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Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: August 5, 2014

Subject: RESPONSE TO CIVIL GRAND JURY REPORT NO. 1406, ENTITLED "COUNTY EMPLOYEE EVALUATIONS"

RECOMMENDATION(S):

APPROVE response to Civil Grand Jury Report No. 1406, entitled "County Employee Evaluations" and DIRECT the Clerk of the Board to forward the response to the Superior Court no later than August 12, 2014.

FISCAL IMPACT:

There is no fiscal impact. This is an informational report.

BACKGROUND:

On May 14, 2014, the County received 2013-2014 Civil Grand Jury Report No. 1406 entitled, "County Employee Evaluations". The report was received by the Board of Supervisors and subsequently referred to the County Administrator on the June 3, 2014 Board of Supervisors agenda (Item No. C.174), who prepared the attached response that specifies:

- Whether the respondent agrees or disagrees wholly or partially with each finding;
- If the respondent disagrees with a finding, a statement explaining the portion of the finding that is disputed and the reasons for the disagreement;
- Whether each recommendation has been implemented, has not been implemented, or requires further analysis; and
- If the recommendation requires further analysis, a statement explaining the scope and parameters of the analysis or study, and a time frame, not to exceed six months, for the matter to be prepared for discussion.

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 08/05/2014 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYES 5 NOES _____

ABSENT _____ ABSTAIN _____

RECUSE _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: August 5, 2014

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Lisa Driscoll, County Finance Director
(925) 335-1023

By: Stephanie L. Mello, Deputy

cc: Human Resources

CONSEQUENCE OF NEGATIVE ACTION:

In order to comply with statutory requirements, the Board of Supervisors must provide a response to the Superior Court no later than August 12, 2014 (90 days after receipt). The Board must take action no later than the August 12, 2014 meeting in order to comply with the statutory deadline.

ATTACHMENTS

Grand Jury Report 1406

Resonse to Grand Jury Report No. 1406, "County Employee Evaluations"

BOARD OF SUPERVISORS RESPONSE TO CONTRA COSTA COUNTY
GRAND JURY REPORT 1406:

County Employee Evaluations
Say What You Mean and Do What You Say

Findings:

1. In response to previous Grand Jury reports concerning annual employee evaluations, the Board of Supervisors and the County Administrator have stated that “departments are required to conduct annual performance reviews on all employees.”

Response: The respondent agrees with the finding. Although the September 11, 2007 response to Grand Jury Report No. 0709 included agreement to the recommendation that “departments are required to conduct annual performance reviews on all employees” a clear policy was not developed. The August 21, 2012 response to Grand Jury report number 1214 did include an informal policy. That policy direction has been implemented and staff has begun the process of developing the tools for implementation. Implementation has taken much longer than anticipated due to the complexities involved with the number of classifications.

2. Approximately half of the employees (over 4,000 employees) in the County do not receive annual evaluations.

Response: The respondent partially disagrees with the finding. Data collected during October of 2013 for evaluation completions during FY 2012-2013, may not appropriately capture the previous year’s annual evaluation completions. Additionally, the numbers reported were for formally documented performance evaluations. Some departments responded that informal meetings between supervisors and staff were conducted annually, if not more frequently, to discuss individual employee’s performance and goals. Therefore, employees not accounted for in the reported numbers, may be receiving informal annual evaluations.

3. The two largest departments, Health Services and Employment and Human Services accounted for over 3,000 incomplete evaluations last year (FY 2012-2013).

Response: The respondent agrees with the finding. Based on the information reported by both departments in October of 2013, they accounted for over 3,000 incomplete evaluations during the FY 2012-2013. However, the number of evaluations is understated due to the lack of centralized reporting of these reviews.

4. Responsibility for tracking performance reviews by department heads has not improved completion rates.

Response: The respondent partially disagrees with the finding, other factors have hindered evaluation completions during the reporting period, which are not specifically tied to the

delegation of responsibility to department heads. For example, the Department of Conservation and Development was in the process of transitioning to a new, more detailed performance evaluation tool. During that time, performance evaluation completions were put on hold until agreements were reached with labor unions. Additionally, plans to track evaluations through a centralized tool have been delayed due to extended implementation.

5. While most departments have an internal function to track employee evaluations, many of these departments track only probationary and merit/step increases as required by the County for pay increases.

Response: The respondent agrees with the finding.

6. Merit/step increases can term out as quickly (typically 5 years for most job classifications) resulting in long-term employees not receiving performance evaluations for years or even decades.

Response: The respondent agrees with this finding. Departments that do not have internal practices of completing annual evaluations after an employee has reached their final salary step may result in long-term employees not receiving performance evaluations.

7. There is no formal written county-wide policy on completing annual evaluations for all employees except for the response to past Grand Jury reports by the Board of Supervisors.

Response: The respondent agrees with this finding.

8. Only half of the departments in the County have a written policy concerning conducting annual employee evaluations.

Response: The respondent agrees with this finding.

9. Departments are not reporting annual evaluation completion rates to the County Administrator or the Board of Supervisors.

Response: The respondent agrees with the finding.

Recommendations:

1. The County should provide annual performance evaluations to each county employee as agreed to in past Grand Jury reports.

Response: The recommendation has been partially implemented, and requires further analysis. The Board of Supervisors and the County Administrator remain committed to providing annual evaluations for all County employees. The expectation of annual performance evaluations has been communicated to department heads.

However, the County Administrator understands that some departments have encountered challenges with meeting this expectation, and fulfilling the expectation will take time, additional resources, and further analysis. This is true to the implementation at both the department and county-wide levels, some departments are challenged by staff reductions and demanding workloads. In addition, some departments have struggled to identify performance evaluation tools that meets the specific needs of their classifications and operations, automating evaluation processes that will facilitate accurate completion rate reporting, and other mandated or critical issues may have dominated meet and confer meetings with labor unions. Nevertheless, current efforts will continue to support departments and supervisory employees with the timely completion of annual performance evaluations. These efforts include supporting departments to implement reasonable and meaningful annual performance evaluations, developing a county-wide annual performance evaluation policy that is considerate of the unique functions and best management practices of each department, and extending to all departments the use of Taleo Perform software, which automates the performance evaluation processes. Currently the Department of Child Support Services, Risk Management, the Library and the County Administrator's Office are utilizing the software program. As more departments implement standardized annual performance evaluation processes, ongoing analysis will be necessary to ensure the desired outcomes of the project are successfully met.

2. Departments with less than 100% annual performance evaluation completion rates should consider implementing policies and plans with timelines to develop and conduct annual evaluations, and identifying funds to do so.

Response: The recommendation will not be implemented because 100% annual evaluation completion rates are unreasonable. There are other factors outside of management's control to be considered that delay the completion of annual evaluations, departments have experienced cases where employees are on extended leave of absences due to disability, military, and Family Medical Leave Act. Other factors impacting annual reviews include new hires not having worked a full year, classification reassignments that may change employees' anniversary dates, and allowing new supervisors sufficient time to substantiate their observations of employees' performance.

The County is supportive of a 100% accountability plan, which sets the expectation that all employees eligible and able to receive an annual performance evaluation receive one timely. For each incomplete evaluation, a report with a reasonable explanation of the delayed reviews will be requested. Departments that do not demonstrate adherence to the County plan will be required to develop a corrective action plan with timelines.

3. The Board of Supervisors should consider requiring the County Administrator to report yearly on annual employee evaluation completion rates by department.

Response: The recommendation requires further analysis. Reporting to either the Board of Supervisors (or the Internal Operations Committee of the Board of Supervisors) should be part of a countywide policy regarding performance evaluations. However, until the final system is developed specific reporting requirements cannot be established.