



DEPARTMENT OF

HUMAN RESOURCES

Our Mission: To create a thriving organization, providing meaningful careers in public service.

Joanne Peterson
DIRECTOR

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Board of Supervisors
County of Marin
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SUBJECT: Merit Hearing for Adopting Ordinance of the County's revised Personnel Management Regulations (PMR) 21, Equal Employment Opportunity, Anti-Harassment and Anti-Retaliation Policy, to Clarify Appeal Procedure

Dear Board Members:

RECOMMENDATION: Conduct Merit Hearing and Adopt Ordinance (attached) of revised Personnel Management Regulations (PMR) 21.

SUMMARY: The Department of Human Resources has recently completed its revision of the County's PMR 21, Equal Employment Opportunity, Anti-Harassment and Anti-Retaliation Policy. Current policy provides an internal appeal procedure for PMR 21 complaints if such complaints meet specific criteria, however, the scope of review for such appeals is unspecified. The purpose of this revision, achieved through the meet and confer process with the Coalition of Labor Associations (COLA), is to provide clarification regarding the scope of review.

This revised PMR 21 provides a full evidentiary hearing for PMR 21 complaints subject to the County's internal appeal process. The hearing shall be heard by an Administrative Law Judge (ALJ) mutually selected by the County and the Complainant but paid for by the County. The ALJ shall make a final decision on whether PMR 21 was violated and determine the appropriate remedy, except that if the complaint involves a disciplinary action, the final decision regarding the disciplinary action shall be made by the County's Personnel Commission. Lastly, this policy revision recognizes that the granting of a full evidentiary hearing pursuant to this Policy is binding on all parties.

A minor revision also includes a revision to the definition of "retaliation," which is in accordance with a recent U.S. Supreme Court decision.

Human Resources hereby requests that the Board of Supervisors conduct the Merit Hearing today.

FISCAL IMPACT: The revised PMR 21 does not have any direct fiscal impact.

REVIEWED BY: Finance N/A
 County Counsel N/A
 Human Resources

Respectfully Submitted,



Angela Nicholson,
Interim Director of Human Resources

cc: Roger Crawford, Deputy Human Resources Director
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 Robert McCree, Equal Employment Opportunity Officer
 Employee Organizations

