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Contact: Howard Sutter
714.834.6203 office
Howard.Sutter@ocgov.com

Statement on Grand Jury Report

(Santa Ana, CA) — The County of Orange has already taken several significant steps to address the concerns identified in the Grand Jury report entitled “*The Culture of Harassment: Change on the Horizon*,” which was released today.

“While the Grand Jury does acknowledge that positive change is occurring, we feel that the significance of the County’s forward progress in this area was downplayed,” said Shawn Nelson, Board of Supervisors Chairman. “The Board has consistently demonstrated its commitment to self-examination, transparency, and accountability, not only in response to the results of internal investigations but also through structural changes, such as the creation of the Office of the Performance Audit Director and the recentralization of Human Resources.”

Actions taken by the County of Orange include:

- Establishment of a Countywide Investigations and Compliance Oversight Committee (August 2012)
- Approval of additional resources and positions for the District Attorney’s Special Prosecutions/Special Assignments Unit (September 2012)
- Revision of the County’s EEO policy (October 2012)
- Recentralization of Human Resources (Effective December 2012)
- Plans for EEO training for all County staff (to be completed by October 2013)
- Hiring of a new County EEO manager (February 2013)
- Development of an action plan specific to OC Public Works (November 2012)
- Provision of training on “Preventing Workplace Harassment, Discrimination and Retaliation” to over 250 OC Public Works Managers (April 2013)

Additional information about actions already taken by the County to strengthen sexual harassment policies, practices and training is included in the attached documents.

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Strengthening of Sexual Harassment Policies, Practices and Training

County–Wide

- **Investigations & Compliance Oversight Committee** - August 2012. Committee comprised of HR Director, Director of Internal Audit, and County Counsel. The Committee’s duties include: (1) review and develop HR policies for Board consideration; (2) coordinate investigations of reported violations of EEO and HR policies, (3) analyze complaints from all relevant perspectives (e.g., legal, operational, financial), and; (4) keep the Board informed.
 - Began using (contract) independent attorney EEO investigators to investigate complaints.
- **Progress Report to Board** - September 12, 2012. Report from Human Resources Director to Board of Supervisors details the establishment of the Compliance Oversight Committee, and details pending revisions to the County’s EEO Policy, which require Board approval.
- **District Attorney Investigatory Capacity** - September 25, 2012. The Board of Supervisors approves the addition of seven positions to the District Attorney’s Special Prosecutions/Special Assignments Units to investigate complaints against individuals holding public office or matters that allege the County and/or County employees may be victims of crime.
- **County EEO Policy Revisions** - October 30, 2012. Board of Supervisors adopts revised County Equal Employment Opportunity (EEO) and Harassment Policy and Procedure.
- **Communication to Employees** - November 2012. CEO column in County Connection newsletter, which is distributed to all employees, focuses on the role of the County’s Equal Employment Opportunity and Harassment Policy in our efforts to maintain a “workplace free of discrimination, harassment and retaliation.”
- **Best Practices: Investigations** - December 28, 2012. Best practices recommendations for conducting personnel investigations are provided to the County by an outside consultant
- **County-Wide EEO Training** - February 2013. Human Resource Services (HRS) released a Request for Proposals for Sexual Harassment training on February 21, 2013. Two responsive proposals were received, and a vendor will be soon recommended to the Board consideration.
 - Classroom training for about 3,500 management/supervisory staff will begin in July.
 - On-line training for the approximately 13,500 non-supervisory employees will be completed by October 2013.
- **County EEO Manager** – February 2013. New EEO Manager hired by HRS. Responsibilities include maintaining a quality EEO Compliance program in the County, making himself available to any employee who wishes to discuss EEO concerns, participating in a number of EEO meetings at various departments, and investigating EEO complaints where a neutral third party is required.
- **Future Steps** - Additional changes to strengthen the County’s EEO policy to be presented to the Board of Supervisors at a May 2013 meeting.

Strengthening of Sexual Harassment Policies, Practices and Training

OC Public Works

- **Employee Security** - April /August 2012. In response to employee concerns, OC Public Works took steps to enhance safety and security at the Osborne Building and the Glassell Facility.
- **Department Organization and Culture** - April 2012. OC Public Works commissioned a pro bono panel of retired County executives to provide a high level assessment of the department's organization and culture through personal, confidential interviews with department, CEO, and other staff. The panel's findings were presented in July 2012.
- **New Leadership: OC Public Works Human Resources** - August 2012. OC Public Works took action to begin the process of restoring credibility and competence to their Human Resources (HR) function through new leadership. This included the appointment of a new HR Manager and a new Director of Administrative Services, to which the HR Manager reports.
- **Filing Complaints** - August 7, 2012. Memo sent to all OC Public Works staff reaffirming County's and OCPW's commitment to employees that sexual harassment, discrimination and/or retaliation will not be tolerated. Memo provides employees with three avenues for reporting of harassment complaints.
- **Commitment of Public Works Management** - August 20, 2012. Memo sent by OC Public Works leadership to all staff with a Statement of Commitment pledging that *"We are committed to a workplace free from sexual harassment, discrimination, retaliation, and favoritism within OC Public Works, with community partners or with the public."* The Statement of Commitment was posted, delivered and read to employees personally by the leadership team at every OC Public Works work location.
- **OC Public Works Response to IRT Findings** – October 2012. Over 80 OC Public Works staff members collaborated to address the findings and recommendations in the Independent Review Team (IRT) Report.
- **Action Plan: CEO** - November 2012. The CEO developed an Action Plan for OC Public Works that included recommendations to:
 - Update EEO information within OCPW to reflect changes approved by the Board of Supervisors
 - Provide EEO training for non-management staff after completion of training for managers
 - Review EEO information presented to employees upon hire
 - Review and revise existing investigative procedures
 - Develop investigative policies and procedures
 - Review and revise department policies and procedures for posting of legal and informational notices
- **Action Plan: Public Works** - December 10, 2012. OC Public Works Action Plan details that new employees are being provided with a copy of the County's Equal Employment Opportunity Policy in orientation materials. In addition, all supervisors and managers will be required to attend the Performance Management training series by July 2013, which will provide tools to ensure that supervisors and managers are proactively addressing concerns with their employees.
- **OCPW EEO Training** - April 2013. OCPW with approval of HRS provided 254 managers from OC Public Works training on "Preventing Workplace Harassment, Discrimination and Retaliation," which was conducted by an outside consultant.