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July 5, 2011

RECEIVED  
JUL 12 2011  
VENTURA COUNTY  
GRAND JURY

The Honorable Vincent O'Neill, Jr.  
Presiding Judge of the Superior Court  
County of Ventura  
800 South Victoria Avenue  
Ventura, CA 93003

Report Title: Bullying in the Workplace

Report Date: May 24, 2011

Response by: Christine L. Cohen

Title: Auditor-Controller

#### FINDINGS

- FI-02 states, "Processes in place to report workplace behavior problems are not trusted by employees because the agency with the alleged bullying issue is allowed to investigate complaints using personnel within its own organization. This system risks the exposure of a complainant's identity and reinforces employee perception that the investigation would not be conducted fairly."

I disagree partially with the finding numbered FI-02. The Employee Fraud Hotline was not intended for these types of personnel complaints. However, although not under the intended purview of the Employee Fraud Hotline, we do not disregard such complaints; rather, we accommodate the complainant and facilitate investigation. Of the complaints received during FY 2010-11 that could fall under the category of bullying, HR was informed of the complaints for investigation or oversight purposes.

- FI-03 states, "The BOS does not receive detailed data that would identify bullying problems within County offices."

I disagree partially with the finding numbered FI-03. The BOS is informed of substantiated complaints in accordance with Government Code 53087.6, which governs the Employee Fraud Hotline.

RECOMMENDATIONS

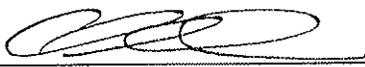
- R-02 states, "The CEO-HR should create an independent hotline to receive complaints specific to improper workplace behavior that is separate from the A-C Employee Fraud Hotline. It should be staffed by non-County personnel to protect the anonymity of callers."

Recommendation numbered R-02 requires further analysis. While action to create an independent hotline rests with the CEO-HR, it should be noted that multiple hotlines can create confusion for complainants and, as a result, complainants sometimes use the Employee Fraud Hotline as a "catchall" for various types of complaints, including those for which a separate hotline already exists. In cases where the complainant does not wish to be redirected to the other hotline, the Employee Fraud Hotline accommodates the complainant and facilitates investigation. Therefore, the Employee Fraud Hotline may continue to be involved in such personnel complaints. We will coordinate with the CEO-HR to evaluate options. It is anticipated the review will be completed by October 31, 2011.

- R-05 states, "The BOS should require that reports be provided periodically from the CEO-HR with detailed statistics that quantify the extent bullying occurs in the County. The data should include all complaints, as well as the number of substantiated complaints of bullying reported by specific agency and department. This information will allow the localization of a problem. Data provided should include all complaints and substantiated complaints as a function of time in order to identify trends."

Recommendation numbered R-05 requires further analysis. While the CEO-HR would report such statistics, substantiated personnel complaints facilitated by the Employee Fraud Hotline are also reported to the BOS in the semiannual Employee Fraud Hotline report. The appropriateness of CEO-HR reporting on unsubstantiated personnel complaints facilitated by the Employee Fraud Hotline requires further analysis in conjunction with the CEO-HR and County Counsel. It is anticipated the review will be completed by October 31, 2011.

Date: 07/05/2011

Signed: 

Number of pages attached: 0

cc: Foreman, Ventura County Grand Jury  
Mike Powers, County Executive Officer