

This document is an extract of a larger publication.

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The committee also met with three supervisors at the Marie Green Facility of the Merced County Mental Health. They each discussed the daily operations of Merced County Mental Health departments. We also discussed the disciplinary process and the supervisors' hierarchy of Merced County Mental Health department.

The committee also reviewed a report done by an independent attorney.

Findings

- 1) The highly confidential personnel documents were left on the printer for anyone to see. The documents were sent to the wrong printer.
- 2) The complainant was disciplined for the alleged sexual harassment by changing his shift to the day shift; therefore, there was a decrease in pay. However, the disciplinary action has been reversed and the complainant has been placed back on the night shift therefore his pay has returned to its original status.
- 3) The complainant did have a SKELLY hearing.
- 4) The independent attorney did investigate the allegations of biased disciplinary actions and after the committee reviewed the report, we felt that Merced County Mental Health should have investigated the allegations more thoroughly before taking disciplinary action.

Recommendations

- 1) The Merced County Mental Health department needs to remind its staff to check which printer they are printing to when they are dealing with highly confidential personnel issues.
- 2) The Merced County Mental Health department needs to assure that they are thoroughly investigating all disciplinary actions cautiously and in a non-biased way. They need to make sure that all parties involved are kept informed of that information and that all parties feel that they were listened and treated fairly.
- 3) All the staff at the Merced County Mental Health, including part-time employees, needs to understand the organizational chart, so that if they feel they have an issue they will know who to report the issue to and can follow up with the status of the issue.

Merced County Department of Mental Health Response to Grand Jury Complaint 06-07-05

Merced County Administration and the Department of Mental Health have reviewed the Grand Jury report and its findings and recommendations for Complaint 06-07-05. The following is the response to each of the recommendations contained in the report.

1. The Merced County Mental Health Department needs to remind its staff to check which printer they are printing to when they are dealing with highly confidential personnel issues.

All employees of the Department of Mental Health receive training regarding the handling of confidential materials. The Department has specific policies and procedures for handling of confidential client information and personnel matters. The Department's Compliance and Integrated Ethics Plan and Code of Conduct delineate each employee's responsibility to protect the confidentiality and privacy of protected information. The Department will conduct additional training for all employees regarding these policies and procedures. This training will include specific training for all managers regarding the need to ensure that highly confidential personnel information is printed to the correct and secure printers.

2. The Merced County Mental Health Department needs to assure that they are thoroughly investigating all disciplinary actions cautiously and in a non-biased way. They need to make sure that all parties involved are kept informed of that information and that all parties feel that they were listened to and treated fairly.

The Department of Mental Health is committed to conducting all internal investigations of violations of Department policies and procedures, the Department's Compliance and Integrated Ethics Plan and Code of Conduct, County Personnel Rules and Regulations, and all other applicable rules and regulations in a thorough and unbiased manner. Investigations of complaints or violations of policy are initiated through one of three mechanisms. These include: complaints made to the Department's Compliance Officer; complaints or violations reported or identified through the Department's Quality Improvement unit; and, personnel related investigations by the Department's Administrative Operations Manager.

Investigations initiated through any of these three mechanisms may result in findings and recommendations that could include suggested employee disciplinary action. In order to assure that all investigations are conducted in a thorough and unbiased manner, department management will continuously monitor the conduct of internal investigations. All management personnel who may be involved in conducting such investigations will receive additional training in this area.

In addition, the Department is in the process of updating its policies and procedures for conducting internal investigations. These policies will address the coordination of investigations among the three investigative units, action steps to ensure thoroughness and fairness of the investigations, and procedures for documenting and communicating to appropriate employees the outcome of the investigations.