assigned to them. Equipment and supplies refer to any for which the employee is individually responsible, as evidenced by the employee being required to sign for receipt. This includes, but is not limited to, laptop computers, cellular telephones, Blackberry devices, pagers, personal digital assistants, firearms, calling cards, and keys.

The Department will bear the cost of repair or replacement of damaged or stolen equipment and supplies, except in circumstances where the employee did not exercise reasonable care of the items. Examples of reasonable care include, but are not limited to, the following:

- Equipment should not be left in plain view in a vehicle, even if the vehicle is locked, to reduce the temptation of a crime of opportunity. If not carried with the employee, items such as cell phones and laptop computers

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- should either be stored for brief periods in the vehicle trunk, or otherwise out of sight, such as under the seat, etc. These items should not be stored long-term or overnight in a vehicle.
- When not being carried for duty-related purposes, firearms should be stored in the vehicle trunk in a secure firearms storage box. Firearms should not be stored overnight in a vehicle.
- Calling cards should be stored in a wallet or carried by the employee, and PIN numbers should never be stored with the calling card.

Employees will be expected to reimburse the Department for the actual cost of repair or replacement for individually assigned items that are damaged, misused, or lost due to the employee's negligence. Negligence may include, but is not limited to, leaving items unattended, providing unauthorized access to a calling card and/or PIN, leaving a sensitive item in a vehicle exposed to heat, leaving a high-theft item in plain view within a vehicle, or dropping an item, resulting in rendering it unusable.

Note: Notice 1513 (07/19/2007)

1104 RETURN OF COUNTY PROPERTY

County property issued or assigned to an employee shall be surrendered to supervisory staff when an employee transfers to another County department, resigns, or retires from County service. Employees transferring within the Department must also return County property that is specific to their previous job assignment.

1105 MISAPPROPRIATION OF COUNTY PROPERTY

Employees shall not appropriate any County property, evidence, or recovered property for their private or personal use.

1106 PRIVATE PROPERTY ON COUNTY PREMISES

The Probation Department has authority over what items of personal property may be brought into a Departmental work location and may, with cause, require the immediate removal of any item.

Loss of or damage to personal property will be compensated as provided in the County Ordinance.

1107 USE OF PERSONAL CELLULAR TELEPHONES AND ELECTRONIC DEVICES IN THE WORKPLACE

Safety, security, and professionalism are important to the delivery of Probation services. The presence of personal electronic devices can distract employees,

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reflect negatively on the professional workplace environment, and genuinely compromise safety within operational units.

The use of personal cellular phones should be limited during work hours to emergency situations only. Personal cellular phones must remain on vibrate or silent mode while on duty. Child supervision staff in juvenile halls and camps may not use hands-free cellular phone devices (headsets, Bluetooth-like devices, etc.) in the workplace at any time. Any other use of County-authorized cellular telephones and/or hands-free devices in the workplace, if necessary for department business purposes, must be used with professional courtesy to avoid disturbing nearby coworkers.

All non-work related non-emergency personal cellular phone communication shall be conducted during approved break periods only, and away from work stations to avoid disturbing coworkers.

Personal electronic devices are prohibited from being brought into Probation facilities except as defined within this section. Prohibited devices may include:

- iPods, DVD Players, MP3 players, radios, and any other video, television, and/or audio equipment
- Laptops or portable word processors
- Game Boys or other handheld games

Circumstances may exist when devices are needed in the workplace for legitimate County business or for special events. For example, an electronic device may be brought into a juvenile hall with written managerial permission for a limited period of time for a special celebration such as a cultural celebration or dramatic presentation. A personal laptop may be brought into an office as part of a PowerPoint presentation. Each situation where an exception to this is needed should be individually handled on a case-by-case basis with the pre-approval of the workplace director. Area office directors may permit radios in the workplace so long as professional discretion is used to avoid distracting nearby coworkers.

If the need arises, camp directors and juvenile hall superintendents are authorized to prohibit staff and/or visitors from bringing personal electronic devices, including cellular telephones, into their facilities to ensure ongoing safety and security.

Adherence to these standards will contribute to Departmental safety, security, and service delivery goals.

Note: Directive 1121 (03/01/2007)

1108 USE OF FACILITIES HOUSING DEPARTMENTAL STAFF - LIMITATIONS AND PROHIBITIONS

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Facilities housing Departmental staff are to be used for Probation Department and County business only. Exceptions require approval in advance by the Probation Department. Employees shall not engage in any of the following activities in facilities housing Departmental staff:

- Selling of merchandise or services without prior approval of the Probation Department
- Any illegal activity

1109 OPERATION OF VEHICLES IN COUNTY SERVICE

All Probation Department employees who drive in the course of County service must be properly licensed, obey all traffic laws, and use required safety equipment in accordance with the California Vehicle Codes.

1110 DEPARTMENTAL FLEET VEHICLES

The operation of a fleet vehicle is a privilege and a responsibility. An employee who operates a fleet vehicle is responsible for adhering to all applicable laws, codes, County, and Probation policies. Violations may result in the loss of driving privileges and/or disciplinary action.

GENERAL POLICY

Staff shall maintain their respective appropriate class of valid California Driver License, follow all automotive safety procedures, and utilize all safety equipment when operating fleet vehicles. Staff must observe all driving laws, parking signage and are responsible for any traffic and parking violations while a fleet vehicle is in their control (operating) or care (parking/parked). Vehicles are to be locked at all times when not in use and kept clean. A clean vehicle makes a positive representation of the Department. Staff shall remove all personal items, extraneous paperwork, and debris at the conclusion of each workday's journey.

Probation vehicles are not for personal use or for transporting unauthorized passengers. In addition, smoking/vaping of any kind is prohibited in fleet vehicles.

FLEET VEHICLE CATEGORIES, CRITERIA, AND REQUIREMENTS

Fleet vehicles assigned to the various operations shall be designated for use by staff in support of Department services only, such as to provide services to clients and the public. Each operation is responsible for their respective assigned vehicles, for maintaining a log of each vehicle's use (discussed below), and assigning a Vehicle Coordinator or designee to serve as the liaison between the operation and Fleet Management Services (FMS). The Vehicle Coordinator provides direction,

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instruction, oversight, data collection, and reporting of all matters related to the operation's assigned vehicles.

Pool Vehicle – A vehicle that is readily available for use by more than one staff performing County business. Pool vehicles are assigned and managed by each Bureau. These vehicles are utilized for transporting staff and typically do not have specialty equipment. These types of vehicles may not be assigned to the same employee for more than ten (10) consecutive days without written justification and approval by the Department Head or Chief Deputy.

Each Bureau that is assigned pool vehicles shall utilize a Vehicle Reservation Log to reserve Department vehicles for use. Each time a Probation staff utilizes a vehicle, they shall complete the required Fleet Vehicle Usage & Pre-Inspection Log. These logs, along with lists of approved maintenance and fueling sites, are available on Probnnet under the forms section, Fleet Management forms.

Field-Use Vehicle – A County vehicle that is garaged at a County/government facility and normally has specialized, non-portable equipment or instruments installed, built or modified to carry special materials, or to perform a specific job function for the Department. Some field-use vehicles may be assigned to specific individuals based on a high volume of field work required for a specific position. These vehicles may be assigned to specific individuals via a completed Employee Assigned County Vehicle Agreement form.

Specialized operations (e.g. Transportation) that require the regular daily assignment of at least 15 or more field-use vehicles to operate their program shall keep a record of their vehicle assignments and supporting documentation. These records shall be made available in the event of an audit or as requested by FMS.

Home-Assigned Vehicles – Garaged at specific staff residences. The authority to assign take-home vehicles is exclusively the Department Head's. The parameters for approval for home-assigned vehicles shall be based on operational need, and not determined solely on hierarchy or seniority within the Department. Staff requesting to house a fleet vehicle at their residence shall complete the Employee Assigned County Vehicle Agreement form, obtain the appropriate signatures, and forward the form to FMS.

The issuance of home-assigned vehicles should adhere to the following criteria:

- The employee needs special non-portable equipment/instrument or material to perform primary emergency response duties, and such equipment/instrument or material cannot be conveniently carried in the employee's personal vehicle;
- The employee has primary emergency response duties, and reporting locations are deemed dangerous or inaccessible using a regular passenger

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vehicle or light truck;

- The employee's assignment involves frequent activities conducted during non-business hours at various locations throughout the County; or
- Other department-specific written justifications authorized by the CEO.

The Department shall comply with procedures stated in the Auditor-

Controller's Handbook for the Reporting of the Personal Use of County-Provided Vehicles (Handbook) for all home-assigned vehicles. The Handbook includes maintaining a log for all miles driven in a home-assigned vehicle. Annually, the Auditor-Controller shall calculate the imputed taxable income for an employee's personal use of a home-assigned vehicle.

The authorization for home-assigned vehicles must be obtained every calendar year for continued use of such vehicle. The Employee Assigned County Vehicle Agreement form must be submitted by October 31st of each calendar year to coincide with the annual reporting requirements.

Individuals who drive unmarked vehicles to and from home may be subject to taxation for the commute portion of the vehicle's mileage. Unmarked law enforcement vehicles are qualified nonpersonal use (nontaxable) vehicles only if:

- The employer officially authorizes personal use;
- Personal use must be incident to use for law enforcement purposes (e.g., no vacation or recreation use);
- The employer must be a government unit responsible for crime prevention or investigation; and
- The vehicle must be used by a full-time law enforcement officer authorized to carry firearms, execute warrants and make arrests. The officer must regularly carry firearms, except when it is not possible to do so because of the requirements of undercover work.

Note: Except as defined above for home-assigned vehicles, fleet vehicles shall not be used to supplement in whole or in part for commute between an employee's residence and work location. The Internal Revenue Service (IRS) describes home-assigned vehicle as compensation for which the operator of the vehicle may be liable for income taxes. IRS codes and regulations can be complex, and individuals who are authorized to have a take home vehicle should research their circumstances and the full extent of IRS regulations for potential taxability of their commute miles.

FLEET VEHICLE REPORTING REQUIREMENTS

Fleet Vehicle Usage & Pre-Inspection Log

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The Fleet Vehicle Usage & Pre-Inspection Log shall be utilized to account for the location and daily utilization of all Probation fleet vehicles. All sections of the form must be completed for each trip and the log is to be kept with the vehicle for the duration of each month. Staff shall make an exterior and interior inspection at the beginning of each journey, noting any damage or issues on the log. Issues that would affect the safety of the driver or public shall be reported immediately to the Vehicle Coordinator and FMS for repair. Vehicles are not to be used until all safety repairs are completed. The Vehicle Coordinator shall collect and forward the completed log to their respective operation's Director/Manager for review by the fifth day of each month.

Monthly Mileage Report

The Vehicle Coordinator shall complete the Monthly Mileage Report at the end of each month, summarizing the mileage of all the vehicles in their operation, and forward the completed report to their respective Director/Manager for review by the fifth day of each month.

The completed Fleet Vehicle Usage & Pre-Inspection Log and Monthly Mileage Report are to be maintained on file by the Vehicle Coordinator for five years and made available upon request by FMS or for audit purposes. In addition, a copy of the completed Monthly Mileage Report shall be forwarded to FMS via email to FleetManagement@probation.lacounty.gov by the 10th of each month.

Location and Transfer of Fleet Vehicles

FMS maintains a database of authorized garaging locations for each fleet vehicle. An employee who utilizes a fleet vehicle shall ensure that the vehicle is returned each day or after each journey to its designated garage site. In order to change the garaging location, staff must complete and forward the Vehicle Location Change form to FMS. The form must be received by FMS prior to changing garaging location.

A written business-need justification is required for any employee who is allowed to regularly park (such as overnight parking) a fleet vehicle at a location which is not the employee's normal work location, but which is more proximate to the employee's residence. Parking a fleet vehicle proximate to one's home (e.g., nearer to home, such as a law enforcement station or other government parking lot) without a pre-approved business need may be a taxable event to the employee per IRS regulations.

As noted above, overnight parking locations shall not be established for the convenience of staff or with close proximity to their home unless there is a documented business need. Fleet vehicles shall be regularly garaged at a facility located convenient to County utilization, without regard to the employee's commute. An employee's authorization for garaging a fleet vehicle at another facility may be

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discontinued at the discretion of their respective management.

The transfer of a fleet vehicle from one operation to another within the same Bureau must be authorized by the respective Directors/Managers, utilizing the Vehicle Location Change form. The completed form shall be forwarded to FMS for processing to ensure Fleet records are updated.

Vehicles that are deemed no longer needed by their assigned Bureau shall be remanded to FMS for reassignment or salvaging.

Vehicle reassignment shall be based on operational need and with consideration of any requests for vehicles on file with FMS. FMS will assess available vehicles and facilitate any required modifications based on the needs of each operation. Removal and reassignment of vehicles from one operation to another will be based primarily on Department-wide priorities and the record of the vehicle's recent use.

VEHICLE PREPOSITIONING FOR EMERGENCIES

Each operation is responsible for conducting monthly assessments of their vehicle needs in the event of an emergency and/or evacuation. A critical component of the criteria for determining the number of vehicles needed at the juvenile detention facilities is evacuation of youth and staff. Each operation shall ensure the drivers of vehicles have and maintain the appropriate driver license to operate such vehicles. Each operation shall ensure vehicles are maintained in accordance with policy, fueled, and the vehicle keys are readily available, including designated key storage to facilitate rapid evacuation in the event of an emergency.

FLEET VEHICLE REQUESTS

Requests for new vehicles are the responsibility of each operation and are subject to the normal procurement process. Requests for additional vehicles from existing fleet are subject to vehicle availability and operational need. Requests to add a vehicle to an operation are submitted to FMS via the Vehicle Request form. In the event no vehicle is available, FMS will monitor availability until fiscal year end.

Requests for temporary vehicles shall be made to FMS with at least 48 hours' advance notice. Vehicles shall be returned within 24 hours after the business need concludes.

VEHICLE KEYS

Each Vehicle Coordinator shall ensure a process is in place to track and account for all vehicle keys assigned to their respective operation. Under no circumstances should an employee be allowed to take home vehicle keys for any pool vehicle without a justified business need. The Vehicle Coordinator shall conduct monthly key

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audits and ensure there is always at least one key available for each vehicle. Lost keys shall be reported to FMS, within 48 hours, along with a Special Incident Report so replacement keys can be ordered.

VEHICLE AUDITS

In conjunction with Management Service Bureau's Asset Management Unit, FMS shall conduct bi-annual audits of each operation with assigned vehicles. Each audit will result in the distribution of a report of findings that will be provided to the applicable Deputy Director for follow-up. The audit will consist of:

- Review Vehicle Reservation Log to ensure pool vehicles are made available to staff;
- Ensure vehicle assignment matches information on file;
- Ensure fleet vehicles are in good working condition and free of damage;
- Ensure Vehicle Coordinator is conducting monthly key audits;
- Review Vehicle Usage & Pre-Inspection Logs to ensure logs are completed and reviewed by management;
- Review Monthly Mileage Reports to ensure mileage is being reviewed by management; and
- Confirm accident reporting documents are in each vehicle.

Audits shall be scheduled through the Vehicle Coordinator to ensure their respective records and vehicles are available at the time of the audit. Distribution of audit results will include the operational Bureau Chief and Deputy Director.

ALTERATION TO FLEET VEHICLES

Probation staff are prohibited from making any alterations to fleet vehicles. Prohibited alterations include, but are not limited to: audio equipment, window tinting, lights, placement of decals or other cosmetic attachments, and changes to the engine/performance of the vehicle. The removal of seats from 12 or 15-passenger vans in an attempt to meet the staff's driver license classification is also prohibited. A Class B driver license is required for passenger vans originally manufactured with a seating capacity of more than 10 persons. Removing seats does not overcome the Class B requirement.

Any alteration to fleet vehicles requires a written justification and preapproval from the applicable Bureau Chief, with a final review and authorization from FMS. Alterations shall be coordinated through FMS and completed by ISD.

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FLEET VEHICLE TRAVEL AND USE RESTRICTIONS

It is at the discretion of the Department Head to allow staff to utilize a fleet vehicle to conduct official County business in nearby counties (Reference: Los Angeles County Code: 5:40.120). Staff who travel to a nearby county in a fleet vehicle on official County business shall notify their Director and provide information on the specific location to which they travel and the nature of the official business.

GLOBAL POSITIONING SATELLITE TRACKING SYSTEM

Global Positioning Satellite (GPS) devices that are installed on specific Probation fleet vehicles enhance employee safety by providing a means to monitor the location and status of vehicles while they are used for Department services. In addition to real time information, the GPS tracking system allows monitoring of archived vehicle information such as location, speed, and other information related to operational status of fleet vehicles.

Access to the GPS tracking system is limited to FMS and restricted to a legitimate business need to access vehicle information. The ability to generate reports or produce data related to the operation of fleet vehicles is the responsibility of FMS. Requests for GPS information and/or reports shall be made directly to the Fleet Manager to ensure records are correct and remain confidential.

Reports may be used at the discretion of the Department to monitor the appropriate utilization and operation of vehicles, and can be used as basis for disciplinary action. Requests for reports in connection with formal departmental investigations shall be coordinated through the Department's Internal Affairs section.

FLEET VEHICLE MAINTENANCE

Consistent fleet vehicle maintenance assists in supporting operational efficiency, reduces overall repair costs, and supports safety for both staff and the public. The three vehicle maintenance components are:

- 08-Vehicle Inspection for passenger vans due every 45 days;
- Basic Inspection of Terminals (BIT) for heavy trucks, heavy cargo vehicles, and buses due every 90 days; and
- General Preventive Maintenance (PM) required for all vehicles every six months or 5,000 miles, whichever occurs first.

Each operation is responsible for monitoring the maintenance of, as well as the record keeping for, their assigned vehicles. To assist with facilitating maintenance compliance, FMS will provide monthly reports to each operation's Vehicle Coordinator identifying vehicles that are due for their scheduled service.

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Vehicles that appear abandoned, unused/or seldom used, or overdue for maintenance by more than 60 days may be driven or towed at the discretion of FMS to the nearest ISD maintenance garage for service. Advance notice will be provided to the applicable vehicle liaison. Such vehicles may be deemed unsafe for use, as the functional integrity of the vehicle may be compromised. Vehicles identified in this category may be subject to reassignment at the discretion of FMS.

UNDERUTILIZED VEHICLES

Vehicles are considered underutilized if driven less than 5,000 miles or 50 substantive times annually. Such vehicles should be returned unless justified based on operational requirements. FMS shall conduct periodic utilization assessments of its fleet and identify vehicles that do not meet utilization guidelines. These vehicles are subject to reassignment by FMS as appropriate based on operational needs. Reports of underutilized vehicles will be provided at least quarterly to all Deputy Directors for consideration of reassignment. A single location with multiple underutilized vehicles will be considered for consolidation of the location's pool vehicle fleet.

DAMAGE AND ACCIDENT REPORTING

If a vehicle becomes damaged or involved in an accident, staff is advised to follow the following procedures:

1. Exchange insurance information with the other party or parties by showing the Notice of Self-Insurance that is provided within each vehicle. Do not admit to fault or liability;
2. Within 24 hours of the accident, contact Carl Warren and Company, the County's claim administrator, at (818) 247-2206 to inform them of the accident. In addition, contact shall be made to FMS at (323) 226-8828 to inform them of the accident for follow-up and tracking of the vehicle; and
3. Within three business days of the accident, complete the County of Los Angeles Report of Vehicle Collision or Incident form and submit the completed form to your supervisor. Copies shall be forwarded by the supervisor to the Department's Risk Management section and FMS.

Vehicle Coordinators shall ensure the County of Los Angeles Report of Vehicle Collision or Incident form and Notice of Self-Insurance are kept in each of their respective operations' assigned County fleet vehicle's glove compartment, at all times. A copy of these forms can be obtained from FMS.

COUNTY PROPERTY AND PERSONAL PROPERTY**FUELING OPTIONS**

Staff shall refer to Directive #1262, Accessing Fuel for Departmental Fleet Vehicles for procedures to request and access fuel for departmental fleet vehicles.

TOW REQUEST PROCEDURES

To request a tow, contact the Department's towing contractor, City Terrace Towing (800) 262-8059. Please be able to provide the following information available when placing your call:

- The vehicle number;
- The vehicle license number;
- The vehicle's make, model, and color; and
- The location of the vehicle.

Staff contacting the towing contractor shall wait for the tow truck to arrive. If it is not safe to wait by the vehicle, advise the tow service of the location where you will be waiting.

If you are able to resolve the vehicle issue after having called for tow service, call back immediately to cancel the request.

In most cases, the vehicle will be towed to the nearest assigned contractor repair location. However, under special circumstances, the vehicle may be towed to the nearest repair location (e.g., nearest dealership) regardless of the contractor assignment. You may ride with the tow truck driver to the location where the vehicle is being towed. If a pool vehicle is available at that location, you may be able to check it out to continue your business. However, if you do not wish to ride in the truck or a pool vehicle is not available, it is your responsibility to consult your supervisor and make other arrangements.

In addition to towing Department fleet vehicles, the towing contractor will also respond to the following service calls:

- Open fleet vehicle due to lockout.
- Install a spare tire in the event of a flat tire.
- Provide up to five (5) gallons of emergency fuel.
- Winching out due to a vehicle stuck in a ditch, sand, or mud.

The towing contractor is mandated to respond to the service call within one hour of any of the above-detailed requests being made.

MOVING & NON-MOVING VIOLATIONS

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The Department assumes no responsibility or obligation to pay for any citations issued for a moving or parking violation(s) while operating fleet vehicles. All fines and costs associated with the citation are the responsibility of the employee.

USE OF ELECTRONIC DEVICES

California law bans the use of handheld cellular telephones or any other handheld communication device while driving.

DMV PULL NOTICE PROGRAM

Probation's Employer Pull Notice (EPN) Program will be utilized to promote driver safety through the ongoing review of driver records to monitor for safe driving practices and ensure that staff maintain valid licenses.

Once an employee is enrolled in the Program, management will be notified if there is a change in an employee's license status, including moving violations, driving under the influence, revocation of license, or if other adverse activity appears on their driving record. Dependent upon the severity of the matter, Probation Internal Affairs and/or Professional Standards will be notified.

The Pull Notice Program is a recommended practice by the County's CEO – Risk Management Office and is adopted by the Probation Department.

1111 GENERAL RULES FOR THE OPERATION OF ALL VEHICLES - COUNTY OR PRIVATE

All employees who are required to drive during the course of employment must have the appropriate valid California driver's license. The validity of licenses will be reviewed annually at the time of the performance evaluation.

In the event of an accident while on County business, the driver shall promptly notify his or her immediate supervisor and prepare a *County of Los Angeles Report of Vehicle Accident or Incident* (form 76V54A) as soon as he or she is reasonably able. If the driver is unable to complete the accident form for any reason, it shall be completed by the immediate supervisor upon notification of the accident.

1112 COUNTY VEHICLE OPERATION

When a County vehicle is assigned to a particular individual, he or she is responsible for ensuring that the vehicle is regularly inspected, serviced, and maintained free of defects. When a County vehicle is assigned to an office or facility, the office/facility head is responsible for ensuring that all drivers immediately report observed vehicle service concerns. Every work location where County vehicles are assigned must establish and maintain logs for trips, maintenance, inspection, and servicing records

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on each vehicle, including reports of theft or vandalism.

Unauthorized passengers and/or loads in County vehicles are prohibited.

1113 PRIVATE VEHICLE OPERATION

Employees may be required to drive their privately owned vehicles in County service on a mileage reimbursement basis when the office/facility head determines there is a need to do so. Any restriction, suspension, revocation, or expiration of their driver's licenses must be reported immediately to their office/facility head.

1114 ACCIDENT REVIEW COMMITTEE

All vehicle accidents involving Probation Department personnel driving a vehicle owned by the County of Los Angeles or driving their personal vehicle as an authorized mileage permittee shall be investigated. The Department's Accident Review Committee will investigate all findings.

Upon receiving notice of the accident, the director shall complete an investigation of the accident within 10 working days and write an investigative report. Staff involved in the accident should complete and submit a *County of Los Angeles Report of Vehicle Collision or Incident* (SH-AD665/76V54) form and submit it to their director. The director's investigative report should include a statement indicating the cause of the accident, a written statement from the staff involved, and any corrective action recommendations.

The director must submit one copy of the investigative report with all attachments to his or her Bureau Chief. A second copy must be submitted to the Probation Department's Office of Risk Management (9150 East Imperial Highway, Downey, California, 90242).

The Office of Risk Management will convene a monthly meeting of the Department's Accident Review Committee to read and discuss accident reports submitted by directors. The purpose of this review is for the committee to determine if the corrective action recommendations are in compliance with Departmental guidelines and have been implemented.

Note: Directive 959 (11/04/2003)

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL COMPUTER EQUIPMENT AND DATA SECURITY	Section Number: PDPM-1200
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

1201 INTRODUCTION

Probation Department employees who have access to computer equipment, systems, and confidential data owned by the County are responsible for protecting and maintaining security of these systems and data. This section governs the use of Probation Department information technology resources. It also communicates to all Probation Department employees, volunteers, contractors, and consultants what their responsibility is for acceptable use and care of Probation Department information technology resources.

1202 NETWORKED COMPUTING POLICIES

Networked Information Systems Usage/Probation Department Policy/Procedure

In this section, the term *user* broadly refers to paid employees, students, volunteers, interns, consultants, contractors, and any other persons who represent Probation Department in the course of their work duties.

By logging on to the computer system, the user acknowledges that he or she understands and accepts the terms and conditions of this policy.

Policy

The scope of this policy includes all aspects of the networked computing environment in the Probation Department, whether or not the equipment is connected to the Department's network (hereafter referred to as the Probation Department Network). This includes all desktop and notebook computers, as well as other information devices such as Personal Digital Assistants (PDAs) and wireless devices.

The Probation Department network includes all servers and workstations connected to it via direct or remote connection. By extension and for this policy, it also includes portions of LANet and other County information systems.

Where it comes into conflict with other existing Departmental policies, this section must take precedence (unless the other policies contain higher levels of security

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and control requirement), until the conflicting policies are reconciled.

The Probation Department Information Systems Bureau, Administrative Services, Detention Services, Juvenile Institutions, Field Services, Adult Field/Special Services, Juvenile Field Services, Juvenile Special Services, Residential Treatment Services, Quality Assurance Services, Management Services and managers of all units must carry out the enforcement of this policy where appropriate.

Failure to comply with any part of this policy is grounds for disciplinary action up to and including discharge.

Administrative Control

The Information Systems Bureau's Departmental Information Security Officer (DISO) is the designated person with functional responsibilities for Probation Department data security and control. The Departmental Information Security Officer reports to the Probation Department's Chief Information Officer (CIO).

Training in areas of computing and security policies must be provided to all users in appropriate forms (e.g. training sessions, manuals) and other documents.

This policy will be included in the list of policies each user must review to be certified on the Department's *Annual Policy Certification* form, if applicable.

Certain projects and programs within the Probation Department might require a higher level of security than this document specifies because of their sensitive nature. Users may be required to sign other documents when performing tasks that demand higher levels of security.

All managers are responsible for enforcing this policy in their respective units. Managers are also responsible for quarterly reviewing the security compliance in their respective units and reporting the status to the DISO.

Note: Directive 1127 (04/24/2007)

1203 PASSWORD SECURITY**Network Security**

Network access authorization is required and must be specifically requested and granted based on the user's business need.

There is a procedure for requesting network access. Users must request access by submitting a *Systems Registration* form. A manager at the level of director or higher must sign the form.

COMPUTER EQUIPMENT AND DATA SECURITY**User Passwords**

A network password allows the user to access predefined network resources, such as the user's specific data directory on the server. In addition to ensuring authorized access, the use of a network password creates a method for audit. Each user is responsible for any activity carried out under his or her credential (user ID and password). To ensure accountability, individual users must not share their network passwords with anyone (including a supervisor).

Other Password Applications

Both commercial and in-house password developed applications may provide password protection to specific resources or data. Users must treat such passwords in the same manner as the network password.

Account Policy

The Probation Department Network account policy is implemented via Novell Netware. It is defined as follows:

- Maximum password age: 90 days
- Minimum password age: one day
- User ID: user's first initial and full last name (and, when necessary, 1, 2, 3); the official name on record with Human Resources must be used
- Minimum password length: eight characters
- Complexity required (must be alphanumeric)
- System remembers last six passwords
- Account lockout after five bad attempts
- After a lockout, a user must contact the Information Systems Bureau Centralized Help Desk to have password reset
- Connection will expire after logon hours expire; logon hours are based on need

Remote Access

Remote access to any Probation Department information system resource must be via the Probation Department's approved channels.

COMPUTER EQUIPMENT AND DATA SECURITY**Control and Change**

Managers must use the *Systems Registration* form for adding, deleting, transferring, or changing a user's level of access and requesting data folder creation/access.

Note: Directive 1127 (04/24/2007)

1204 DATA SECURITY**General Information**

Employees must not divulge confidential data to unauthorized persons or use identifying data for instructional purposes. Employees are required to destroy computer output which contains confidential data when it is no longer needed. Backup copies of data on tape, cassette, or diskette will be stored in the appropriate designated area to be kept safe from theft, damage, or loss.

No fictional or erroneous material can be put in a County system unless a test or training database has been established for that purpose.

Employees must not use County computer systems for personal reasons or attempt to access a system without authorization. Employees shall not attempt to access a County system from a remote location unless the Department has given express permission to do so. The unauthorized release of confidential data by employees may result in disciplinary action.

Data Classification

Internal Data is confidential information that only authorized Probation Department and contract agency users may access. Public Data is information that can be accessed by the general public.

Network Storage

All users of networked workstations must store data in network folders designated by the Information Systems Bureau. This may include the user's electronic personal home folder.

The Information Systems Bureau network staff must backup the network servers and data residing on the designated network directory daily.

Local Storage

Classified information must not be stored locally (i.e. the hard drive of a desktop,

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notebook computer or CD, DVD, FD). Printing a hard copy of classified sensitive information requires approval of the user's manager. The hard copy must be securely stored.

Sensitive data must not be stored on removable devices (e.g., diskette, ZIP or JAZ cartridges, CD-ROM, DVD, or FD).

When sensitive data must be stored on notebook computers while not connected to the Probation Department network, the hard drive must be encrypted.

Note: Directive 1127 (04/24/2007)

1205 PHYSICAL SECURITY**Server**

All server equipment must be located in a secure area inside a secured County building. Access to this area must be controlled. Any unauthorized access to the server area must be reported to the DISO.

Transport of any equipment in or out of the server area requires prior approval of the Information Systems Bureau's network manager.

Other Network Equipment

All routers, switches, and storage devices must be located in a secured area, or in locked cabinets, inside a secured County building. Only authorized personnel may have access to these areas/cabinets.

Workstations

Workstations are defined as all desktop and notebook computers and other data devices, whether connected to the Probation Department Network or not. All workstations and related components (e.g., monitor, printer, scanner, copier, fax machine, or external storage devices, etc.) must be secured.

Computer equipment casing must not be opened. Information Systems Bureau staff must perform all hardware repairs and upgrades.

Personal equipment, including computers and peripherals, are not permitted on the Probation Department network.

Note: Directive 1127 (04/24/2007)

COMPUTER EQUIPMENT AND DATA SECURITY**1206 PERSONAL COMPUTER SOFTWARE SECURITY**

Employees who use County desktop personal computers shall take measures to prevent theft or unauthorized copying of software. Unauthorized copying of packaged software is usually a violation of software licensing agreements and/or Copyright Law and can result in legal action by the manufacturer. When applicable, employees shall inform themselves of manufacturers' restrictions of copying by examining package wrappings or manuals for notices and shall comply with such notices.

Privately owned software purchased for home computers shall not be brought to work for use on County-owned computers, as it could violate copyright law. Unauthorized duplication of software developed on County-owned computers is prohibited.

1207 PERSONAL AND/OR CONFIDENTIAL INFORMATION ON PORTABLE COMPUTING DEVICES

The Los Angeles County Board of Supervisors has adopted a policy (*Policy No. 3.040*) to protect personal and/or confidential information on portable computing devices.

The Department does not encourage the practice of employees placing (via download or input) personal and/or confidential information on portable devices such as laptops, USB drives, etc. However, during the course of business, an employee may need to place personal and/or confidential information on portable devices. There are risks involved in the event that the personal and/or confidential information is lost or stolen. Therefore, every effort must be made to protect the information from unauthorized access. The Probation Department has taken the steps necessary to protect personal and/or confidential information on portable computing devices by installing automatic full disk encryption.

Examples of personal and/or confidential information include, but are not limited to, the following:

- Personal medical condition or related information
- Social Security Number (SSN)
- Personal or family information
- Probationer's names/ages
- Personal or business partner financial data, including credit cards, bank routing numbers, and bank account information

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- Personal information provided by constituents in the course of delivering any public health or social service (name, address, phone, SSN, family names, personal historical detail, etc)
- County financial data not deemed public by the Public Records Act
- Employee performance reviews, discipline reports, and other personnel data
- Information related to in-progress legal proceedings
- A combination of a logical address, User ID, and password
- County-owned or third-party Intellectual Property

For more information on encryption and protection of data, please contact the Help Desk at (866) 607-3171.

All employees are required to have written authorization signed by the director and Bureau Chief to allow the employee to place personal and/or confidential information on portable computing devices. The employee must also sign the authorization indicating acceptance of the information and acknowledging his or her understanding of his or her responsibility to protect the information. The form is available on ProbNet. The authorization will be placed in the employee's master personnel file.

A report must be submitted under Board of Supervisors Policy No. 6.09 (Security Incident Reporting) in the event the portable storage device or laptop is lost or stolen. The employee must be able to recreate the personal and/or confidential information with 100 percent accuracy (by keeping a back-up file on the Probation network), and must be able to provide notification to the affected persons/entities.

Employees who violate this policy may be subject to appropriate disciplinary action up to and including discharge, as well as civil and criminal penalties. Non-employees, including contractors, may be subject to termination of contractual agreements, denial of access, and/or civil and criminal penalties.

Note: Directive 1168 (05/19/2008)

1208 COMMERCIAL SOFTWARE**Standard**

The Probation Department's approved list of commercial application software is

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shown in the *Application Software Standard*. Installation of any other software requires the approval of the DISO. Users or units must submit a written request with justification to the Information Systems Bureau.

If non-standard software interferes with network security, the functions of the operating system, standard software, or any hardware component, the non-standard software will be removed.

Instant Messaging and peer-to-peer file sharing software are strictly prohibited. Any other software that bypasses the Probation Department and/or the Los Angeles County network security perimeter control without specific authorization is strictly prohibited.

Copyright Compliance

The Probation Department holds license agreements with makers of standard software. To comply with the license requirements, only authorized Information Systems Bureau staff are allowed to perform installations or upgrades. Users of non-standard software are responsible for copyright compliance.

Unauthorized copying and installation of any software are violations of federal law. Removal or moving of software may be a violation of the license agreement. Personal copies of software must not be installed on any County computer.

Application Software Developed by Probation Department

All software developed by the Probation Department, whether internally or by contracted entities, is considered to be the property of the Probation Department.

Software development must follow standard industry guidelines. Prior to use, all software also requires review and approval by the Probation Department CIO.

Note: Directive 1127 (04/24/2007)

1209 EQUIPMENT

Food, liquids, smoke, heat, and magnets must be kept away from computer equipment. Software must be stored in a place safe from dirt and dust.

Equipment should have a dedicated circuit and may not be moved or unplugged without the authorization of a designated supervisor. It must be placed on sturdy and stable furniture. It must also be secured from falling and protected from theft by locking devices on the equipment itself or by securing the area.

Computer equipment, including software, shall not be removed from County

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premises without prior written approval. Damage or theft of equipment must be promptly reported to the immediate supervisor.

1210 ELECTRONIC MAIL AND INTERNET/INTRANET SECURITY

Email is a form of communication. As such, all applicable laws and regulations, and County and Departmental policies and procedures governing communication also apply to email.

There shall be no expectation of privacy when using the County email system, the Internet, and the Intranet.

Messages sent or received through internet email are not secure. Confidential documents and information as defined by the County and Departmental policies and rules (e.g., CORI) shall not be submitted via Internet email.

Internet email includes all domains other than probation.lacounty.gov. For example, anyperson@yahoo.com is an internet email address.

E-Mail Usage

Email services are provided to all authorized Probation Department staff. Email account authorization is granted along with a user's network access.

Email services are provided for County-related business needs only. Mailbox sizes are limited as follows:

- General users - 250 MB
- Directors/managers - 500 MB
- Executives - 900 MB

Attachment size is set by Los Angeles County Chief Information Office. All users are responsible for the regular maintenance of email accounts, which includes purging and archiving e-mail messages to ensure the mailbox has enough space to receive messages.

Email messages and attachments are the property of the Probation Department and not private communications, whether created or received, and may be subject to review by the Department at any time.

Email may be used to communicate with users in other entities as long as the communication meets professional standards of conduct and is related to legitimate business activities. All users are responsible to report observed

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inappropriate use of email (as defined in this policy). Email communication may not contain any sensitive data or information.

Upon request of the Probation Department's Internal Affairs Office, the Chief Deputy Probation Officer, or the Auditor Controller, the Probation Department may access any user's email. The aforementioned notwithstanding, the Department will not routinely monitor an individual user's email and will take reasonable precautions to protect the privacy of email. Supervisory and management staff may access a user's email when business operations require it (e.g., when an employee is on vacation or otherwise absent from work).

Technical staff from the Information Systems Bureau may access a user's email to diagnose and resolve technical problems involving system hardware, software, or communications. Except as previously noted, a staff member is prohibited from accessing another user's email without his or her permission.

Email messages may be retrieved by the Department (including messages deleted by users). Such messages may be used in disciplinary actions. The contents of email will not be accessed or disclosed other than for investigative or security purposes, or as required by law.

Employees may not use email for transmission of the following information:

- Discrimination on the basis of race, creed, color, gender, religion, disability, or sexual preference
- Sexual or other forms of harassment or threats, including the display or transmission of sexually explicit images and text as well as the use of racial epithets or ethnic slurs
- Copyright infringement
- Personal, political, or religious beliefs
- Personal business interests, including any activities such as sales, consulting for pay, moonlighting, etc.
- Anonymous email or email in which an individual is impersonated
- Chain letters
- Spamming (email to large numbers of people that contain unwanted solicitations or information)

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- Any messages or attachments that can adversely affect network performance (because of large size, etc.); users who are uncertain about whether particular information should be distributed by email should contact the Information Systems Bureau Help Desk at (562) 940 -3171.
- Obscene language
- Virus alert (Users who suspect an email contains a virus should contact the Information Systems Bureau Help Desk. The only individuals authorized to broadcast warnings about viruses to all Probation Department employees are the Executive Leadership Team and the Information Systems Bureau network staff.)
- Any other information that would jeopardize the legitimate interests of the Department
- Any unlawful or malicious activity

To access email, a user must supply his or her network credential (user ID and password) either as part of the logon process to the Probation Department Network or to Outlook web access. In order to access County email outside of the L.A. County Network, a user needs a SecureID card.

Directories of Probation Department employee email addresses must not be made available for public access.

The Probation Department may deem certain email messages and/or attachments business records. Such messages and attachments must be retained as required by the Department's record retention policies. Users must retain all such messages and attachments, either as paper records or electronic file copies, in an existing filing system outside of email for as long as operational, legal, audit, research, or other requirements dictate. Users must dispose of email system records, but only after they have been filed in a record keeping system.

Protection Against Computer Viruses

Users must not open email messages, and particularly any attachment inside messages, if they suspect a virus might be present. Contact the Information Systems Bureau Help Desk (562) 940-3171 for further direction.

Information Systems Bureau staff will make every attempt to notify all users of any viruses or worms that have infected email messages. Upon such notification, all users must completely delete messages identified in the notification. In Microsoft Outlook, this requires deleting messages from the Deleted Items folder as well as from the Inbox.

COMPUTER EQUIPMENT AND DATA SECURITY

If you suspect that an email contains a virus, do not attempt to send out an alert. Instead, contact the Information Systems Bureau Help Desk. The only individuals who can broadcast warnings about viruses to all Probation Department employees are the Executive Leadership Team and the Information Systems Bureau network staff.

Investigation of Suspected or Demonstrated Inappropriate Email Usage

Inappropriate email usage by a user reported to a facility/ division director, Bureau Chief, Administrative Deputy, or Chief Deputy Probation Officer must be investigated promptly. The Departmental facility/division director, Bureau Chief, Administrative Deputy, or Chief Deputy Probation Officer must first contact the Information Systems Bureau Data Security Unit. Together, they may take any or all of the following actions as appropriate:

- Report the incident to the Internal Affairs Office
- Ask the employee how the email is related to Department business
- Review the email message(s) and attachments involved

If the investigation does not substantiate the report of inappropriate email usage, either the Departmental facility/division director, Bureau Chief, Administrative Deputy, or Chief Deputy Probation Officer must stop the investigation immediately, advise the employee, and take no further action.

If the facility/division director, Bureau Chief, Administrative Deputy, or Chief Deputy Probation Officer deems the email message to be inappropriate for any reason, he or she must check with the Department's Chief Information Officer to ascertain if there are/were any other known email offenses by this employee.

Disciplinary actions, if any, will be in accordance with relevant County regulations and civil service regulations. If a facility/division director, Bureau Chief, Administrative Deputy, or Chief Deputy Probation Officer determines that the employee's email access privileges are to be suspended or revoked, he or she must promptly notify the Department's Chief Information Officer.

The Department's Chief Information Officer must suspend/revoke email access immediately upon being notified by the employee's Departmental facility/division director, Bureau Chief, Administrative Deputy, or Chief Deputy Probation Officer. The email account will remain closed until the matter is resolved.

Note: Directive 1127 (04/24/2007)

COMPUTER EQUIPMENT AND DATA SECURITY**Electronic Mail Retention**

Email is defined as any message sent or received through or stored on Probation's email servers. Such email may include, but is not limited to, correspondence, attachments, calendar schedules, and forms transmitted electronically.

- The Probation Department will retain electronic mail and attachments in inboxes, outboxes, and folders on its central email servers for six-months after emails have been received or sent.
- All email and attachments remaining on central email servers longer than six-months will be automatically and permanently deleted.
- Individuals have the ability to save copies of email and attachments before the six-month period expires by transferring them to other electronic environments and media, or by copying them on paper.
- In the event of an investigation, upon notification to ISB, the mailbox will be placed on a hold status to retain the information for a longer period of time until the investigation has been completed.

Senders and recipients of email are responsible for identifying and saving documents that must be retained in order to comply with federal, state, or local laws, Probation policies, directives, or for other reasons.

Note: Notice 1541 (01/03/2008)

E-Mail Signature Policy

In order to comply with County information technology policies and standards, the Probation Department has developed and adopted a policy for email signatures as a standard that pertains to all employees including interns, consultants, contractors, student-workers, volunteers, and any other persons representing the Probation Department. The following format should be used:

- First name, Last Name
- Title
- Bureau and Section
- Department
- Address (optional)

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- Office phone number
- Cell phone number (optional)
- Fax number (optional)
- Department Vision and/or Mission (optional)
- Confidentiality Notice: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the recipient, please contact the sender by reply email and destroy all copies of the original message. (optional)

The following is not permitted:

- Quotes at the end of signatures e.g., *Think of giving not as a duty but as a privilege*
- Graphics or animation
- Cursive fonts (including signatures)
- Background patterns or colors (white background only)

For assistance with email signatures, please use the following link for instructions: <http://probnet/ITsecurity/Help/e-signature-instructions.pdf>

Note: Directive 1175 (09/08/2008)

E-Mail Distribution of Death Announcements

The Department recognizes the sensitivity of death notifications involving Department family members, and the importance of balancing information distribution needs and the concerns of the Probation employee family.

This section establishes the policy to standardize the Department's protocol for the email distribution of death announcements, and/or eliminate multiple email announcements for the same individual.

Only death announcements for an employee (current and retired), spouse, or child will be sent through email to all Probation employees. The work location manager or his or her designee shall prepare an announcement including the funeral and donation information, as applicable, ensure approval of the

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information distribution from the decedent's family, and forward it to HRMO. HRMO will then email the announcement to all Probation employees within one business day of receipt.

This policy does not preclude work locations from sending limited targeted email distribution death announcements for other relatives of an employee (i.e., parents and siblings) within their own work location or to other selected individuals. In keeping with the sensitivity of such matters and the family's right to privacy, any distribution of death announcements must be approved by the decedent's family.

Note: Directive 1115 (12/28/2006)

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL COMMUNICATIONS	Section Number: PDPM-1300
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

1301 INTRODUCTION

All collaborative efforts begin with effective communication. The Probation Department strives to maintain free, open, and direct communication by establishing both formal and informal communication links between Bureaus and with other entities to strengthen bonds and direct processes.

The Department recognizes that communication of its vision, values, and goals to all employees is important to carry out its mission. Therefore, employees should have access to and are encouraged to exchange key information in an appropriate matter according to operational need.

1302 EMPLOYEE RESPONSIBILITIES

Employees are expected to recognize the need for communicating information efficiently, effectively, and appropriately in a timely fashion. A need to communicate is not restricted to but may arise when:

- An employee believes he or she has firsthand knowledge of a matter that may reflect positively or negatively on the Department
- An employee anticipates that a matter may become controversial
- An employee receives a complaint or commendation from another agency regarding the Department's services or operations

1303 RESPONSE TO CITIZENS' COMPLAINTS

Section 832.5 of the California Penal Code requires that specific procedures be established and made public for investigating citizen complaints against Probation Department personnel. All citizen complaints will be taken seriously. The complainant is encouraged to submit his or her complaint in writing.

The Probation Department also has a Department ombudsman who receives, investigates, and responds to citizen and client complaints. The ombudsman's telephone number is (562) 940-2515.

COMMUNICATIONS

1304 COMMUNICATION AND THE CHAIN OF COMMAND

Employee communication is routinely accomplished within the Department's organizational chain of command. However, the effective operation of the Probation Department may require immediate and direct communication among staff outside the formal chain of command whenever the need arises.

Adherence to the chain of command should generally be observed, but should not restrict downward, upward, and/or lateral communication in the Department.

1305 COMMUNICATION WITH OTHER DEPARTMENTS AND AGENCIES

Employees are encouraged to communicate mutual operational concerns to other agency representatives. However, complaints directed to another department or agency should originate from Probation Department office/ facility heads or higher and be made to representatives of equal rank in the agency of concern.

Additionally, communication to another agency requesting consideration of a policy or procedure change in that agency must be submitted to the Chief Probation Officer for prior approval.

1306 COMMUNICATION WITH THE BOARD OF SUPERVISORS

All official employee communication directed to the Board of Supervisors, its individual members, or their staff that states a Departmental position, viewpoint, or philosophy must be specifically authorized by the Chief Probation Officer.

Inquiries from the Board, its individual members, or their staff to Department employees must be referred through the chain of command to the Chief Probation Officer or his or her designated representative. The employee who received the inquiry must also submit a written account of the contact through the chain of command to the Chief Probation Officer or his or her designated representative.

1307 OMBUDSMAN OFFICE**HEARING-IMPAIRED POLICY MONITORING**

The Ombudsman Office (OO) acts as a resource for both juvenile and adult operations. When hearing-impaired services are required, it is the responsibility of a Director or the authorized designee to notify the Ombudsman Office. Anyone with questions or concerns related to hearing-impaired services is encouraged to contact the Ombudsman Hotline (877-822-3222).

COMMUNICATIONS

OMBUDSMAN OFFICE

The Ombudsman Office can be accessed via the Ombudsman Hotline:

(877) 822- 3222 Monday-Friday
(except on County observed holidays)

Mail or in-person at Probation Headquarters
Attention: Ombudsman
9150 East Imperial Highway,
Downey, CA 90242

Online: probation.lacounty.gov/ombudsman
Email: ombudsman@probation.lacounty.gov

COMPLAINTS/CONCERNS

The Ombudsman Office is an avenue to express complaints or concerns regarding clients (youth and adult) care and services without fear of retribution. Ombudsman representatives will provide information, guidance, advocacy, and support. Upon receipt of complaints or concerns from clients, citizens, and external agencies, the Ombudsman Office assists bureaus/operations with resolving and/or initiating an investigation.

The Ombudsman Office also has special responsibilities to enforce the rights of youth in foster care. When appropriate, personnel will ensure youth receive information regarding their rights when placed under probation supervision (See Welfare and Institutions Code §16001.9 Foster Care Placement). When a commenter or complainant contacts the Ombudsman Office directly, Ombudsman Office protocols include but are not limited to:

- Complete informal review of information received and provide acknowledgment receipt.
- Forward appropriate matters directly to Internal Affairs (IA) for a formal investigation and/or to County Equity Oversight Panel (CEOP), when applicable.
- Submit a Suspected Child Abuse Report (SCAR) if an allegation of child abuse is received, if applicable; forward to Internal Affairs- Special Investigation Unit (SIU) and/or appropriate Bureau/ Unit (i.e., Placement Permanency & Quality Assurance).
- Submit written notification of the matter to the appropriate Bureau representative within five (5) business days.

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- Bureau representative to respond, in writing, to the Ombudsman Office within fourteen (14) business days acknowledging receipt and provide resolution or indicating an investigation is being initiated.
- Upon completion of the investigation, the Bureau representative shall forward all related reports, including attachments, to the Ombudsman Office.
- If any matter is not resolved within two (2) weeks, a status report is forwarded to the Ombudsman Office every two (2) weeks from the date of referral until resolute.

COMPLAINT HANDLING PROCESS FOR PROBATION FACILITIESProbation Field Offices

Probation Field Office personnel receiving a complaint or concern shall obtain the nature and circumstance and, if possible, resolve the matter immediately. If the staff is unable to resolve, the matter shall be referred to an appropriate Supervising Deputy Probation Officer (SDPO). Depending upon the circumstances and nature, the complainant or commenter may be referred to the office Director. Should the complainant or commenter request an alternative resolution in lieu of speaking to Hotline number. All complaints and concerns shall be addressed resolved, and a response to the matter shall be provided to the complainant or commenter. Note: All Citizen Complaint Forms, upon receipt, and copies of documents shall be forwarded to the Ombudsman Office within five (5) business days.

Juvenile Hall and Camps from Parent/Guardian/Stakeholder

Probation Juvenile facilities (Juvenile Hall and Camps) personnel receiving a complaint or concern shall obtain the nature of the complaint or concern and, if possible, resolve the matter immediately. If the personnel are unable to resolve, the complaint or concern shall be referred to the OD or AD. Depending upon the circumstances and nature of the complaint or concern, the matter may be referred

to the Director, Assistant Superintendent, or Superintendent. Should the complainant or commenter request an alternative resolution in lieu of speaking to facility personnel, personnel to Hotline number. All complaints and concerns shall be addressed, resolved, and a response shall be provided to the complainant or commenter. Note: All Citizen Complaint Forms, upon receipt, and copies of documents shall be forwarded to the Ombudsman Office within five (5) business days.

Ombudsman Office maintains a tracking system of all contacts (complaints and concerns).

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL PUBLIC INFORMATION/MEDIA RELATIONS	Section Number: PDPM-1400
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

1401 INTRODUCTION

Consistent with guidelines established by the Los Angeles County Board of Supervisors, the Probation Department is expected to carry out a planned program to disseminate information to news media, community groups, and the general public regarding Departmental and criminal justice matters.

This section describes the procedures that govern the public information/media relations process, including information about the roles and responsibilities of Probation Department employees.

1402 GENERAL GUIDELINES

In any general public meeting, the Chief Probation Officer will designate a Probation Department employee to speak on behalf of the Department. This designated staff member will preface his or her remarks by declaring that he or she has been designated by the Chief Probation Officer to represent the Department's interests and official position(s) on the subject matter of discussion.

Staff who attend general public meetings and identify themselves during those meetings or are clearly identifiable as Probation Department employees and have not been authorized by the Chief Probation Officer to represent the Department shall clearly indicate that they do not represent the Department's interests or position(s) on the subject matter of discussion. Employee identification may include making verbal statements, wearing a display badge, or wearing clothing with Probation Department insignia.

This policy is not designed to intentionally or unintentionally infringe on the rights of employees to express their personal opinions. Any requests for comments on an issue from the media or general public should be directed to the Communications Office.

Any violation of this policy may lead to disciplinary action.

1403 MEDIA REQUESTS

The term *media* includes but is not limited to:

PUBLIC INFORMATION/MEDIA RELATIONS

- The press
- Newspapers
- Magazines
- Academic or professional journals/publications
- Radio
- Local and/or cable television
- Book publishers
- Intranet, internet, and/or email
- Film industry representatives

The Probation Department receives requests for various types of information and records, including juvenile and adult criminal offender record information. This type of information is considered confidential and shall not be released to the media.

Other types of public information/media requests are outlined below:

- Case specific requests - These requests relate to a particular individual, adult probationer, juvenile ward, specific incident (pending or closed), confidential information, etc.
- Non-case specific requests - These requests relate to other inquiries including but not limited to:
 - General Comments on criminal justice system or justice system issues
 - Comments on operations and/or policies of the Department

Note: Directive 1159 (01/18/2008)

1404 HIGH PROFILE CASES

If an employee becomes aware of a high profile case situation, he or she must immediately notify the appropriate Bureau Chief through his or her chain of command. A case is given high profile status if the defendant or victim falls into one of the following categories:

PUBLIC INFORMATION/MEDIA RELATIONS

- Probation employee
- Relative of Probation employee
- High publicity crime
- Public official
- Relative of public official
- Celebrity

Cases involving a County employee or a relative of County employee (other than the Probation Department) are not considered high profile. An exception would be if the case falls into one of the categories listed above (i.e., a County employee involved in a crime that received widespread media coverage).

Note: Directive 969 (02/17/2004)

1405 CRISIS COMMUNICATION POLICY

In the event of a significant crisis involving the Probation Department where media is or may be involved, the Communications Office must be notified immediately.

1406 EMPLOYEE RESPONSIBILITIES

It is the responsibility of each employee to:

- Report any matters with public information implications that the employee believes have come to his or her attention first through the chain of command.
- Make no public statement inconsistent with Departmental policy while representing the Department in an official capacity.
- Safeguard all confidential Departmental information from unauthorized persons
- Refer all media consents to his or her office/facility head and the Communications Office.

PUBLIC INFORMATION/MEDIA RELATIONS**1407 OFFICE/FACILITY HEAD RESPONSIBILITIES**

It is the responsibility of each office/facility head to:

- Contribute to the public information activities on the local level.
- Report all matters with public information implications to his or her Bureau Chief and the Communications Office.
- Submit all requests for use of probation records and all materials written by employees for publication, except those materials produced in the normal course of business (i.e., court reports), to his or her Bureau Chief.
- Inform his or her Bureau Chief of facility visit requests.
- Notify the Communications Office of media consent requests.
- Refer to the Communications Office for approval and distribution of press releases.
- Route all press releases to his or her Bureau Chief before public distribution.

1408 BUREAU CHIEF RESPONSIBILITIES

It is the responsibility of each Bureau Chief to:

- Refer all matters with public information implications to the Communications Office.
- Encourage office/facility heads and their subordinates to contribute to public information activities on a local level.
- As appropriate, approve the release of materials the Department has taken part in the production of or is cited as a source within.
- Approve media requests that concern probationers and forward the requests to the Chief Probation Officer for approval.
- In conjunction with the Planning, Research, and Productivity Office, approve requests to use Department records for research or resource material.

PUBLIC INFORMATION/MEDIA RELATIONS

- Through the chain of command, approve and submit material developed within the Department for public information publication to the Executive Committee.
- Refer formal facility visit requests to the Communications Office.

1409 COMMUNICATIONS OFFICE

It is the responsibility of the Communications Office to carry out the Public Information Program and:

- Respond to appropriate requests for information.
- Coordinate public information activities both within the Department and the County's Public Information Program.
- Prepare or assist in the preparation of literature for public distribution, and seek approval for that distribution.
- Oversee and distribute all Department press releases.
- Make necessary arrangements for formal visits to the Department.
- Coordinate contact with the media as directed by the Chief Probation Officer or his or her designee.
- Through an appropriate medium, prepare and distribute newsworthy information for Probation Department employees.
- Serve as the liaison between the Probation Department and the Juvenile Court on matters of media consent and requests.
- Secure approval from the Presiding Judge of the Juvenile Court on all media requests for a confidentiality waiver.

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL COMMUNITY RESOURCES/RELATIONS	Section Number: PDPM-1500
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

1501 INTRODUCTION

The Probation Department understands the importance of community relations and the value of community resources. Therefore, this section identifies ways that the Department's employees can assist with the development of community programs which can benefit clients and continue to ensure community protection.

1502 USE OF COMMUNITY RESOURCES

Employee referrals of clients or interested parties to non-profit resources shall ascertain that such resources have been approved for use by the Department and shall under no circumstances make referrals to those that have been found unsuitable.

Referrals to Department approved, private, and profit-oriented community resources are made by providing the client or interested party with three or more resources from which they may make their own choice.

1503 VOLUNTEERS IN SERVICE TO OTHERS (VISTO)

The VISTO Program was developed to involve the community in helping to alleviate problems of crime and delinquency by augmenting the services of the Probation Department.

All VISTO volunteers are required to apply through the Community Relations Office. A set of guidelines have been established and all volunteers are evaluated for participation on an individual basis.

VISTO volunteers must meet all rules and regulations listed on the CORI form, meet the minimum age requirements and conditions and be cleared through a background check.

1504 RECOGNITION OF CONTRIBUTIONS BY PRIVATE CITIZENS

The Probation Department arranges suitable awards for private citizens who have contributed time, goods, or services to the Probation Department.

COMMUNITY RESOURCES/RELATIONS

Employees who have been instrumental in securing donations should communicate the name of the donor and the circumstances of the donation through their chain of command to their office/facility head. The following levels of recognition are available and are awarded commensurably for services rendered:

- Letters of Appreciation
- Certificates of Appreciation
- Letters of Commendation
- Certificates of Commendation
- Service Pins
- Plaques
- Recognition Ceremonies
- Scrolls from the Board of Supervisors

All gifts and donations regarding juveniles shall be reported to the VISTO Office quarterly on Probation Form P8519.

1505 COMMUNITY FIELD TRIPS

To enhance the supervision of probationers, area office and institutional staff may organize field trips for them. Participation in such trips is limited to Probation Department employees, VISTO volunteers, and probationers unless the office/facility head permits an exception.

Out of County field trips to non-contiguous counties require approval from the Bureau Chief. A parental consent form must be completed by the parent or guardian of every minor who is scheduled for a trip. If the parent or guardian's whereabouts are unknown, a court order must be obtained.

When determining the number of probationers to be accommodated on any single trip and the number of supervisory personnel required, consideration shall be given to the security of the community, the security of the probationers, the nature of the trip, and any special problems it might entail.

1506 RESERVE DEPUTY PROBATION OFFICER

Reserve Deputy Probation Officers (DPOs) are deputized volunteers who have

COMMUNITY RESOURCES/RELATIONS

received special training in order to assist Probation staff in a wide range of supervised responsibilities, including direct involvement with juvenile and adult probationers.

Reserve Deputy Probation Officer

This position works under the direction of a DPO and is responsible for learning and applying procedures and policies. At this level, the Reserve DPO must be at least 21 years of age and have achieved at least junior year status from a four year college or university.

Specialist

This position works under the direction of a DPO. At this level, the Reserve DPO must be at least 21 years of age and possess a special skill or expertise in a particular field that would benefit the Probation Department.

Reserve DPOs will be required to complete specified training courses and subsequent on the job training. Reserve DPOs will also complete any additional training deemed necessary for assignments which may require it.

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL POLITICAL AND FUNDRAISING ACTIVITIES	Section Number: PDPM-1600
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

1601 INTRODUCTION

The information in this section is intended to clarify the obligation of Probation Department employees to avoid political activities or unauthorized fundraising activities in the course of duty. Problems often result when employees lack direction and are confused about what they can and cannot say and do. Therefore, Probation Department employees must not engage in these activities for the benefit of third parties while on duty.

1602 POLITICAL ACTIVITIES

Employees are expressly prohibited from engaging in any political activity while on duty.

1603 FUNDRAISING ACTIVITIES FOR THE BENEFIT OF THIRD PARTIES

Any work time activities that involve planning or conducting fundraising events must be authorized by the Board of Supervisors. Fundraising activities are restricted to the benefit of County approved and/or sponsored organizations or events such as charitable giving, Baker to Vegas Run, etc. Fundraising activities during working hours and/or on County property are not to be conducted for office social remembrance funds, plaques, awards, etc. Vendors who participate in approved fundraising activities must sign and provide required paperwork regarding their sales activities.

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL RESEARCH PROPOSALS	Section Number: PDPM-1700
	Effective Date: January 25, 2010
	Approved By: Robert Taylor, Chief Probation Officer

1701 INTRODUCTION

The Los Angeles County Probation Department is among the largest and most diverse organizations of its kind. One of the Department's strategic initiatives supports research for the purpose of learning and the development of Probation services.

The Department's infrastructure is comprised of the following nine bureaus:

- Information Services Bureau (ISB)
- Quality Assurance Services Bureau (QASB)
- Management Services Bureau (MSB)
- Detention Services Bureau (DSB)
- Residential Treatment Services Bureau (RTSB)
- Placement Services Bureau (PSB)
- Juvenile Special Services Bureau (JSSB)
- Juvenile Field Services Bureau (JFSB)
- Adult Field Services Bureau (ASFB)

Within QASB and under the direction of Training and Learning Development Services, the Research Unit (RU) is responsible for maintaining the integrity of Departmental research findings and outcomes. The RU is also responsible for monitoring external research and information requests by overseeing: 1) the *Order and Petition for Research* process for Juveniles; 2) requests to conduct research or obtain data on adult probationers; and 3) requests for Departmental release of information under the California Public Records Act (CPRA).

RESEARCH PROPOSALS**1702 OWNERSHIP OF DATA**

The Information Services Bureau (ISB) manages all Probation data systems and is responsible for all data extractions for research purposes or to satisfy CPRA information requests. While ISB manages the data, ownership of the data falls within each Bureau. It is common practice for the ISB system manager to proceed with caution when providing data/reports to petitioners or requestors. Data/reports are assigned a service request number for ISB tracking purposes. The affected Bureau must review and approve the data/reports before they are released to the research analyst and/or requestor. In most cases, the data/reports will be sent directly to the research analyst, at which time the data will be filtered, organized, and tracked for distribution.

1703 CALIFORNIA PUBLIC RECORDS ACT (CPRA)

Access to information concerning the conduct of the people's business is a "fundamental and necessary right of every person in this state" under Government Code Section 6250. The California Public Records Act provides the public with an avenue for accessing information in the possession of public agencies. County of Los Angeles records are not exempt from disclosure and are available for inspection and copying in accordance with CPRA. Probation Department information (e.g., fiscal purchases, programming outcomes, policies and procedures) is subject to release pursuant to a CPRA request. It is important that the Probation Department makes a clear distinction between a CPRA request and a request or petition to conduct research.

CPRA requests may reach the Department in a variety of forms, including:

- Email
- Letter
- Verbal
- CPRA Request Form

Receipt of CPRA Requests

If a Probation Department employee receives a request for records, he or she shall not produce any records. Instead, the employee shall refer all records requests to the office/facility head. The office/facility head will contact the CPRA analyst in the Research Unit at (323) 357-5254, and immediately forward the original request to:

Los Angeles County Probation Department

RESEARCH PROPOSALS

Attn: CPRA Analyst, Research Unit
11701 Alameda Street, Room 3144
Lynwood, CA 90262
Fax: (323) 569-5526

CPRA Analyst's Responsibilities

Upon receipt of the CPRA request, the CPRA analyst shall log the request. He or she will note the identity of the requestor, the date of the request, the type of records requested, the Bureau Chief to whom the request was forwarded, and the date the request was forwarded. The CPRA analyst shall then forward the CPRA Request Form (Attachment A), supporting documentation, and the CPRA Tracking Response Form (Attachment B) to the appropriate Bureau Chief or his or her designee, who will make the final decision regarding the release of records. Ultimately, the CPRA analyst will send all materials to the requestor and log the process.

Bureau Chief's Responsibilities

The Bureau Chief or his or her designee will send all approved records with the completed tracking response form to the CPRA analyst. The analyst will ensure that the Department is within the guidelines set by the Board of Supervisors when responding to all CPRA requests.

1704 GUIDELINES FOR JUVENILE PETITION REQUEST

In support of the Los Angeles Superior Court – Juvenile Division, the RU represents the Los Angeles County Probation Department in all juvenile related research request actions. In accordance with the Superior Court of Los Angeles, County of Los Angeles, Local Rules Chapter 17: Juvenile Division Dependency Proceedings Section: 17.2 PUBLIC AND MEDIA ACCESS, the Presiding Judge of Juvenile Courts has the following authority over all research requests:

“Persons or agencies who want to conduct research involving children under juvenile court jurisdiction for educational, scientific or public policy purposes must petition the Presiding Judge of Juvenile Court for a court order.”

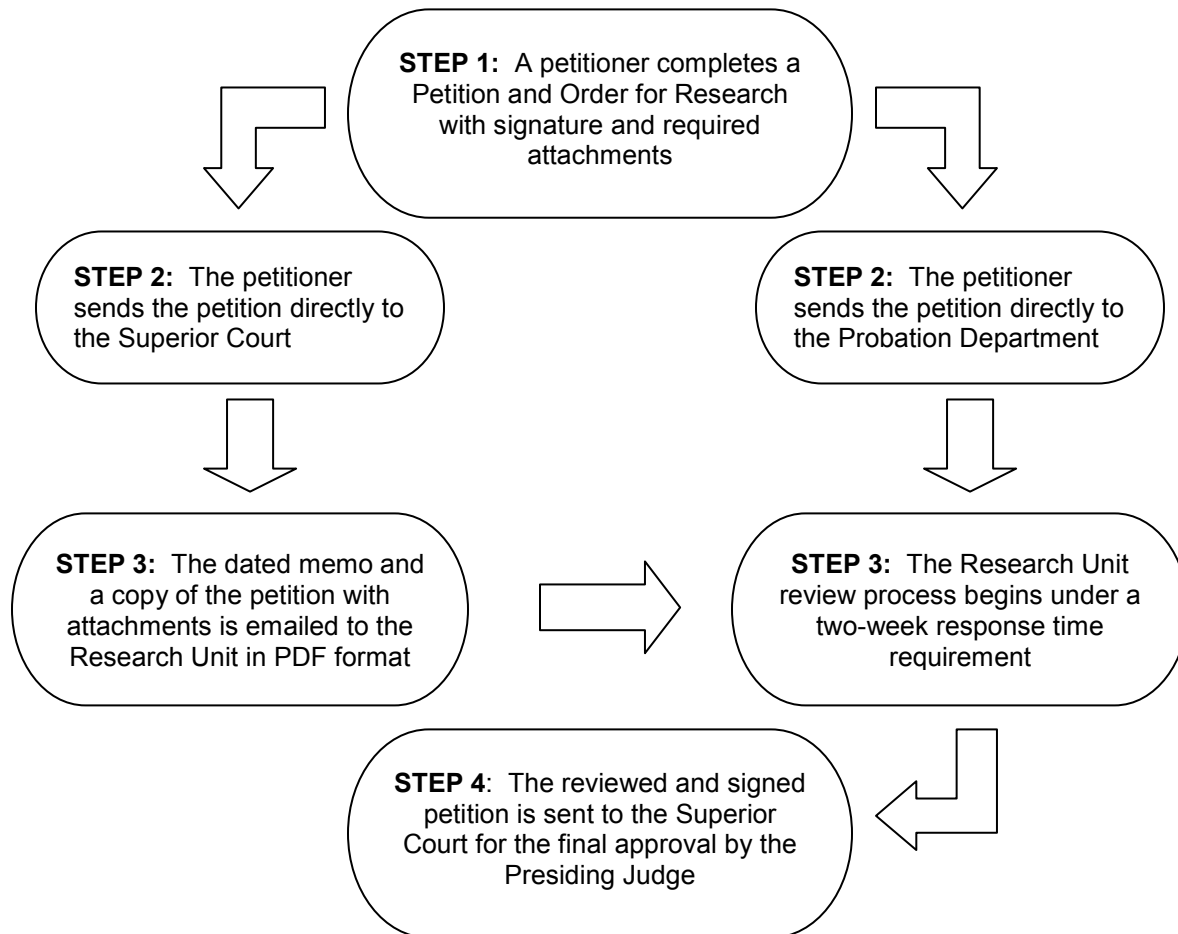
While the Local Rules provide a detailed petition process, external agencies impacted by the petition also have processing mechanisms. This section identifies the steps that the Los Angeles County Probation Department takes when processing these research petitions.

The Probation Department receives petition requests from a variety of sources (e.g., faculty staff/students from academic institutions, government agencies,

RESEARCH PROPOSALS

private organizations, etc.) to conduct research with our juvenile probation population. The majority of petitions are sent directly to the Los Angeles Superior Court. Once received, the research attorney facilitates the review process for the Presiding Judge. If petitions are sent directly to the Probation Department, research analysts are assigned to facilitate the review process.

The following flow chart details the guidelines for the review of a Petition and Order for Research with our juvenile probation population:

**STEP 1**

- A petitioner will secure and complete a Petition and Order for Research form (Attachment C), a CORI form (Attachment D), an IRB-Human Subjects Committee consent form, Parental Consent/Assent forms, any Assessment Instruments forms (when applicable), and Survey and Interview tools (when applicable).

RESEARCH PROPOSALS

- The petitioner will send signed copies of the documents to the Superior Court or the Probation Department.

STEP 2

- The Superior Court or the Probation Department will receive the documents and begin the internal review process.

STEP 3

- The research analyst will review the signed Petition and Order for Research form to determine the target population and the Bureau(s) targeted by the proposed research.
- As part of the review process, the research analyst must answer the following questions:
 1. Is the study methodologically sound and what, if any, are the human subject/HIPAA considerations or legal concerns?
 2. What oversight is being provided by the institution or agency? (Note: IRB approval is mandatory and must be secured prior to Probation review)
 3. What are the qualifications of the researcher?
 4. What is the workload impact on the Bureau staff that will be involved in the study?
 5. Does the Department have the space, data, staffing, and time available to satisfy the proposed research request?
 6. Will other agencies and/or collaborative partners need to be consulted for approval?
 7. What is the proposed study's potential contribution to the field of criminal justice and will there be any direct benefits to Los Angeles County and/or the Probation Department?
- A cover memo (Attachment E) is drafted and sent to the appropriate Bureau Chief along with all supporting documents.
- Once the documents are received by the Bureau Chief, he or she is required to review and respond (i.e., accept or deny research petition request) within two weeks.

RESEARCH PROPOSALS

- It is the responsibility of the research analyst to secure the paperwork and communicate any issues with the court.
- Upon approval or non-approval, signed petitions are sent to the Los Angeles Superior Court.

STEP 4

- The Superior Court's review process is detailed in Attachment F.

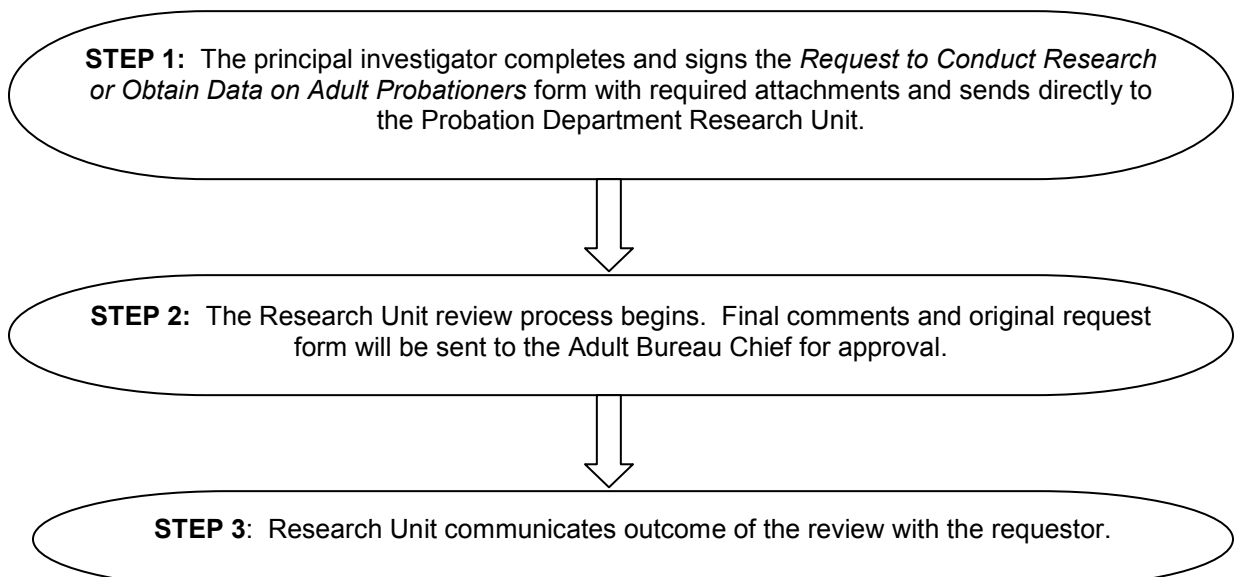
These steps are intended to provide an overview of the Probation Department's research review process, but they are not necessarily all inclusive. The focus of research requests vary and additional information or action may be necessary to facilitate the process. Any questions or concerns should be directed to:

Research Unit

Training and Learning Development Services
Quality Assurance Services Bureau
(323) 357-5252 (Clerk's Office)

1705 GUIDELINES FOR REQUESTING TO CONDUCT RESEARCH OR OBTAIN DATA ON ADULT PROBATIONERS

On occasion, the Probation Department receives requests to conduct research with adult probationers. While there are no court related mandates for conducting research on the adult probation population, the Department has adopted a process for reviewing such requests (see Attachment G). The following flow chart details the guidelines for requests to conduct research or obtain data on adult probationers:



RESEARCH PROPOSALS**STEP 1**

- The principal investigator will complete a *Request to Conduct Research* or an *Obtain Data on Adult Probationers* form (Attachment G). In addition, the requestor will complete and attach the following: a CORI form (Attachment D), and an IRB-Human Subjects Committee consent form and copies of assessment instruments, and/or survey and interview tools (when applicable).
- The petitioner will send the signed form and required attachments to the Probation Department Research Unit.

STEP 2

- The research analyst will review the signed *Request to Conduct Research* or the *Obtain Data on Adult Probationers* form for completeness and forward the request to AFSB.
- As part of the review process, the research analyst must answer the following questions:
 1. Is the study methodologically sound and what, if any, are the human subject/HIPAA considerations or legal concerns?
 2. Is the study methodologically sound and what, if any, are the human subject considerations or legal concerns?
 3. What oversight is being provided by the institution or agency? (Note: IRB approval is mandatory and must be secured prior to Probation review)
 4. What are the qualifications of the principal investigator?
 5. What is the workload impact on AFSB that will be involved in the study?
 6. Does the Department have the space, data, staffing, and time available to satisfy the request?
 7. Will other agencies and/or collaborative partners need to be consulted for approval?
 8. What is the study's potential contribution to the field of criminal justice and will there be any direct benefits to Los Angeles County and/or the Probation Department?

RESEARCH PROPOSALS**STEP 3:**

- A cover memo (Attachment E) is drafted and sent to AFSB Bureau Chief along with all supporting documents.
- Once the documents are received by the Bureau Chief, he or she is required to review and respond (i.e., accept or deny the request) within two weeks.
- It is the responsibility of the research analyst to secure paperwork and communicate any issues with the requestor.
- Upon approval or non-approval, the research analyst will contact the requestor with the decision.

RESEARCH PROPOSALS**Attachment A****Los Angeles County Probation Department****Request for Public Records****Directions**

- Step 1: Complete all information in the fields provided below. Please type or print.
- Step 2: Submit the completed form to the CPRA Analyst via mail or fax.
Mail: Lynwood Regional Justice Center Fax: (323) 569-5526
Attn: CPRA Analyst
11701 Alameda Street - RM 3144
Lynwood, CA 90262
- Step 3: Send payment (check or money order only) made to County of Los Angeles Probation Department and send to the address indicated on the invoice.

Requestor Information

First Name: _____ Last Name: _____ MI: _____
Company/Organization Affiliation: _____
Street Address: _____ Apartment: _____
City: _____ State: _____ Zip: _____
Phone Number: _____ Fax Number: _____
Email Address: _____

Requested Record

1. Identify the records as clearly and specifically as possible.

Payment Agreement

- ☐ I wish to inspect the requested records, where applicable, and do not want copies produced at this time.
- ☐ I would like copies of the requested records and I hereby agree to reimburse the Department of Probation for the cost of providing copies of public records in accordance with Government Code § 6253.

Requestor Signature

Date

RESEARCH PROPOSALS**Attachment B****California Public Records Act Tracking Response Sheet****Quality Assurance Services Bureau – Research Unit**

Lynwood Regional Justice Center
11701 Alameda Street RM 3144 – Lynwood, CA 90262
(323) 357 - 5254

To: First Last – Affected Bureau

From: CPRA Analyst – QASB, Research Unit

Subject: Need for Response to a California Public Records Act Request

Your Bureau has been identified as having custody of all or part of the public records for the attached request. Please review Part I of this form and the original request (attached) and determine if the records should be released to the requesting party and produce copies of such documents accordingly. Provide me with copies by Date, electronic or in print, of documents to be sent to the requestor.

Complete Part II below once you have completed processing this request.

Part I: Summary of Records Requested by First Last Name (# pages attached)

Item 1: Description of first item here.

Item 2: Description of second item here.

Ana Silva, CPRA Analyst

Date

In order to maintain record of CPRA request made to our Department and their outcome, complete Part II and return this document to the CPRA Analyst along with the documents to be sent to the requestor.

Part II: Complete the following information as appropriate.

1. Were the records on the following items granted to the requestor?

- Item 1 ☐ Yes, fully and sent to CPRA Analyst on _____.
☐ Yes, partially. Partial records sent on _____.
Outstanding records to be ☐ sent on _____ or ☐ not at all.
☐ Records for this item were not provided to the requestor at all.

RESEARCH PROPOSALS

Item 2

- ☐ Yes, fully and sent to CPRA Analyst on _____.
- ☐ Yes, partially. Partial records sent on _____.
Outstanding records to be ☐ sent on _____ or ☐ not at all.
- ☐ Records for this item were not provided to the requestor at all.

2. Please provide the reason for not releasing records, partially or entirely, to the requesting party. (use the back of this page if necessary)

Item ____ Reason: _____

Item ____ Reason: _____

3. How many pages were copied for the requesting party, total? _____

4. Altogether, how many hours were spent on gathering (researching, identifying, retrieving, and re-filing) the information? _____

Name of Representative for Bureau_____
Signature_____
Date**For use by CPRA Analyst only**

Was an extension requested? ☐ Yes ☐ No Date of new deadline? _____ ☐ N/A

Was notice of payment sent to the requestor? ☐ Yes, in the amount of \$_____ and sent this date _____. ☐ No

Did the requestor make payment? ☐ Yes, in the amount of \$_____. ☐ No

Attachment C

PETITION AND ORDER FOR RESEARCH

RESEARCH PROPOSALS

During this project, Petitioner agrees to the following conditions:

- A. To pay any and all costs incidental to the research or record search. These costs will be established prior to initiation of the project.
- B. Abide by all confidentiality laws, and policies and procedures of DCFS, Probation Department and the Court.
- C. Abide by all confidentiality of record information requirements outlined in Penal Code section 13202 for delinquency records.
- D. Ensure that no unauthorized persons or agencies have access to the information released to Petitioner.
- E. Make all scheduling arrangements with the appropriate agency to obtain access to information, minors, and/or staff.
- F. Ensure names or identifying information regarding minors, offenders or victims are not published in any documents (i.e. reports, evaluations).
- G. Submit all research reports using specific case information to the Court and the appropriate agency for approval prior to publication.
- H. Provide a copy of all research reports upon completion to the Court and the appropriate agencies.

Petitioner provided notice of the petition to the following parties, where applicable:

☐ County Counsel	Date served: _____	☐ personal service/fax/email; ☐ US mail
☐ DCFS	Date served: _____	☐ personal service/fax/email; ☐ US mail
☐ Children's Law Center	Date served: _____	☐ personal service/fax/email; ☐ US mail
☐ Juvenile Courts Bar Assn.	Date served: _____	☐ personal service/fax/email; ☐ US mail
☐ District Attorney	Date served: _____	☐ personal service/fax/email; ☐ US mail
☐ Public Defender	Date served: _____	☐ personal service/fax/email; ☐ US mail
☐ Alternate Public Defender	Date served: _____	☐ personal service/fax/email; ☐ US mail
☐ Probation	Date served: _____	☐ personal service/fax/email; ☐ US mail
☐ Other: _____	Date served: _____	☐ personal service/fax/email; ☐ US mail

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date: _____

Print Name of Petitioner

Signature of Petitioner

DCFS/Probation Department comments:

Request approved: _____

Request not approved: _____

Signature of Bureau Chief

Date: _____

Signature of DCFS Director/Chief Probation Officer/Designee

Date: _____

IT IS SO ORDERED.

This order shall remain in effect until _____.

Date: _____

Presiding Judge of the Juvenile Court

PETITION AND ORDER FOR RESEARCH

RESEARCH PROPOSALS**Attachment D**

ROBERT B. TAYLOR
Chief Probation Officer

COUNTY OF LOS ANGELES PROBATION DEPARTMENT



CONFIDENTIALITY OF CORI INFORMATION

Criminal Offender Record Information (CORI) is that information which is recorded as the result of an arrest, detention or other initiation of criminal proceedings including any consequent proceedings related thereto. As an employee of the Probation Department, during the legitimate course of your duties, you will have access to CORI relative to persons referred for probation services. The Probation Department has a policy of protecting the confidentiality of Criminal Offender Record Information.

Copies of longhand drafts of court reports, official case notes and miscellaneous case data are confidential probation records. These documents should be retained in the case file and are not to be removed or copied outside your normal required duties. You are required to protect these confidential records against disclosure to all individuals who do not have a right-to-know the information.

The use of any information in probation files or the use of any information to make non-probationary contacts with probationers or their relatives, which has not been expressly approved by the Probation Department, is considered to be breach of confidentiality, inappropriate and unauthorized. Any employee engaging in such activities is in violation of the Probation Department's confidentiality policy and will be subject to appropriate disciplinary action and/or criminal action pursuant to Section 11142 of the Penal Code.

**I have read and understand the Probation Department's
policy concerning the confidentiality of CORI records.**

(Signature)

Name (Print)

Classification

Date

Orig. Master File – 1st copy Office File – 2nd copy – Employee
(Rev. 06/08)

Rebuild Lives and Provide for Healthier and Safer Communities

RESEARCH PROPOSALS**Attachment E****COUNTY OF LOS ANGELES
PROBATION DEPARTMENT**

LYNWOOD REGIONAL JUSTICE CENTER
11701 ALAMEDA ST., LYNWOOD, CALIFORNIA 90262
RESEARCH UNIT
(323) 357-5271



ROBERT B. TAYLOR
Chief Probation Officer

Date: _____

To: ☐ Residential Treatment Service Bureau Chief
☐ Detention Service Bureau Chief
☐ Juvenile Field Bureau Chief
☐ Adult Service Bureau Chief

From: ☐ Apryl D. Harris - Research Analyst
☐ Ana Silva – Research Analyst

Upon review of the attached Petition and Order for Research, the below comments and recommendations have been noted. Please review and sign within two business weeks. Once completed, contact the Research Analyst to arrange for pick-up of the documents.

Research Analyst recommends to
Comments:

Accept request ☐

Deny request ☐

Director of Research recommends to
Comments:

Accept request ☐

Deny request ☐

Bureau Chief:
Comments:

Approves ☐

Does Not Approve ☐

Rebuild Lives and Provide for Healthier and Safer Communities

RESEARCH PROPOSALS**Attachment F**

**Los Angeles Superior Courts – Juvenile Division
Research Petitions Review Process**

1. Research Petition Filed If not complete, call petitioner and inform of need for additional documentation. (Note that if petitioner encloses consent/assent forms and project description not yet approved by the IRB – the petition can still be granted with modifications.)	<u>Check for Petition Completeness</u> • Petitioner Signature • Consent • Confidentiality • IRB approved consent/assent forms • IRB approved project description
2. Send Notice All notice packets should include the following: • Notice letter • Copy of the petition. • Copy of the research proposal (if included by Petitioner) Also note that the Petitioner should be copied on the notice letter (but no need to send complete packet – just notice letter.)	• Review Petition – decide if the proposed research involves dependency, delinquency or dependency/delinquency. • Draft appropriate notice letter (see attached samples). All those who are noticed via e-mail have 15 calendar days to respond. • If dependency, notice packet sent to: ○ CLC ○ County Counsel ○ JCBA ○ DCFS • If delinquency, notice packet sent to: ○ DA ○ PD ○ APD ○ Probation • If dependency/delinquency, must be sent to all of parties listed under dependency and delinquency. • All relevant mailing addresses/contact personnel are listed in the sample notice letters.
3. Review Notice	• Collect responses from those who were noticed. • If within the notice period you do not receive any comments, e-mail noticed parties and request a response. See attached list of e-mail addresses and e-mail request.
4. Thoroughly review research petition/proposal and draft recommendation to the Presiding Judge.	• See attached examples. • Be sure to bold your final recommendation and any potential misgivings you may have with the research (or any objections posed by those who responded during the notice period)
5. Draft proposed research order	• See attached examples. • Usually, I attach this to the recommendation and unless discussion is needed regarding the petition, Judge Nash usually just signs the order.
6. Research Order Granted	• Once signed by the Presiding Judge, have one of the

Revised: 6-15-08 JW

RESEARCH PROPOSALS

clerks file stamp the research order for you.

- Copies of the Order must be sent to the following:
 - Dependency
 - CLC (only David Estep)
 - DCFS
 - Petitioner
 - Delinquency
 - PD
 - APD
 - Probation
 - Petitioner

These copies should all be certified. Once the Order has been file stamped, make the necessary number of copies and ask Silvia to certify stamp the copies for you.

***Amended Orders**

Often times we receive requests for supplemental/amended orders. Most often these are requests for additional time on the order. For these requests, we follow the same procedure as noted above. However, once a request for an amendment is filed, we pull the original order that was issued. In our notice letter, we simply attach a copy of the original order and the Petitioner's original petition (we do not send out a whole copy of the Petitioner's proposal again).

Revised: 6-15-08 JW

RESEARCH PROPOSALS**Attachment G****ADULT PROBATIONER
REQUEST TO CONDUCT RESEARCH OR OBTAIN DATA**

All researchers / principal investigators requesting approval to access Los Angeles County Probation Department Adult Probationers as either research subjects and/or obtain data on adult probationers are required to complete the following request.

Principal Investigator's Name:	_____
Organizational Affiliation:	_____
Address:	_____ _____
Telephone:	_____
Fax:	_____

Principal investigator requests permission to conduct the proposed research described below:

- 1. Project Purpose and Description of Research Study:**
- 2. Proposed Start Date:** _____ **Data Collection Completion Date:** _____
Projected Study Completion Date: _____ **Requested Duration of Access:** _____
- 3. Proposed Subject Selection: Inclusion and Exclusion Criteria:**
- 4. Proposed Information and/or Data to be Collected:**
- 4b: Describe any Data/Information that will require Extraction from Probation Information Systems:**
- 5. Detailed Description of Research Methodology**
- 6. Describe the Potential Benefits to the Field of Criminal Justice and Probation Department:**
- 7. Describe the use of all assessment instruments, survey tools and/or interview tools (attach copies of each):**

RESEARCH PROPOSALS

During the duration of the research investigation, the principal investigator agrees to the following conditions:

- A. To pay all costs incidental to the research/record search. These costs will be established prior to initiation of the project.
- B. Abide by all confidentiality laws, and policies and procedures of the Los Angeles County Probation Department.
- C. Ensure that no unauthorized persons or agencies have access to the information released to the principal investigator.
- D. Make all scheduling arrangements with the appropriate party(ies) to obtain access to information and/or staff.
- E. Ensure names and/or any other identifying information regarding adults, offenders or victims are not published in any document (i.e., reports, evaluations).
- F. Submit all research reports using specific case information to the appropriate agency for approval prior to publication.
- G. Provide a copy of all research reports upon completion to the following location:

L.A. County Probation Department
Lynwood Regional Justice Center
11701 Alameda St. RM 3144
Lynwood, CA 90262
Attention: Research Unit

Principal Investigator's Signature

Date

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL CONFIDENTIALITY OF CASE INFORMATION	Section Number: PDPM-1800
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

1801 INTRODUCTION

The Probation Department is required to maintain the privacy of case information where there is an existing legal requirement or a reasonable expectation of confidentiality. Case information is released only to those authorities, agencies, and individuals whose right and need to know are established by law, authorized by the court, and recognized as such by the Chief Probation Officer.

Cases and the parties connected to them are never referred to in casual conversation or discussed in any way other than in the course of duty. No employee shall intentionally divulge any law enforcement information to an unauthorized source.

1802 HIV/AIDS INFORMATION

Deliberate disclosure or identification of the health status of a person who was tested for HIV antibodies or other communicable diseases beyond such disclosures that are required by law are strictly forbidden.

Information offered by a probationer regarding his or her HIV/AIDS status cannot be included in any type of court report unless the probationer or the parent of a probationer who is a minor provides the DPO with written permission to include this information.

1803 CRIMINAL OFFENDER RECORD INFORMATION (CORI)

California Penal Code 13102 defines CORI as "records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and of maintaining as to each such offender a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release." Rules regarding inspection of juvenile files, confidentiality, and release of information are found in California Welfare and Institutions Code (WIC) Section 827.

Note: Directive 1146 (10/05/2007)

CORI is maintained at the local, state, and national level and includes records

CONFIDENTIALITY OF CASE INFORMATION

information provided by the Department of Motor Vehicles.

The Probation Department is a user agency of criminal records as described and provided for in California Penal Code Section 11075 and has adopted the following policy:

- Mandatory signing by each employee, contract worker, and volunteer of a Confidentiality Statement (Prob.1233)
- Attachment of a Record of Release of CORI (Prob. 1076) to the inside front cover of every probation case file
- Possession of a user's list by each supervisor at each work location

Any unauthorized access or use of this information may result in disciplinary action and the involved employee may be subject to criminal charges.

1804 CORI REQUESTS

Access to CORI is restricted to persons and public agencies as authorized by provisions of law.

A California Attorney General Opinion re-emphasized the legal requirement for California law enforcement agencies to maintain the confidentiality of criminal offender information. This requirement makes it a criminal offense to release a person's present or past probation status to members of the public who are not authorized by statute to receive that information. This section provides an understanding of the types of records that are confidential, and establishes a Departmental process for handling requests for CORI.

Types of Records and/or Information that are Confidential

Confidential records are information regarding a probationer or victim that includes, but is not limited to, the following:

- Case record information regarding probationer or victim
- Name & date of birth of probationer or victim
- Physical description of probationer or victim
- Dates of arrests of probationer
- Disposition of probationer case(s)

CONFIDENTIALITY OF CASE INFORMATION

- Criminal charges for probationer
- Detention information (adults or juveniles)
- Release date from county jail, juvenile hall, group home, or camp
- PDJ file information
- X-File information

Persons Authorized to Receive CORI

There are persons or entities that are authorized to receive CORI, during the course of their duties (i.e., the persons or entities must have a need to know and a right to know).

Adult Probationers

Those with a business need to know and authorized to receive and/or discuss CORI information on adult probationers include:

- Court personnel
- Peace officers
- District attorney or city attorney authorized to prosecute
- Probation officers
- Parole officers
- Pretrial services
- The adult subject of the criminal offender record information
- Victims of adult probationers (excluding defendant address information)

Due to the time constraints for CORI requests from field law enforcement agencies, court agencies, or pretrial services agencies, the release of CORI to these organizations will be the only exception to the requirement for the submission of a written request. However, staff shall verify the identity of the caller inclusive of the following:

- Reason for request (need to know and right to know)

CONFIDENTIALITY OF CASE INFORMATION

- Requesting officer's name
- Agency name
- Badge number (if applicable)
- Call back number
- Office assignment telephone

All information shall be entered in the APS DCID, CCID, or TECD screen and in a third party log. The requestor will be directed to fax the written request and identity information to the staff providing the information within 24 hours. All Probation personnel with access to the Justice Data Interface Controller (JDIC) will maintain a third party log. The log will be kept at the staff's work station and will be used to record information regarding the release of CORI to all authorized parties.

NOTE: If the requestor fails to fax a written request at the agreed upon timeframe, it is the responsibility of the Probation staff to track the facsimile request.

Juvenile Probationers

Those with a business need to know who are authorized to receive and/or discuss CORI information on juvenile probationers include:

- Court personnel
- Peace officers
- District attorney or city attorney authorized to prosecute
- Probation officers
- Parole officers
- A public defender or attorney of record for the parties actively participating in criminal or juvenile proceedings involving the minor
- The juvenile subject of the criminal offender record information
- The minor who is the subject of the proceedings

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- Attorney for the minor who is actively participating in the criminal or juvenile proceedings involving the minor
- Those authorized pursuant to a certified court order
- Persons authorized pursuant to Sections 827 and 828 of the Welfare and Institution Code, including:
 - Parents or guardian
 - Superintendent of schools or designee in district where minor attends school
 - Officials from government child protective agencies
- Victims of juvenile probationers - Centralized Restitution Unit (CRU) staff or the DPO of record shall provide information to the victim pursuant to section 730.7 of the Welfare and Institution Code (WIC)

Request to Inspect/View Juvenile CORI by persons Authorized or Entitled

Persons that are authorized/entitled to inspect juvenile records may do so by completing a *Declaration in Support of Access to Juvenile Records* form accompanied by presentation of proper identification. Staff shall place the original copy of the declaration in the minor's PDJ file. If the authorized/entitled person subsequently requests copies of records after conducting their inspection of the PDJ file, a copy of the form shall be faxed to Civil Litigation at (562) 658-2306. Copies of requested documents will be provided through the Los Angeles County Superior Court's Juvenile Division through Civil Litigation.

These requirements shall not preclude the DPO from verbally sharing information or discussing facts of a case with persons or agencies that are entitled to having such information (as allowed under Section 827 WIC).

Personal Storage Devices

Portable devices such as laptop computers may be used by employees to store CORI needed for work related purposes. Data stored on these devices must be encrypted to ensure that CORI is not compromised in the event the device is lost or stolen. To encrypt portable devices, contact the Information Services Bureau as stated in the Department's Networked Computing Policy Directive 1127 issued on April 4, 2007.

CONFIDENTIALITY OF CASE INFORMATION**Processing Written Requests from Authorized Persons or Entities**

All staff who receive a request for CORI from authorized persons or entities shall alert the requestor that all requests for CORI must be processed in writing through the appropriate Departmental custodian of records. Staff shall immediately forward a request for CORI as listed below:

Open/Active Files

Requests for records for active files should go to the custodian of records at Probation Headquarters. Requests should be faxed Attn: Custodian of Records at (562) 658-2306.

Closed Files

Requests for records for closed files should go to custodian of records at Central Adult Investigation (CAI). Requests should be faxed Attn: Custodian of Records at (213) 485-0102.

Persons or Entities Authorized to Receive CORI

All persons or entities that cannot be confirmed (per established procedures) to belong to the authorized list shall be considered unauthorized to receive CORI. Staff shall inform unauthorized persons or entities that confidential information will not be released. Staff receiving the inquiry shall neither confirm nor deny the supervision or probation status of the subject of the inquiry.

If the person or entity claims to have information that may result in a potential violation, staff shall take the information and advise the person/entity that it will not be confirmed or denied whether the person they are making the claim against is, or is not, on probation. However, staff should alert the claimant that if an individual is found to be on probation, the information will be forwarded to the DPO of record and handled appropriately.

Note: Directive 1146 (10/05/2007)

1805 DOCUMENTS

Case documents, such as police reports, psychological reports, and school reports are never released unless appropriate approvals are obtained despite the fact that they are summarized in court reports. Requests for copies of documents which originated outside the Department are referred to the originating person or agency.

CONFIDENTIALITY OF CASE INFORMATION**1806 CASE FILE SECURITY**

Probation Department staff shall only possess case files in the performance of official duties unless the court or office/facility head authorizes an exception. Unassigned case files are either properly checked out to an authorized person or stored in Central Records. Files used for training shall have all identifying data obliterated. Information from a file shall not be retained for personal use.

1807 DESTRUCTION/SHREDDING OF CONFIDENTIAL DOCUMENTS AND RECORDS

The purpose of this section is to provide guidelines for the destruction/shredding of confidential documents and records. The Probation Department generates, receives, and stores many documents and records of a confidential nature. If confidential documents and records are not securely maintained and periodically destroyed/shredded, there is potential danger that confidential information can be obtained and misused for illicit purposes. Therefore, for the protection of the Department, it is critical that all confidential documents/records be maintained in a secure location and destroyed in a timely manner based on the Records Control Schedule timelines. Confidential documents and records shall be destroyed/shredded according to the following:

- They shall be shredded in-house with supervisor approval, provided a shredder is available within the facility/office, and all retention requirements have been met.
- An authorized vendor in accordance with the contract provisions between the Purchasing Office and the vendor shall shred them. If an authorized vendor is utilized, the vendor shall be contacted by the Facilities Services Office, who will arrange to have the bins picked up.

Confidential records/documents, found by any employee in a location other than where they are to be properly stored, such as in trash receptacles, recycle bins or other locations, should be brought to the attention of the employee's supervisor for further action consistent with this policy.

Note: Directive 1096 (05/08/2006)

1808 ATTORNEY OF RECORD

The attorney of record in a court case may read the court report after it is filed with the court. The attorney must secure a court order to review any other Probation-related data.

CONFIDENTIALITY OF CASE INFORMATION**1809 VICTIMS**

The Deputy Probation Officer assigned to a case shall provide victims with information pertinent to restitution in accordance with statutes, orders of the court, and departmental procedure.

1810 VOLUNTEERS AND NON-LAW ENFORCEMENT AGENCIES

Probation volunteers, community resources, placement facilities, etc. may obtain case information on a need to know basis from designated members of the Department in accordance with CORI statutes and departmental policies and procedures. Volunteers who have access to case information shall be supervised by the work location supervisor.

1811 SENSITIVE CASES

High publicity cases assigned to the Department for investigation or supervision shall be reported to the Chief Probation Officer through the chain of command. The case file shall be routed, transported, and stored in such a way as to limit the number of people who have access to it.

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL COURT PROTOCOL AND LEGAL NOTICE	Section Number: PDPM-1900
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

1901 INTRODUCTION

This section describes information regarding court appearance responsibilities for Probation Department employees and how various types of legal notice are to be handled. The Department's employees are required to observe the following established protocol in all matters concerning the court and legal notice.

1902 COURT APPEARANCES

One of the responsibilities of a Deputy Probation Officer (DPO) is to appear in court when verbally ordered to do so by the Court, or when subpoenaed by the district attorney, public defender or private attorney. Any order to appear in court is to be responded to without failure unless specific arrangements have been made to postpone or reschedule the hearing date or time. Any change in the scheduled appearance must be with the approval of the court or with the concurrence of the attorney who issued the subpoena.

When appearing before the court, it is vital that the DPO arrive to court on time. Although various courts start hearing their calendar of cases at different times, the DPO is to be in court at the time ordered by the judge or as noted on the subpoena. The DPO is to be professionally attired and prepared for the hearing. The DPO is to review case materials as necessary, including any recent court reports. Probation case materials are not to be taken to court unless subpoenaed. If the subpoena is duces tecum, the DPO is to take the probation X-file to court. The DPO should first confer with the SDPO as to the proper procedures when releasing any information contained the X-file or computerized probation records.

Note: Notice 1442 (07/20/2005)

1903 COURT INQUIRIES CONCERNING DEPARTMENTAL POLICIES AND PROCEDURES

All dissatisfactions expressed by the court regarding Probation Department policy or procedure shall be communicated immediately by the employee to his or her immediate supervisor. The supervisor shall make further inquiry and forward the matter through the chain of command for resolution.

COURT PROTOCOL AND LEGAL NOTICE**1904 DIRECTING PERSONS TO JUDGES**

Probation Department employees shall not direct nor encourage clients to seek personal contact of any nature with judges or commissioners.

1905 SUBPOENA, SUBPOENA DUCES TECUM, AND SUMMONS**Subpoena**

Work-related subpoenas are accepted by the person named. In that person's absence, the office/facility head or a designated representative will accept the subpoena. If the subpoena is served at Probation Headquarters, it will be forwarded to the appropriate work location by the Department's legal liaison.

Subpoenas that name the Chief Probation Officer are only accepted at the Probation Department's Executive Offices.

Non-work related subpoenas are to be directed to the Department's legal liaison.

Subpoena Duces Tecum

Subpoenas for personnel records are only accepted at the Probation Department's Personnel Office.

The Department will oppose the release of a peace officer's personnel record unless the officer has consented to it in writing or the court has mandated the referral through a Pitchess Motion mandating the release of such records.

The Department will also oppose the release of juvenile records because they are the property of the juvenile courts and their release requires the consent of the Presiding Judge.

Summons

Summonses or other notices of legal action served against the Probation Department are received at any work location. The office/facility head will immediately forward the original notice to the Bureau Chief and a copy to the Department's legal liaison.

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL ORGANIZATIONAL DIVERSITY	Section Number: PDPM-2000
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

2001 INTRODUCTION

The Probation Department strives to create an organizational culture that fosters acceptance and appreciation of cultural differences within its work force and in all interactions with clients and the public. The Department's zero tolerance policy prohibits any behavior that demonstrates a lack of sensitivity to individual differences or treats employees in a discriminating or harassing manner.

In order to fulfill our organizational mission of deterring a diverse and multi-cultural client population from pursuing criminal behavior, it is imperative that all employees demonstrate a respect for diverse outlooks, lifestyles, cultural behaviors, and values. The Department strictly prohibits employees from engaging in any form of discriminating or harassing behavior.

2002 NON-DISCRIMINATION POLICY

The Probation Department prohibits discrimination on the basis of race, color, religion, sex, national origin, age, sexual orientation, disability (physical or mental), marital status, cancer-related medical condition, or genetic predisposition.

Further, the Department prohibits inquiries either verbally or through use of an application form, which expresses directly or indirectly any discrimination on any of the aforementioned protected bases. This applies to employees, applicants, the general public, and clients who are provided service by the Department.

Effective January 1, 2001, all employees (supervisors and non-supervisors) are personally liable under the California Fair Employment and Housing Act (FEHA) for unlawful harassment. Specifically, AB 1856 amends government Code Section 12940 and adds Section 12940(h)(3), which states that "[an] employee of an entity subject to this subdivision is personally liable for any harassment prohibited by this section that is perpetrated by the employee, regardless of whether the employer or covered entity knows or should have known of the conduct and fails to take immediate and appropriate corrective action."

The Department's Non-Discrimination Policy mirrors County policies and State and Federal non-discrimination laws. The primary laws prohibiting discrimination

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in employment and provision of services are delineated in the statutes of Title VII of the Civil Rights Act of 1964, as amended, and the FEHA.

In carrying out the functions and duties of the Department, all employees are required to adhere to the County's non-discrimination policies. If there are any questions or clarification is needed with respect to how these policies and laws may affect a particular job function, contact the Department's Affirmative Action Officer.

Note: Directive 895 (01/28/2003)

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL AFFIRMATIVE ACTION	Section Number: PDPM-2100
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

2101 INTRODUCTION

The Probation Department provides equal employment opportunity for all qualified individuals regardless of race, color, ancestry, religion, sex, marital status, national origin, age, sexual orientation, medical condition, or disability. This applies to all forms of employment decisions including, but not limited to, recruiting, hiring, training, compensation, and promotion of all persons in every job classification.

The optimum goal of the Probation Department is to achieve a balanced work force using underrepresented minority groups and women, upon availability, that represent the County's civilian labor force population consistent with the County's Office of Affirmative Action guidelines. Members of underrepresented groups will be actively recruited and considered for entry level or promotional vacancies as determined by the needs of the Department and assuming eligibility under Civil Service Rules.

2102 IMPLEMENTATION

The Department shall take the following positive steps to meet the goals of its Affirmative Action Program:

- Provide a working atmosphere that is free from racial strife, sexual harassment, and racial, religious, age-related, sexual or ethnic epithets, innuendos, slurs, jokes, or any form of discrimination.
- Make special recruitment efforts to obtain qualified candidates from underrepresented groups to fill vacancies.
- Encourage individuals of underrepresented groups to qualify themselves for advancement within the Department.
- Identify the training needs of personnel that, if met, could assist in qualifying those individuals for advancement.
- Take specific action to meet identified training needs.

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- Ensure that promotion decisions are in accordance with equal employment opportunity requirements by imposing only valid, job-related requirements for promotional opportunities.
- Provide mentoring to enhance employee retention and upward mobility.
- Ensure that all personnel actions relating to compensation, benefits, transfers, terminations, training, and education are administered in a non-discriminatory manner.
- Consider affirmative action goals of the Department when making appointments.
- Have an internal employment discrimination complaint process that is in accordance with the Office of Affirmative Action Compliance (OAAC).

The Department's affirmative action officer is charged with responding to and investigating complaints of discrimination from employees and the public.

2103 MANAGEMENT RESPONSIBILITY

All managers are expected to adhere to the provisions of this policy related to the terms of employment of all underrepresented groups.

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL HEALTH, SAFETY AND SECURITY	Section Number: PDPM-2200
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

2201 INTRODUCTION

As employees of Los Angeles County, the health and safety of Probation staff in the workplace is protected by Federal, State and County regulations and policies. Therefore, all employees shall receive training in and comply with occupational safety and health standards applicable to their work assignments.

This section provides information about employee standards and responsibilities related to workplace safety and health. Violations of this policy may result in disciplinary action.

2202 OCCUPATIONAL SAFETY AND HEALTH

The office/facility heads or other managers of work locations shall establish, implement, and maintain an effective Injury and illness prevention program. The program shall be in writing and shall follow the context of Title 8 of the California Code of Regulations, Section 3203.

All supervisory staff shall be familiar with and enforce safety regulations applicable to their area of responsibility.

2203 BUILDING SECURITY AND SAFETY

The office/facility heads or other managers in charge of work locations shall establish and maintain appropriate security and safety measures at all buildings or parts of buildings that are assigned for the use of their staff unless management has specifically placed certain areas under other control.

The office/facility head or other manager in charge of a work location shall ensure that security-related systems and procedures are in place and operative for the control of such matters as:

- Employee access to the work location
- The issuance and storage of keys
- Control of payroll warrants

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- Possession of combinations to safes
- Public access/egress within an office/facility

Managers shall ensure that all accidents and breaches of security are investigated. Managers may use interdepartmental resources, intradepartmental resources, and/or local law enforcement and fire fighting agencies for assistance. They shall ensure that accidents and breaches of security are promptly reported in writing as dictated by procedure.

Supervisors are responsible for assembling pertinent facts and preparing reports on such accidents or security breaches that may occur within their sphere of operations or at the direction of the work location manager.

Prior to the end of their workday, employees are responsible for completing reports on such accidents or security breaches in which they are directly involved or witness unless otherwise directed.

2204 SECURITY INCIDENTS

A security incident is defined as an incident that occurs on County property or directly affects County property and/or on duty County employees in addition to any of the following:

- It requires a response by the local law enforcement authority or by any County security agency (i.e. County police, security guards, etc.) to a County facility.
- It involves an on-duty County employee while on County property. This classification includes lunch periods, parking facilities, or while walking to or from an off site parking facility to start or end a workday.
- It involves any incident of a suspicious or unusual nature on County property that the office/facility head feels should be documented, even if no law enforcement action was requested or needed at the time of the occurrence.

The key objective is to identify and report incidents that affect County employees. For reporting purposes, the Probation Department will use the *Security Incident Report* form developed by the Chief Administrative Officer's Office of Security Management. This report is to be completed by the office/facility head or his or her designee as soon as possible, but no later than the end of business on the day following the incident.

Employees are to report the details of all security incidents to their immediate

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supervisors at the first opportunity. This includes off duty incidents involving employees and/or their immediate families which may be related to their employment with the County of Los Angeles.

2205 PREVENTION OF ACCIDENTS AND SECURITY BREACHES

All employees must share in the responsibility for the safety and security of the work location as a matter of both policy and self interest. All unsafe practices, procedures, or conditions that may contribute to an accident or security violation if left uncontrolled shall be rectified and/or reported to management.

Managers in charge of work locations shall ensure that specific safety rules and security practices are brought to the attention of staff by the installation of cautionary signs, on-going training programs, worker/supervisor conferences, and performance evaluations.

In the course of their regular duties, the managers of all work locations shall take note of any unsafe activity or condition and may suspend an operation or declare an area off limits pending the correction of the safety hazard. They shall be similarly observant and corrective with respect to potential security breaches.

Managers of all work locations shall ensure that safety and security inspections are made on a quarterly basis. They may call upon the Department's safety officer, the County's Office of Security Management or local law enforcement and/or fire fighting agencies for advice. They shall also report all conditions requiring attention, corrective measures taken, and any previously requisitioned remedial work that has not yet been performed. This shall be done in writing as procedures dictate.

2206 OCCUPATIONAL INJURY/ILLNESS

When an employee is injured or becomes ill due to job related activities, the director/supervisor shall be notified as soon as possible and the following policies and procedures shall apply:

Employee Responsibility

- An employee who sustains an on-duty injury/illness shall report the circumstances to his or her supervisor as soon as possible. If the injury/illness is non emergent, the employee shall notify his or her supervisor prior to seeking medical attention and receive approval for a designated physician or medical facility where treatment will be obtained.

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- An employee requiring medical attention while off duty for an incident that occurred while on duty but not attended to shall immediately notify their supervisor.
 - A pre-designated personal physician must be named in writing by the employee and be listed in the employee's personnel file before he or she can treat the employee.
 - Approval from Worker's Compensation is mandatory in cases where treatment is administered by an individual other than a licensed physician. The approval procedure shall be coordinated through the Return-to-Work Unit.
- When receiving medical treatment for an industrial injury, the employee should comply with the doctor's instructions. Failure to do so may result in the employee assuming responsibility for all of his or her medical bills.
- If no medical treatment appears to be necessary at the time of a documented injury and the employee later finds treatment is necessary, he or she should consult one of the physicians authorized by the County with the approval of a supervisor.
- An employee may refuse medical treatment. This action does not waive the right to request treatment if the injury causes future distress. However, the employee may be required to assume all financial responsibility for medical costs if he or she later goes to a physician and neglects to report it to his or her supervisor within 24 hours.
- When able to do so, the employee shall take a Treatment Referral packet to his or her authorized physician for completion and signature. Once completed, the forms should be returned to the employee's supervisor. The supervisor shall then forward the forms to the Return-to-Work Unit.
- The employee shall notify his or her supervisor of the name, address, and telephone number of the attending physician and keep the supervisor apprised throughout the period of treatment.
- During the recovery period, the employee shall remain at his or her residence for the time of period that would constitute an eight hour work day.
- Personnel who are unable to report for duty for more than five consecutive workdays will be placed on a Monday through Friday work schedule from 8:30 a.m. to 4:30 p.m. each day. The employee is required to remain at his or her residence during those hours. A short term waiver of this policy

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may be obtained for doctor's appointments, therapy, etc., with prior approval from the employee's supervisor or director.

- Prior to returning to duty, the employee must obtain a physician's release authorizing the return to work and submit the release to his or her supervisor as soon as possible. Approval for return will be contingent upon review of the medical release by the director and the Return to Work Unit, when applicable.

2207 BUILDING EMERGENCY PLAN

Where Probation is the primary tenant, office/facility heads or other managers are responsible for the development of a building emergency plan. Semi-annual emergency drill and practice exercises shall be conducted at all Probation field offices and frequent exercises shall be conducted at all juvenile halls and camps to ensure employee readiness to respond safely in an emergency.

Office/facility heads or other manager are also responsible for overseeing recovery by noting any immediate needs for securing the site of an actual emergency. A manager may consult the Bureau Chief or other appropriate manager on the means of securing the work location and removing safety hazards as expeditiously as possible.

2208 STAFF DEPLOYMENT DURING MAJOR EMERGENCY/DISASTER

In the event of a major emergency or disaster, defined in existing Memoranda of Understanding/Agreement to be an incident that disrupts the normal function of the Department, all staff are to consider themselves on emergency status. Personnel with pre-established emergency response assignments are to respond according to those assignments.

Employees shall make themselves available for any assignment as directed. If released to return to their homes, staff shall be ready to receive instructions by telephone as to temporary assignments and work locations. Off duty staff shall be prepared for calls to return to duty. In response to disasters, staff should listen to the Emergency Broadcast System for special announcements. The Department's Emergency Manual contains further details on responding to disaster situations. Office/facility heads shall ensure that all employees under their supervision are familiar with the contents of that manual.

LOS ANGELES COUNTY PROBATION DEPARTMENT

Subject: PROBATION DEPARTMENT POLICY MANUAL CHILD AND ELDER/DEPENDANT ADULT ABUSE REPORTING	Section Number: PDPM-2300
	Effective Date: January 25, 2010
	Approved By: Robert B. Taylor, Chief Probation Officer

2301 INTRODUCTION

Child and elder/dependant adult abuse have become increasing and serious problems in our society. Therefore, all Probation Department employees must be instructed on and comply with abuse reporting laws. This section contains information about the legal requirements of child and elder/dependant adult abuse reporting.

2302 REPORTING POLICIES

All Probation Department employees are to refer to the statutes listed below and follow the specific requirements per statute when reporting an incident of abuse. Specific reporting procedures may be found in Departmental Bureau manuals. All Employees should sign an acknowledgement regarding child abuse reporting responsibilities. Under Section 15630 of the Welfare and Institutions Code, all deputized staff are required to sign an additional acknowledgement regarding elder and dependent adult abuse reporting responsibilities. Signed acknowledgements are retained in an employee's personnel file.

2303 CHILD ABUSE REPORTING - LEGAL REQUIREMENTS

Probation Department employees legally responsible for reporting child abuse shall comply with the laws on child abuse reporting as specified in California Penal Code Sections 11165.1-14, 11166, and 11172. Under California law, child abuse consists of inflicting non-accidental physical injury to a child, including the trauma of cruel punishment; causing or permitting unjustifiable physical or mental suffering or endangering the child's health or safety; neglecting to provide the child with the necessities of life and/or adequate supervision, and sexual molestation.

It is a misdemeanor for a supervisor or administrator to impede a mandatory report. Noncompliance is punishable by jail time and/or a fine. It is also a serious breach of Department policy and may result in dismissal from County service.

2304 CHILD ABUSE REPORTING IN JUVENILE INSTITUTIONS

When it is observed or suspected that a child has been abused while in the

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custody of transportation officers, juvenile hall staff, or residential treatment facility staff, the employee(s) legally responsible for writing the report will be additionally required to write an immediate report for the supervisor in charge of the site or operation where the matter arose.

2305 ELDER/DEPENDENT ADULT ABUSE REPORTING - LEGAL REQUIREMENTS

Probation Department employees specified in Sections 15610 and 15630 of the Welfare and Institutions Code shall know and comply with the laws on elder/dependent abuse reporting. An elderly person is one who is 65 years of age or older. A dependent adult is a person between the ages of 18 and 64 who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights. Abuse can be physical, sexual, mental, emotional, or fiduciary and may include neglect, abandonment, or isolation.

The Welfare and Institutions Code sections cited above require legally responsible employees to report any known suspected physical abuse immediately by telephone to the Department of Community and Senior Services Adult Protective Services Unit at (888) 202-4248 within two days of the observed or suspected abuse. After business hours and on weekends, Adult Protective Services can be reached through the Los Angeles County Elder Abuse Hotline at (877) 477-3646.

Noncompliance is punishable by jail time and/or a fine. It is also a serious breach of Department policy and may result in dismissal from County service. By law, deputized employees are required to sign statements of understanding and compliance.

Supervisors shall be informed of abuse incidents and of the completion of mandatory reports by memo. It is a misdemeanor for a supervisor or administrator to impede a mandatory report.