

COUNTY OF LOS ANGELES
PROBATION DEPARTMENT
DIRECTIVE

No.: 1293
Issued: 6/29/12
Post until: 7/29/12

SUBJECT: EMPLOYEES' PROPERTY DAMAGE REIMBURSEMENT PROGRAM

This Directive establishes the Probation Department employees' property damage reimbursement policy associated with the County providing a portion of the cost of replacing or repairing property or prostheses of county employees necessarily carried or worn by such county employees, when such items are damaged during the course of employment.

PERFORMANCE EXPECTATIONS

Each Probation Department employee necessarily wearing or carrying property or prostheses during the course of employment must adhere to applicable County and Department policies that include, but are not limited to:

- County of Los Angeles Employee Handbook Performance Expectations
- Probation Department Policy Manual Section 1100-County Property and Personal Property
- Directive #1121-Use of Personal Cellular Telephones and Electronic Devices in the Workplace

This Directive is separated into major sections and includes attachments as outlined below:

- Section A - Definitions and Explanation of Terms
- Section B - Damage Reimbursement for Employees' Property

SECTION – A: DEFINITIONS AND EXPLANATION OF TERMS

This section has been included to assist employees in their understanding and application of important terms used in this Directive. Key terms used in this Directive are defined as follows:

County Employee (as per Chapter 5.80-Damage to Employees' Property)– Means all employees whose positions are listed in the current salary ordinance or in any other ordinance which creates a county office or position, as now or hereafter amended, whether compensated or not.

Incident – An occurrence which involves property damage.

SECTION – B: DAMAGE REIMBURSEMENT FOR EMPLOYEES' PROPERTY

The County will reimburse a portion of the cost of replacing or repairing property or prostheses of county employees when necessarily carried or worn by such county employees and such items are damaged during the course of employment. The Damage Reimbursement process includes, but is not limited to the following components:

Types of Damages Covered:

- Eyeglasses or similar vision assistance devices
- Hearing aids
- Dentures
- Watches
- Articles of Clothing

Types of Damages NOT Covered (Denial of Claim):

- Personal electronic devices that are prohibited from being brought into Probation facilities (unless, pre-approved written managerial permission was provided for property necessarily carried or worn for legitimate County business or special event and damaged during the course of employment). Such approval in writing must be on the "Approval for Employee Personal Property on County Premises for Legitimate County Business or Special Event Form" (Attachment-C). Such items include, but are not limited to:
 - iPods
 - DVD Players
 - MP3 Players
 - Radios
 - Televisions or similar electronic devices
 - Audio and/or Video Equipment
 - Laptops and/or portable word processors
 - Game Boys or other handheld games
 - Gaming systems and related games and/or devices (i.e.- PlayStation, etc.)
- Personal Property items NOT necessarily carried or worn by county employees. **The below types of personal property should not be on County Premises unless pre-approved in writing by the office head or director prior to bringing such items into the workplace. Such pre-approval in writing must be on the "Employee Non-Covered Personal Property on County Premises Request, Agreement and Civil Claims Release Form" (Attachment-B).** Such non-covered items include, but are not limited to:
 - Refrigerators
 - Microwaves
 - Toasters
 - Hot plates
 - Coffee Pots
 - Other similar personal property

Reimbursement Exclusions (Denial of Claim):

- Claim not filed within the proper time and in compliance with the conditions of the Los Angeles County Code.
- Property or prostheses lost
- Property or prostheses damaged or destroyed by employee fault or by the negligence of any other person.
- The extent to which the employee actually received reimbursement from any other source.
- Damage or destruction of any property or prostheses prior to December 27, 1963, the effective date of the ordinance codified in Los Angeles County Code Section 5.80.
- Damage or destruction of vehicles or jewelry (other than watches).

To Obtain Reimbursement for Damage an Employee must:

The employee must submit the below material to the Probation Headquarters (9150 E. Imperial Hwy., Downey, CA.), Risk Management Office for processing within five (5) business days from the date of damage to the property. Failure to submit the below material within the specified time will result in the rejection/denial of the claim and reimbursement of damages:

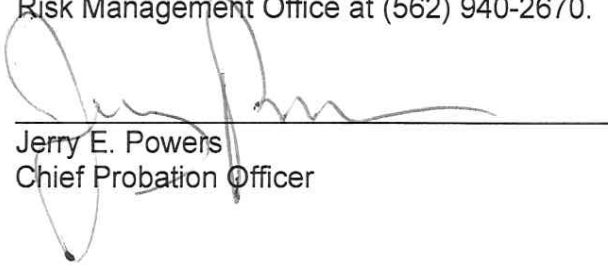
- Complete the Claim for Damage to Employees' Property (Attachment-A)
- Two (2) estimates of repair or replacement costs
- Receipts for the following if applicable:
 - Replacement receipts
 - Repair receipts
- Special Incident Report (SIR)
- Police Report (if applicable)
- Copy of pre-approved written managerial permission provided for property necessarily carried or worn while on County business (if applicable)

Risk Management will notify the employee of the approval or denial of their claim within 2-4 weeks.

- **If approved**, payment issuance may take up to 8-12 weeks from receipt of written notice of approval.
 - If the approved amount exceeds \$1,000.00 after deduction for the amount of reimbursement which the employee has received, if any, the claim will be delivered to the auditor-controller for further review and, where appropriate, approval. The Department does not have control over the timeframe it may take the auditor-controller to conduct their review and approve the claim.
- **If denied**, the basis for the denial will be provided in writing. The denial of a reimbursement claim for damages by the department head or his/her designee is considered final and not subject to review pursuant to Los Angeles County Code.

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Questions or concerns related to this Directive may be addressed by contacting the Risk Management Office at (562) 940-2670.



Jerry E. Powers
Chief Probation Officer



LOS ANGELES COUNTY PROBATION DEPARTMENT CLAIM FOR DAMAGE TO EMPLOYEES' PROPERTY

CLAIMANT INFORMATION	Employee Name (claimant):	
	Employee#:	Payroll Title:
	Employee Work Location :	Employee Work Phone No.:
	Supervisor's Name:	Supervisor's Phone No.:

DAMAGE INFORMATION	Date damage occurred:
	Location where damage occurred:
	Type of necessarily carried or worn property damaged during the course of employment:
	☐ Eyeglasses ☐ Hearing Aids ☐ Dentures ☐ Watches
	☐ Clothing ☐ Other (describe):
	Describe how the damage occurred:
Date when the employee became aware of the damage:	
Explanation of why the employee was not aware of the damage <u>if</u> the above date is not the same as the date the damage occurred:	

REPAIR OR REPLACEMENT ESTIMATES	Amount of Claim:
	Are at least two (2) estimates attached: ☐ YES ☐ NO

Certification & Assignment:

By signing this form, I certify that the facts contained on this form are true and complete to the best of my knowledge and belief.

I agree to subrogate to the County any right which I may have for reimbursement from others. This includes, but is not limited to, any and all recoveries I may obtain from others for the injury or destruction of the property or prosthesis, which is the subject of the claim, to the extent of reimbursement paid to me by the county.

I understand the amount of reimbursement shall be calculated by subtracting \$5.00 and by subtracting, also, the amount I actually received from other sources, if any per County Code Section 5.80.

Employee Signature

Date

Supervisor Signature

Date



**COUNTY OF LOS ANGELES PROBATION DEPARTMENT
EMPLOYEE NON-COVERED PERSONAL PROPERTY ON COUNTY
PREMISES REQUEST, AGREEMENT AND CIVIL CLAIMS RELEASE**

EMPLOYEE NAME (REQUESTOR):	EMPLOYEE NO.:
WORK LOCATION ADDRESS:	EMPLOYEE JOB TITLE:
OFFICE PHONE NO.:	EMPLOYEE ITEM NO.:

I _____ am aware of the County of Los Angeles Probation Department Policy associated with the types of personal property items not necessarily carried or worn during the course of employment. I am also aware of the types of Damage to Employees' Property that may be covered by application of Los Angeles County Code Section 5.80. Despite being aware of these policies and governing laws I have made a knowingly and voluntary request for written management approval to bring and use the following non-covered personal property item(s) in the above Probation Department facility or office.

Type of Item	# of Items	Justification for Request	Facility Head or Designee Signature if Item Approved

I realize that if this request is approved, I will be bringing my approved personal property on County Premises at my own risk. In consideration for permission to bring such non-covered personal property on County Premises, I **understand and agree to the following:**

- Each situation where an exception is made to the Probation Department Policies associated with Personal Property on County Premises (also known as Private Property on County Premises) is individually handled on a case-by-case basis. The Probation Department may require the immediate removal of any item at any time.
- My personal property may be subjected to damage or loss, and I accept these risks.
- I agree that the County of Los Angeles, the Probation Department, and all Probation Department Employees are not liable for any damages I sustain associated with my request for approval to bring my non-covered personal property on County Premises.
- I waive and release the County of Los Angeles, Probation Department, and all Probation Department Employees from any and all liability for damage or loss of my non-covered personal property occurring while such property is on County Premises if this request is approved. I also waive and release any claim arising from or related to the negligent act or omission, or alleged negligent act or omission by any member, employee or agent of the Los Angeles County Probation Department. I also release any and all civil rights claims, including but not limited to any claims under 42 U.S.C. Section 1983 or 1985, that are based on or in any way predicated on any intentional, deliberate, indifferent, or conscience shocking conduct of any member, employee or agent of the Los Angeles County Probation Department.
- I also agree that myself, heirs, executors, administrators, and assigns shall defend, indemnify, and hold harmless the County of Los Angeles, the Probation Department, all members, officials and employees of the Los Angeles County Probation Department, their sureties, and each one of them, against any and all manner of actions, suits, debts, counts, claims, and demands, or damages or liability or expenses of every kind and nature, incurred or arising by reason of actual or claimed intentional, deliberate, indifferent, negligent, malfeasance, or wrongful act or omission, arising from, related to, or as a result of my bringing my approved non-covered personal property on County Premises.

I have carefully read and understand the contents of this document and sign it of my own free will. I also know and understand that I have the right to consult with an attorney before signing this request for approval to bring non-covered personal property on County Premises. I also can revoke this agreement at any time before I bring my non-covered personal property on County Premises if approved, but once said property has been brought on County Premises, this release cannot be rescinded.

EMPLOYEE NAME (PRINT):		EMPLOYEE SIGNATURE:		DATE:
APPROVAL STATUS: ☐ Denied ☐ Approved in Part (see above) ☐ Approved in whole	FACILITY HEAD OR DESIGNEE NAME (PRINT):	FACILITY HEAD OR DESIGNEE SIGNATURE:	DATE:	



**COUNTY OF LOS ANGELES PROBATION DEPARTMENT
APPROVAL FOR EMPLOYEE PERSONAL PROPERTY ON COUNTY
PREMISES FOR LEGITIMATE COUNTY BUSINESS OR SPECIAL EVENT**

EMPLOYEE NAME (REQUESTOR):	EMPLOYEE NO.:
WORK LOCATION ADDRESS:	EMPLOYEE JOB TITLE:
OFFICE PHONE NO.:	EMPLOYEE ITEM NO.:

I _____ am aware of the County of Los Angeles Probation Department Policy associated with the types of personal property items not necessarily carried or worn during the course of employment. I have made a knowingly and voluntary request for written management approval to bring and use the following personal property item(s) in a Probation Department facility or office for Legitimate County Business or Special Event:

Type of Item	# of Items	Justification for Request (Describe Legitimate County Business or Special Event)	Facility Head or Designee Signature if Item Approved

I realize that if this request is approved, I will be bringing my approved personal property on County Premises for a limited purpose as stated above. I also realize that loss or damage to the above personal property may be compensated as provided in the County Ordinance associated with this specific approval.

EMPLOYEE NAME (PRINT):		EMPLOYEE SIGNATURE:	DATE:
APPROVAL STATUS: ☐ Denied ☐ Approved in Part (see above) ☐ Approved in whole	APPROVAL START DATE:	APPROVAL END DATE:	
FACILITY HEAD OR DESIGNEE NAME (PRINT):		FACILITY HEAD OR DESIGNEE SIGNATURE:	DATE: