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COUNTY OF SONOMA

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August 19, 2022

The Honorable Shelly Averill
Presiding Superior Court Judge
600 Administration Drive
Santa Rosa, CA 95403

RE: Response to the 2021-22 Sonoma County Civil Grand Jury Report

Dear Honorable Judge Averill,

Thank you for the opportunity to respond to the 2021-22 Grand Jury Report. Attached are the County Administrator's responses to the reports entitled: *Department of Health Services*.

My sincere appreciation to the 2021-22 Grand Jurors for their service.

Sincerely,

SHERYL BRATTON
County Administrator

Attachments: County Administrator's Grand Jury Response

cc:

Sonoma County Board of Supervisors
Clerk of the Board of Supervisors
Grand Jury Foreperson

Response to Grand Jury Report Form

Report Title: Department of Health Services
Report Date: June 14, 2022
Response by: Sheryl Bratton Title: County Administrator
Agency/Department Name: Sonoma County Office of Administration

FINDINGS: F1, F3, F4, F5, F7, F8, F9, F10, F13, F14, F15, F16, F17, F18, F19, F20, F21


I (we) agree with the findings numbered: F1, F3

I (we) disagree wholly or partially with the findings numbered: F4, F5, F7, F8, F9, F10, F13, F14, F15, F16, F17, F18, F19, F20, F21

(Attach a statement specifying any portions of the findings that are disputed with an explanation of the reasons.)

RECOMMENDATIONS: R1, R3, R6, R13, R15

- Recommendations numbered: _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered: R15 have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered: R1, R3, R13 require(s) further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. ***This timeframe shall not exceed six months from the date of publication of the Grand Jury report.***)
- Recommendations numbered: R6 will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: August 19, 2022 Signed: 

Number of pages attached: 6

(See attached Civil Grand Jury Response Requirements)

Department of Health Services Report - CAO Required Responses

FINDINGS: F4, F5, F7, F8, F9, F10, F13, F14, F15, F16, F17, F18, F19, F20, F21

F4. The County has extensive preparedness and emergency management policies and procedures in place, but they were not always followed by the Department of Health Services.

The County Administrator's Office partially disagrees with this finding.

While we agree that the county has extensive preparedness and emergency management policies, we disagree that the Department of Health Services did not always follow the policies. All County departments work toward consistently adhering to current policies under the evolving circumstances present during a natural disaster or public health emergency. The global COVID-19 pandemic presented a unique situation that did not neatly align with existing policies. DHS complied with applicable County emergency response policies to the extent feasible.

It should be noted that even under the challenging circumstances presented, the Department recently reported the county's favorably standing when compared to statewide and in some cases nationwide metrics, including:

80% of residents 12 and older vaccinated, the 9th highest vaccination rate in the state

20% fewer cases per 100,000 residents

57% fewer deaths per 100,000 residents compared to state

67% fewer deaths per 100,000 residents compared to nation

A complete after-action report from the Department of Health Services will be provided to the Board of Supervisors within the first quarter of 2023.

F5. The goal of the Incident Command System is to provide a flexible, yet standardized mechanism for coordination and collaboration during an emergency, but this system was not consistently followed by the Department of Health Services.

The County Administrator's Office partially disagrees with this finding.

All County departments work toward consistently adhering to current policies under the evolving circumstances present during a natural disaster or public health emergency. The global COVID-19 pandemic presented a unique situation that did not neatly align with existing policies. DHS complied with applicable County emergency response policies to the extent feasible.

A complete after-action report from the Department of Health Services will be provided to the Board of Supervisors within the first quarter of 2023.

F7. The Department of Health Services' Department Operations Center did not demonstrate competency in the Incident Command System, nor value its use.

The County Administrator's Office partially disagrees with this finding.

The global COVID-19 pandemic presented a unique situation that did not neatly align with existing policies. DHS complied with applicable County emergency response policies to the extent feasible. A complete after-action report from the Department of Health Services will be provided to the Board of Supervisors within the first quarter of 2023.

F8. The Department of Health Services' Department Operations Center did not adhere to standard procurement and financial protocols.

The County Administrator's Office partially disagrees with this finding.

The global COVID-19 pandemic presented a unique situation that did not neatly align with existing policies. DHS complied with applicable County emergency response policies to the extent feasible. A complete after-action report from the Department of Health Services will be provided to the Board of Supervisors within the first quarter of 2023.

F9. The COVID-19 crisis exacerbated dysfunctions within the Department of Health Services and caused rifts between the Department of Health Services and the Department of Emergency Management at a time when the two departments needed to work closely together.

The County Administrator's Office disagrees with this finding.

Additional information is needed to validate this response. A complete after-action report from the Department of Health Services will be provided to the Board of Supervisors within the first quarter of 2023.

F10. Salaried disaster service workers worked for months on end, often seven days a week, without adequate compensation.

The County Administrator's Office disagrees with this finding.

The COVID-19 emergency and pandemic was extraordinary in that it was a significantly extended and drawn-out emergency response unlike fire, flood, earthquakes in which emergency operations presumably are short-term and would shift to non-emergent recovery operations within weeks of the event. The length of the pandemic was also inconceivable.

County employees, particularly DHS employees, performed under the most difficult of circumstances and there is no disputing of the toll the pandemic had on County staff. Salaried employees received straight-time overtime pay through June 1, 2020. At that time, the County learned many other County agencies were not paying overtime to salaried employees. Additionally, County employees know their legal obligation to be disaster service workers. The County was compelled to make the decision to end the overtime pay due to significant budgetary impacts of the increase in salaries and the lack of assurance that these additional costs would be reimbursed by the Federal government. When the County received the ARPA monies, a \$1,500 payment was provided to County employees to help offset the impact the pandemic had on their work duties.

The County's Salary Resolution has the following:

Overtime In a Board-Designated Emergency (Amended 6/12/19)

Unrepresented Administrative Management employees and appointed Department Heads shall be eligible for straight-time overtime when working beyond forty (40) hours in a week due to a local, state or federal disaster declaration by the Board of Supervisors, and as authorized by the County Administrator. Under no circumstances, shall an employee designated as Unrepresented Administrative Management or an appointed Department Head be paid or be

compensated in any manner for overtime except under such conditions as may be set forth by the Board of Supervisors.

The County learned from the pandemic that emergency operations and sufficient staffing needs to be scalable to long-term, sustained emergencies. The Department of Emergency services is working collaboratively with County departments to ensure an adequate “bench” of trained and available staff to provide sustainable relief and coverage for emergency operations and continuity of operations during EOC activation.

A complete after-action report from the Department of Health Services will be provided to the Board of Supervisors within the first quarter of 2023.

F13. Many Department of Health Services employees are fearful to report harassment, bullying, toxic work environment, and safety issues to their executive team due to a fear of retaliation.

The County Administrator’s Office partially disagrees with this finding.

It is difficult to completely substantiate this claim. The County Administrator will collaborate with the Health Services and Human Resources Departments to further understand and investigate the extent of employee concerns.

F14. Many employees in the Department of Health Services do not trust their departmental Human Resources team or its processes.

The County Administrator’s Office partially disagrees with this finding.

It is difficult to completely substantiate this claim. The County Administrator will collaborate with the Health Services and Human Resources Departments to further understand and develop action plans, if necessary, to mitigate this finding.

F15. A review of Department of Health Services exit interviews shows a distrust of upper management.

The County Administrator’s Office partially disagree with this finding.

It is difficult to completely substantiate this claim. The County Administrator will collaborate with the Health Services and Human Resources Departments to further understand and develop action plans to mitigate this finding.

F16. Exit interviews can be done by either the County Human Resources Department or by individual departments, potentially leading to a lack of effectiveness and accountability at the department level.

The County Administrator’s Office disagrees with this finding.

Employees may request exit interviews with central HR as central HR may be seen as a neutral party in which individuals may be more forthcoming with information. If concerning information is shared with central HR, appropriate action is taken which may include sharing the concerns with County leadership or DHS management/leadership.

Central HR is currently piloting a new exit interview process with three County departments. As part of this pilot, new reporting features are being developed that will improve department’s ability to analyze information and Central HR’s capability to monitor exit interview information

more easily. If the Pilot is successful, when launched Countywide there will be a better exit interview process and tool that departments may use to understand what helped to retain County employees or why employees left County employment.

F17. The practices of human resource management in the Department of Health Services is not regularly or consistently reviewed by the County Human Resources Department.

The County Administrator's Office partially disagrees with this finding.

Departmental HR specific positions are accountable to their department head/appointing authority in the current organizational and service delivery structure.

The Human Resource Department (Central HR) provides training to new departmental HR "Liaison" staff on best human resources practices and County practices and processes. Then, through the day-to-day advisory relationship that Central HR has to County departmental staff, central HR guides and advises department on related matters, which over time provides an HR Liaison with on-the-job training and experience. Additionally, there are monthly meetings with departmental HR Liaisons in which HR covers relevant information and departmental staff may seek guidance in a round table Q&A, there are many available online resources on policy/procedures, and there are available trainings on special topics that HR Liaison's may take advantage of in learning and practicing departmental HR duties.

F18. In the Department of Health Services, essential human resource processes such as performance appraisals, supervision, conflict resolution, etc. are performed irregularly, inconsistently, and are not in alignment with County standards.

The County Administrator's Office disagrees with this finding.

Additional information is needed to validate this finding. Department heads are responsible for following and implementing County policies and there is an existing County policy regarding performance appraisals. Department heads are also responsible for ensuring their supervisors and managers are appropriately trained and carrying out their duties as supervisors and managers.

This fiscal year, the Department of Health Services internal HR staff implemented a system of reminder notifications to assist with due dates on employee performance evaluations and mandatory employee trainings. Existing DHS-HR policies are also being reviewed to include equity language and other enhancements for employee working conditions, which is part of the DSH initiative on diversity, equity, an inclusion (DEI) being launched this current fiscal year. A department-wide Equity Manager was hired with a support staff of 3 FTE's to engage the DHS workforce in DEI training and other programs to more closely integrate the DHS mission and employees with the diverse community it serves.

F19. In the Department of Health Services there are numerous unfilled positions due to slow recruitment efforts and other deficiencies.

The County Administrator's Office disagrees with this finding.

The large number of vacancies in the healthcare field is a state and nation-wide issue.

The County Administrator's Office and Human Resources Department are already evaluating the County's Compensation Philosophy and conducting a comprehensive total compensation comparison study for the County's benchmark job classifications.

F20. The Department of Health Services' perceived hostile work environment may be causing extra challenges in the recruitment of senior Department of Health Services staff.

The County Administrator's Office disagrees with this finding.

The large number of vacancies in the healthcare field is a state and nation-wide issue. The Department of Health Services will review this issue in coordination with Central HR to take actions to address issues that may affect the work environment, culture, and employee morale.

F21. The Department of Health Services has failed to execute on their commitment to a communication plan between the executive team and their employees.

The County Administrator's Office disagrees with this finding.

The Department of Health Services Director and management team have implemented a multi-tiered communications plan for departmental staff:

1. Starting a new employee newsletter called One-DHS News. An internal work group from throughout the department was created to gather content for the newsletter.
2. Producing video clips of various DHS teams throughout the organization and sharing via social media (e.g., Facebook) to inform staff of all the contributions made by different groups within DHS.
3. Issuing regular communications informing staff of various DHS initiatives and items of interest.
4. Releasing information via the DHS intranet/SharePoint.
5. Developing a Mentor Program, which will launch around October 2022.

The department will periodically evaluate the plan through employee surveys.

RECOMMENDATIONS: R1, R3, R6, R13, R15

R1. By March 1, 2023, the County Administrator's Office reviews all County Department Operation Center policies and procedures to ensure that they conform to already established county guidelines for emergency management, procurement, logistics, etc. (F3, F4, F5, F7, F8)
Recommendation 1 requires further analysis.

The County Administrator and the Department of Emergency Management will assess county guidelines and determine appropriate implementation across the County.

R3. By March 1, 2023, the Board of Supervisors work with the County Administrator's Office to develop an equitable plan to provide for overtime pay for salaried employees during a disaster. (F1, F10, F19)

Recommendation R3 requires further analysis.

The County currently has a provision in the County's Salary Resolution for salaried employees to receive overtime pay in a disaster. This provision has been implemented in the County's major declared emergencies including the 2017-2021 fires, and for approximately three months for the COVID-10 pandemic emergency. Although the COVID-19 pandemic is expected to be a "once in a generation" type disaster, the County may assess the potential for refining the County's pay provision for salaried employees.

R6. By March 1, 2023, the Board of Supervisors, County Administrator's Office, and the Department of Health Services review the Department of Health Services' budget to ensure funding for sufficient staffing. (F10, F19)

Recommendation R6 will not be implemented because it is not warranted.

Department budgets are continually reviewed by the County Administrator's Office and the Board of Supervisors through the County's annual budget process.

R13. By December 31, 2022, the Board of Supervisors and County Administrator's Office work with the Department of Health Services executive leadership team in developing an actionable plan to address work culture issues, including retaliation, harassment and bullying. (F9, F13, F14, F15, F18, F19, F20, F21)

Recommendation R13 requires further analysis.

The County Administrator will collaborate with the Health Services and Human Resources Departments to further understand this issue.

R15. By March 1, 2023, the Board of Supervisors direct the County Administrator's Office and the County Human Resources Department to review the effectiveness of having departmental human resources units versus one centralized human resources department. (F13, F14, F15, F16, F17, F18)

Recommendation R15 is not yet implemented but will be by December 31, 2023.

The County Administrator will work with the Human Resource Department to put forward a scope of work to review a centralized human resources structure. Further evaluation may be explored through the county's strategic plan work focused on organizational effectiveness. Recommendations are presented to the Board of Supervisors annually. Year 2 funding will potentially be reviewed in January 2023.