

VENTURA COUNTY AFFIRMATIVE ACTION OFFICER

INTRODUCTION

The 1992/93 Ventura County Grand Jury recommended that the Affirmative Action Officer (AAO) not report to the Human Resources Department, but rather to the Chief Administrative Officer (CAO). This recommendation was not implemented, and the AAO was retained in the Human Resources Department.

This investigation was undertaken to determine whether the AAO should be retained in the Human Resources Department.

As early as 1980, the Board of Supervisors created the Affirmative Action Advisory Committee, hereafter known as Affirmative Action Commission, to monitor Affirmative Action's and Equal Employment Opportunity's (EEO) progress in the County. In 1982, the Board of Supervisors established the AAO position to monitor the County's Affirmative Action Plan.

INQUIRY

The AAO's duties and responsibilities from the County of Ventura Affirmative Action Plan, for the five year period ending June, 1998, are as follows:

- Plan, coordinate, monitor, and evaluate the County's program on a day-to-day basis.
- Coordinate with Human Resources Department staff to ensure compliance with EEO and Affirmative Action in all recruitment and selection procedures.
- Assist department heads and Affirmative Action Coordinators in implementing and evaluating their own departmental plan, in accordance with the County's goals and objectives.
- Provide training to department managers, supervisors, and Affirmative Action Coordinators on sexual harassment, requirements of Affirmative Action, and EEO laws.
- Coordinate with the CAO, Human Resources Director, Affirmative Action Commission, Department Heads and community organizations to achieve the goals of this program.
- Investigate and make recommendations to resolve discrimination complaints.
- Report to the CAO, Human Resources Director and the Affirmative Action Commission on the current status and progress of this program.
- Advise, confer with, and provide staff assistance to the Affirmative Action Commission. Review recruitment selection plans for compliance with principles and practices of Affirmative Action.
- Provide counseling, advice and guidance to individuals and groups in matters related to Affirmative Action.

- Increase the participation of ethnic minority and female raters in the oral examination process.
- Keep management informed of developments in EEO and Affirmative Action law through attendance at seminars and conferences dealing with these issues.
- Represent the County in the community on matters dealing with the Affirmative Action Program.
- Assist the County in the implementation of the County's contract compliance policy to provide greater opportunities for minority and women owned businesses, including the investigation of discriminatory employment practices of contractors and vendors who are awarded county contracts.

The committee interviewed, among others, the Chief Administrative Officer, the Director of Human Resources, the Cochair of the Ventura County Affirmative Action Commission, the former County AAO, Union representatives, AAO's from other counties and a member of the Board of Supervisors. Our inquiry was directed at the organizational structure of the AAO position. We also reviewed the 1992-93 Grand Jury Report and responses thereto, as well as other documents relating to that report.

FINDINGS

- The AAO position has traditionally been within the Human Resources Department and has reported to the Human Resources Director.
- In the FY94/95 Budget, the Human Resources Department lost 44 positions including the AAO position. The Human Resources Director then assumed the AAO position.
- The 1992/93 Grand Jury was concerned about the appearance of bias, partiality, and a lack of confidentiality if the AAO was placed under the Human Resources Director and reported to that Director and recommended in its report that the AAO report to the CAO and not the Human Resources Director.
- Under the current system, with the AAO being part-time and under the Human Resources Department, the employee who has a complaint has no one to submit his or her complaint to that he feels will be impartial, unbiased, and will ensure confidentiality.
- A Ventura County employee who has or claims to have been discriminated against has no recourse under the current system that is fair and impartial. The employee has to seek union representation, file a charge of discrimination with the Equal Employment Opportunity Commission, or with the Department of Fair Employment and Housing.
- In Los Angeles County the AAO reports directly to the Board of Supervisors and in Santa Barbara County he or she reports to the Chief Administrative Officer.

CONCLUSIONS

1. The description of job requirements for the AAO are such that the position must be afforded substantial freedom of action. In effect, the defined responsibilities require that this freedom can only be achieved if the AAO works in, and through, the highest level of management. It cannot be achieved if the AAO reports to a Division Head that may display bias toward the interest of his or her department and the working relationships with other departments. The present situation where the Director of Human Resources assumes the position of AAO does not meet the freedom of action, and dedicated effort, to perform this task. It is necessary that the position of the AAO be an exclusive position reporting to the CAO. We find this to be a valid concern.

RECOMMENDATION

The 1996/97 Ventura County Grand Jury supports the position of the 1992/93 Grand Jury, and strongly recommends that the AAO position be reestablished and that the AAO report directly to the CAO.

RESPONSE REQUIRED

Board of Supervisors.
Chief Administrative Officer
Director of Human Resources