

1 MARIPOSA COUNTY RESOLUTION NO. 85-315

2 ESTABLISHING A POLICY  
3 RELATIVE TO PROCEDURES REGARDING COMPLAINTS  
4 AGAINST A COUNTY EMPLOYEE

5 WHEREAS, in the County of Mariposa there exists no policy  
6 or procedure to handle complaints against a County employee, and

7 WHEREAS, the Board of Supervisors desires to establish a  
8 policy and procedure to handle complaints which may arise  
9 against a County employee;

10 NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors  
11 of Mariposa County, a political subdivision of the State of  
12 California, as follows:

13 1. All Complaints regarding a County Officer or Employee  
14 (Employee) must be in writing and delivered to the Board of  
15 Supervisors in care of the Clerk of the Board, in the County  
16 Clerk's Office, in a sealed envelope marked "CONFIDENTIAL" with  
17 a notation it is a Complaint filed pursuant to this Resolution.  
18 With the exception of a Complaint involving the Sheriff of  
19 Mariposa County, any Complaint against a peace officer employed  
20 by the Sheriff's Department shall not be subject to these pro-  
21 cedures and shall be filed with the Sheriff's Office pursuant  
22 to procedures adopted by the Sheriff's Department.

23 2. The Complaint shall be specific regarding the following:  
24 a. The allegation of misconduct or wrongdoing.  
25 b. Citation of State law or County Code, if applicable.  
26 c. Give dates, times, and places where event or  
27 events occurred.  
28 d. Give names of persons involved and addresses, if  
available.

1 e. Any other information which would help the Board  
2 determine if there is a basis for any charge of misconduct or  
3 wrongdoing.

4 f. The Complaint must be signed by the individual  
5 making the Complaint, or by an authorized representative of a  
6 legal entity. If it is not signed by the individual or authorized  
7 representative of a legal entity, the Complaint will not be con-  
8 sidered by the Board.

9 3. The Board shall hold a Closed Session to discuss the  
10 Complaint at the next regular meeting of the Board of Supervisors  
11 after the document is properly filed. The Employee will not be  
12 present at the Closed Session unless his/her presence is requested  
13 by the Board.

14 4. The Complainant may be present at the Closed Session, at  
15 the discretion of the Board, for either clarification purposes  
16 or to answer questions regarding the Complaint.

17 5. Based upon the written Complaint and the Closed Session,  
18 if the Board determines that an action or investigation is  
19 necessary then the Employee shall be notified within ten (10)  
20 days of that determination being made, of all charges and the  
21 identity of the individual and/or the legal entity filing the  
22 Complaint.

23 6. Prior to any disciplinary action being taken against  
24 an Employee as a result of a Complaint filed hereunder, the  
25 Employee shall be entitled to a hearing before the Board which  
26 shall be either closed or open at the option of the Employee.  
27 The hearing shall be conducted as a disciplinary hearing as  
28 outlined in proposed Section 13.05 of the Policies and Procedures

1 Handbook, after adoption Section 13.05 shall continue to be  
2 followed, as amended from time to time.

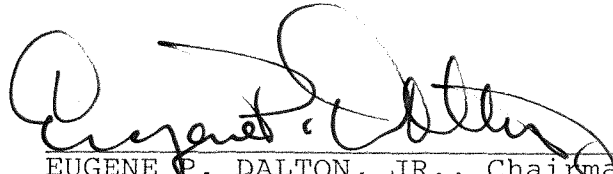
3 7. The procedures outlined herein shall in no way affect  
4 the Board's ability to terminate employees who serve at the  
5 pleasure of the Board.

6 8. The Board of Supervisors shall make available to the  
7 Complainant, in writing, the action taken by the Board within  
8 (10) days from reaching an ultimate decision on the Complaint.


9 9. These procedures shall not apply to any grievance or  
10 complaint filed by a County Employee wherein the grievance or  
11 complaint is regulated by the Mariposa County Policies and  
12 Procedures Handbook. The procedures as outlined in the Policies  
13 and Procedures Handbook shall prevail in such a case.

14 PASSED AND ADOPTED this 8th day of October, 1985, by the  
15 Board of Supervisors of Mariposa County by the following vote:

- 16 Ayes: TABER, DALTON, RADANOVICH, BARRICK, ERICKSON
- 17 Noes: None
- 18 Absent: None
- 19 Abstained: None

  
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 EUGENE P. DALTON, JR., Chairman  
 Board of Supervisors

21 ATTEST

  
 \_\_\_\_\_  
 LYNNE ROBINSON, Assistant County  
 Clerk and Ex Officio Clerk of the Board

25 APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
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 JEFFREY G. GREEN, County Counsel