

RESOLUTION NO. 24-8899

**RESOLUTION OF THE PLUMAS COUNTY BOARD OF SUPERVISORS
CREATING A DISCIPLINARY TEAM (“DT”) CONSISTING OF THE SHERIFF,
THE HR DIRECTOR, AND COUNTY COUNSEL, TO RESPOND AND
INVESTIGATE COMPLAINTS REGARDING SEXUAL HARASSMENT,
SEXUALLY HOSTILE WORK ENVIRONMENT AND SIMILAR MISCONDUCT
AND POTENTIAL TERMINATIONS**

WHEREAS, the Plumas County Sheriff’s Office (“PCSO”) receives and investigates PCSO’s internal complaints of sexual harassment, sexually hostile work environment, and similar misconduct occurring within PCSO; and

WHEREAS, PCSO is responsible for discipline, including terminations, within their department; and

WHEREAS, it is in the County’s and PCSO’s best interest to ensure a workplace free of sexual harassment and misconduct in accordance with State and Federal Law, and Plumas County’s Harassment, Discrimination, Retaliation Policy and Complaint Procedure (Harassment Policy); and

WHEREAS, it is in the County’s and PCSO’s best interest to ensure all terminations follow appropriate Plumas County Personnel Rules; and

WHEREAS, it is imperative to ensure each complaint is given a fair and impartial review and investigation, if appropriate; and

WHEREAS, the Board of Supervisors finds that a Disciplinary Team consisting of the Sheriff, the HR Director, and County Counsel would be sufficient to ensure each complaint regarding sexual misconduct and/or the creation of a hostile work environment and each termination is given a fair and impartial review and investigation.

NOW, THEREFORE, BE IT RESOLVED:

1. The Plumas County Sheriff’s Office (“PCSO”) shall create, implement, and enforce policies and procedures which include supervision, monitoring, and training to create a workplace free from any form of sexual harassment or sexually hostile work environment and will specifically:
 - A. Ensure all employees within the Sheriff’s Office receive sexual harassment training, at least annually.
 - B. Ensure the internal affairs investigators within PCSO receive training on conducting sexual harassment investigations as required by the Fair Employment and Housing Act.
2. Upon receiving a complaint regarding a claim of sexual harassment, hostile work environment, a related matter, or when PCSO is terminating an employee, PCSO will immediately forward the complaint or termination to the County Counsel’s Investigator for review. The Investigator, in a timely manner, shall convene a meeting, virtually or in person, with all members of the Disciplinary Team.

A. Disciplinary Team responsibilities:

- 1) **Review File and Notes** – The Disciplinary Team (DT) shall meet to review and discuss the complaint or potential termination within five (5) calendar days.
- 2) **Determine the Need for Interim Action** – The DT shall have the ability to take interim action to diffuse volatile circumstances, in accordance with the County's Personnel Rules and Harassment Policy. In the event that County Counsel determines there is a need for interim action prior to the meeting of the DT, the County Counsel shall have authority to take such action, subject to subsequent review by the DT.
- 3) **Determine the Need for Independent Investigation** – The DT shall have the ability to initiate an investigation, if appropriate, by a designated investigator, either a trained County employee or an outside investigator and conduct an investigation as required by the Fair Employment and Housing Act (FEHA).
- 4) **Written Report** – The Investigator shall create a written report containing findings regarding the investigation and submit it to the DT.
- 5) **Submission of Findings to Board of Supervisors** – Should the DT, by a majority, find that PCSO acted in accordance with the guidelines promulgated by FEHA and Plumas County Personnel Rules, then the complaint will be closed. If the matter is in regard to discipline or a termination, the DT will review and approve the Notice of Intended Disciplinary Action prior to it being provided to the employee. Should the DT determine that the matter needs to be escalated, it will be brought to the Board of Supervisor's attention at the next regularly scheduled meeting.

AYES: Ceresola, McGowan, Goss, Engel, Hagwood

NOES:


ABSTAIN:

ABSENT:


Allen Hiskey
Clerk of the Board


Greg Hagwood
Chair, Board of Supervisors

Approved as to form:


Joshua Breehtel
Deputy County Counsel