

COUNTY OF LOS ANGELES
PROBATION DEPARTMENT
DIRECTIVE

No.: 1339
Issued: 08/21/13
Post until: 09/21/13

SUBJECT: EVENTS LIABILITY REDUCTION

This Directive establishes the Department policy and procedures associated with obtaining clearance from the Probation Department Office of Risk Management prior to committing the Probation Department to participation in events involving Non-Probation Department persons or Non-County of Los Angeles entities (Non-COLA). This policy enables the Department to consider potential participation in events after checking for potential conflicts, release form requirements, insurance and other related materials that may apply to the event.

This Directive supersedes and revises Directive #1292 titled, Event Liability Reduction issued on June 29, 2012.

PERFORMANCE EXPECTATIONS

Employees that are responsible for coordinating Probation Department participation in events on or off County premises that involve Non-Probation Department persons or Non-COLA entities must adhere to applicable County and Department policies that include, but are not limited to:

- County of Los Angeles Employee Handbook Performance Expectations
- Los Angeles County Code Section 13.16-Soliciting on County Property
- County of Los Angeles Fiscal Manual:
 - Chapter 2.4.0-Donations
 - Chapter 16.1.0-Departmental Foundations/Support Groups
- Los Angeles County Board of Supervisors (BOS) Policy Manual:
 - Policy #3.070-County-Sponsored Events To Be Disabled Accessible
 - Policy #9.080-Solicitation Activities By Registered and Certified Employee Organizations
- Probation Department Policy Manual (PDPM) Section 600-Employee Conduct
- PDPM Section 1100-County Property and Personal Property
- PDPM Section 1500-Community Resources/Relations
- PDPM Section 1600-Political and Fundraising Activities

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

- Section A - Definitions and Explanation of Terms
- Section B - Request for Event Clearance
- Section C- Responsibilities of Risk Management Office
- Section D- Facility/Office Tour Post Clearance Approval Efforts
- Section E- Solicitation Activities By Registered & Certified Employee Organizations
- Section F- General Post Clearance Approval Efforts

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:

Certified Employee Organizations or Certified Employee Representative: Means an employee organization (Attachment-E), or its duly authorized representative, that has been certified by the employee relations commission as presenting a majority of the employees in an appropriate employee representation unit.

Event: Means any type of social gathering, activity or program.

Non-County of Los Angeles (COLA) Entity- Means a business, non-profit organization, corporation, or similar group that is not a County of Los Angeles Department. This does not include a County Commission, LACERA, Unions or other County affiliates whose events may be governed by other policies and/or written agreements.

Non-Probation Department Person- Means person's that are not employees of the Probation Department.

SECTION – B: REQUEST FOR EVENT CLEARANCE

Employee event coordinators **must** request event clearance in writing from the Probation Department Office of Risk Management prior to committing the Department participation in any event. The Event Clearance process includes, but is not limited to the following components:

Types of Events Requiring Clearance:

- Facility/Office Tours
- Open House Events
- Group activities involving Non-Probation persons on or off County Premises
- Group activities involving Non-COLA entities on or off County Premises
- Other similar activities wherein, Probation Department is requested to participate

To Request Event Clearance Employees must:

The employee event coordinator must submit the below **Event Clearance Request Packet** to the Probation Headquarters (9150 E. Imperial Hwy., Downey, CA.), Risk Management Office for processing at least two (2) weeks prior to the proposed event. Failure to submit the below material within the specified time may result in the inability for Probation Department to be referenced as being associated with the event:

- Complete the Request for Event Clearance Form (Attachment-A) with Director or Superintendent signature of approval
- A copy of the written request for Probation Department to participate in the event
- The business entity number (if applicable)
- The business Tax ID number (if applicable)

- Copy of the entities Tax Exempt Status letter from the Department of Treasury (if applicable)

SECTION – C: RESPONSIBILITIES OF RISK MANAGEMENT OFFICE

Risk Management will notify the employee event coordinator of the status of their clearance request within 4-5 business days (See Section-E for additional responsibilities). Risk Management will conduct a limited check to rule out any potential conflicts (i.e.- business status, business using actual business name, etc.), determine insurance requirements (i.e.-provide entity with proof of COLA self-insurance, request entity provide COLA with proof of general liability insurance with COLA as a certificate holder, etc.) and related advertisement requirements if applicable.

- **If the event is cleared**, the Office of Risk Management will advise the employee event coordinator that the event has been cleared and of specific actions that must be taken, such as, but not limited to:
 - **Risk Management Action** includes, but is not limited to:
 - Send communication to the Non-COLA entity or person noting requirements that must be met for Probation Department to participate such as, but not limited to:
 - **If the event is on Non-COLA premises**-Provide the Non-COLA entity with a copy of the Certificate of Self-Insurance Coverage from the Chief Executive Office (CEO) if applicable.
 - **If the event is on COLA premises**-Securing Non-COLA entity proof of at least \$1,000,000.00 in general liability insurance coverage with COLA listed as an Additional Insured (certificate holder) if applicable.
 - Advisement that any and all materials developed to publicize the event wherein the Department is referenced must clearly reflect the entire name of the entity as noted on their business identification and/or tax exempt status documentation. Requiring use of the business exact name as listed on their identification/tax exempt status documentation reduces the likelihood of unintentional association with other potential business entities.
 - That COLA must be provided a copy of such materials.
 - **Event Coordinator Action** includes, but is not limited to:
 - See “Section-D” of this Directive
 - Securing other Department approvals that may be required if the event involves the County paying/funding portions of the event (e.g.-Contracts for County to pay for food, completion of requisitions, etc.)
 - **If the event is NOT cleared**, the Office of Risk Management will advise why the event is NOT cleared and what measures can be taken IF any to get clearance.

SECTION – D: FACILITY/OFFICE TOUR POST CLEARANCE APPROVAL EFFORTS

The “Facility/Office Visit Agreement and Civil Claims Release” Form (Attachment-B) must be completed for all non-media participants of approved Facility/Office Tours. If the tour is for a media entity and/or media personnel the “Media Request for Facility/Office Tour Waiver of Liability and Civil Claims Release” Form (Attachment-C) must be completed. The following post-event clearance actions are specific to the type of location involved in the tour:

Juvenile Halls and Camps

- Tour visitors must be 18 years of age or older unless specific management approval has been provided at the Bureau level or higher or a court order exists.
- The Behavior Management Program Coordinator (BMPC)/Camp Acting Director (AD) shall ensure all tour members have received and signed the Civil Claims Release Form (Attachment-B and/or Attachment-C). Original Forms shall be given to the Assistant Superintendent/Camp Director for maintaining records of touring visitors. In addition, the BMPC/AD shall:
 - Instruct visitors to adhere to and maintain compliance with tour guidelines (referenced in Attachment-B and/or Attachment-C), rules and regulations of the facilities.

Area Offices

- The Event Coordinator shall ensure all tour members have received and signed the Civil Claims Release Form (Attachment-B and/or Attachment-C). Original Forms shall be given to the Office Director for maintaining records of touring visitors. In addition, the Event Coordinator shall:
 - Instruct visitors to adhere to and maintain compliance with tour guidelines (referenced in Attachment-B and/or Attachment-C), rules and regulations of the offices.

SECTION – E: SOLICITATION ACTIVITIES BY REGISTERED & CERTIFIED EMPLOYEE ORGANIZATIONS

Certified and Registered Employee Organizations may gain access to County facilities for the purpose of marketing insurance products (group insurance under a policy that is approved by the BOS under certain conditions and those sponsored by certified or registered employee organizations) to County employees. However, they must submit a written request via the “Solicitation Activity Request Form” (Attachment-D) at least seven (7) business days prior to the proposed activity or event. Below you will find the process requirements that must be met:

Certified & Registers Employee Organization MUST:

- Complete and sign the documents in the Solicitation Activity Request Packet, which consists of:
 - Solicitation Activity Request Form (Attachment-D)
 - Must be signed by the authorized representative
 - Facility/Office Visit Agreement and Civil Claims Release Form (Attachment-B)
 - Must have a completed and signed form for each entity individual that will perform solicitation activities

- Submit the completed packet to Probation Department Risk Management at:

Los Angeles County Probation Department
Attn: Risk Management
9150 E. Imperial Highway
Downey, CA 90242
Ph.: (323) 260-2788
Fax: (323) 265-7168 or (323) 526-4008
E-Mail: RiskManagement@probation.lacounty.gov

Probation Risk Management Office MUST:

- Take receipt of the Completed the Solicitation Activity Request Packet
- Contact (via phone or e-mail) the Facility/Office Director to discuss the Solicitation Activity Request Packet. Ask the director for his or her decision and record the decision on the bottom of the request form. The director decision can include, but is not limited to:
 - Approved As-Is
 - Proposed New Date: _____
 - Other: _____
- Contact (via phone or e-mail) the requesting entity to advise of the above status provided by the director.
- Scan and send completed copies of the full-packet to the Facility/Office Director's Secretary and the Bureau Chief's Secretary.

SECTION – F: GENERAL POST CLEARANCE APPROVAL EFFORTS

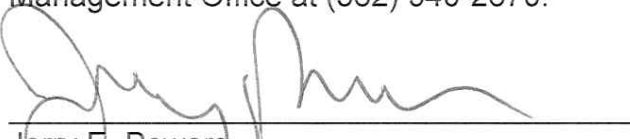
After receiving event clearance all employee event coordinators **must** address any required actions referenced in their event approval documentation. It should be noted that the event coordinator **must** consult with his or her Facility or Office Head if any of the following situations arise:

- The Non-COLA entity or person offers any gift, bequest or devise made to or in favor of the County. The Facility or Office Head will consult with the Bureau Chief to secure authority to accept or reject any such items to or in favor of the County in accordance with the County Fiscal Manual Section 2.4.0.

It should be noted that Probation Department staff shall not do any of the following associated with approved events:

- **Shall not** conduct raffles
- **Shall not** gamble
- **Shall not** conduct or participate in unlawful activities

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