

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Personnel and Management <u>SECTION:</u> 2 <u>AUTHORITY:</u> Sections 1320-1323, Title 15; Sections 1029, 1031, 3305-3306 and 6253(a), Government Code; Sections 832 and 6035, Penal Co.de; Section 394.5, Military and Veterans Code; Section 283, Welfare and Institutions Code (WIC); Sections 602.3, 907 and 910, Operations Manual
--	--

2.0 Personnel and Management

OVERVIEW:

This section focuses on general personnel and management issues for the operation of safe and effective Juvenile Detention Facilities, the various levels of responsibility for Institutional Services staff, and the rules and regulations governing staff conduct.

Section	Subject	Page
2.1	Appointment and Qualifications	2
2.2	Staffing Levels and Chain of Command	3
2.3	Staff Attire	9
2.4	Rules of Professional Conduct	13
2.5	Staff Regulations	21
2.6	Scheduling Policies	29
2.7	Employee Files and Performance Appraisals	35
2.8	Reporting Occupational Injury or Illness	38
2.9	Modified Duty Program	41
2.10	San Diego County Probation Department Drug and Alcohol Policy	42
	Attachments	43

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Appointment and Qualifications <u>SECTION:</u> 2.1 <u>AUTHORITY:</u> Sections 1320, Title 15; Sections 1029 and 1031, Government Code; Section 6035, Penal Code
--	--

2.1 Appointment and Qualifications

2.1.1 POLICY

Section 1320 of the California Code of Regulations, Title 15, Minimum Standards for Juvenile Facilities, sets forth the requirements and qualifications for personnel assigned to work in juvenile facilities. In keeping with the applicable provisions of law, all Institutional Services (IS) staff shall adhere to the following policy guidelines.

2.1.2 DIVISION CHIEF

In each juvenile detention facility, there shall be a Division Chief in charge of its program and employees. The Division Chief shall be appointed by the Deputy Chief Probation Officer of Institutions.

2.1.3 STAFF HIRING AND APPOINTMENTS

Institutional Services is not an independent organization, but is part of the Probation Department (see Manual Section 1.2 for organizational relationships.) As such, IS does not directly hire or appoint staff members. The Probation Personnel Department is responsible for all hiring and appointments, under the auspices of the appointing authority (the Chief Probation Officer).

2.1.4 EMPLOYEE QUALIFICATIONS

The Probation Department conforms to all legal standards governing the selection or rejection of candidates for employment in IS. All sworn staff assigned to IS shall meet the following qualifications:

1. They shall possess knowledge, skills and abilities appropriate to their job classification and duties in accordance with applicable civil service or merit system rules;
2. They shall pass a medical evaluation and physical examination including tuberculosis screening test and evaluation for immunity to contagious illnesses of childhood (i.e., diphtheria, rubella, and mumps);
3. They shall be subject to a criminal records review (i.e., Background Investigation), completed in accordance with Section 1029 of the Government Code;
4. They shall pass a psychological examination, pursuant to Section 1031 of the Government Code;
5. They shall adhere to the minimum standards for selection and training requirements adopted by the Board of State and Community Corrections (BSCC) pursuant to Section 6035 of the Penal Code.

2.1.5 CONTRACT PERSONNEL AND VOLUNTEERS

Contract personnel, volunteers and other non-employees of the Probation Department who may be present at the facility, shall have such clearance and qualifications as may be required by law; and their presence at the facility shall be subject to the approval and control of the Facility Division Chief.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Staffing Levels and Chain of Command <u>SECTION:</u> 2.2 <u>AUTHORITY:</u> Sections 1321 and 1323, Title 15; Section 832, Penal Code
--	---

2.2 Staffing Levels and Chain of Command

2.2.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that proper supervision is available for all shifts. The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

2.2.2 STAFFING

Section 1321 of the California Code of Regulations, Title 15, Minimum Standards for Juvenile Facilities, sets forth the requirements for personnel staffing levels in juvenile facilities. In keeping with the applicable provisions of law, Institutional Services (IS) shall adhere to the following policy guidelines.

1. Have an adequate number of personnel sufficient to carry out its program, to provide for safety and security of youth and staff, and meet established standards and regulations. No required services shall be denied because an insufficient number of staff on duty unless specifically authorized by the Facility Division Chief.
2. Have a sufficient number of supervisory level staff to ensure adequate supervision of all staff members.
3. Have, at all times, a minimum of one person on duty in the classification of Supervising Probation Officer (SPO), or above, or have a minimum of one person on duty that has been designated to act in the capacity of an SPO. This person shall assume responsibility for all facility operations and activities and shall have completed Juvenile Corrections Officer Core Course (see Manual Section 3.7) and PC832 training (see Section 3.3.2).
4. Have at least one sworn officer present in each living unit/dorm whenever there is a youth in the living unit/dorm.
5. Assign sufficient youth supervision staff to provide continuous wide-awake supervision of youth, subject to temporary variations in staff assignments to meet special program needs. Staffing shall be in compliance with minimum officer to youth ratios as established by the Board of State and Community Corrections (BSCC).
6. Have sufficient administrative, clerical, recreational, medical, dental, mental health, building maintenance, food service transportation, control room, facility security and other support staff for efficient management of the facility and to ensure that youth supervision staff are not diverted from supervising youth.

2.2.3 STAFFING RATIO

Juvenile detention facilities shall abide by the following minimum officer to youth ratio established by the Board of State and Community Corrections (BSCC).

Waking Hours 1:10	During the hours that youth are awake, one wide-awake child supervision staff member shall be on duty for each 10 youth in locked facilities.
Waking Hours 1:15	During the hours that youth are awake, one wide-awake child supervision staff member shall be on duty for each 15 youth in the camps (i.e., CB, GRF).
Sleeping Hours 1:30	During the hours that youth are asleep, one wide-awake child supervision staff member shall be on duty for each 30 youth in the facility.
Minimum Number of Staff	A minimum of two wide-awake child supervision staff members shall be on duty at all times, regardless of the number of youth in the facility, unless an arrangement has been made for backup support services which allow for immediate response to emergencies.
Male/Female	A minimum of one male and one female child supervision staff member shall be on duty whenever both male and female youth are housed in the facility.

2.2.4 JI CORE TRAINED

There must be one staff per unit/dorm on shift who has completed JI Core. If staff have not completed JI Core they cannot be left alone.

2.2.5 DIVISION CHIEF APPROVAL TO MODIFY

If it becomes necessary to modify the above ratios, due to emergency conditions, the Watch Commander shall notify the Division Chief as soon as possible. Only the Division Chief or his/her superiors may authorize reduction of the officer to youth ratio below that is required by the Board of State and Community Corrections (BSCC). (See Manual Section 1.1.4.1.)

2.2.6 SUFFICIENT FOOD SERVICE PERSONNEL

Section 1321 of the California Code of Regulations, Title 15, Minimum Standards for Juvenile Facilities, requires that each facility shall have sufficient food service personnel relative to the number and security of living units/dorms, including staff qualified and available to: plan menus meeting nutritional requirements of the sex and age groups fed; provide kitchen supervision; direct food preparation and servings; conduct related training programs for culinary staff; and maintain necessary records, or a facility may serve food that meets nutritional standards prepared by an outside source. The Memorandum of Agreement between the Probation Department and the Sheriff's Department Food Services Division satisfies these requirements. See Manual Section 9.

2.2.7 ADMINISTRATIVE

Each facility shall also have sufficient administrative, clerical, recreational, medical, dental, mental health, building maintenance and other support staff for the efficient management of the facility, and to ensure that child supervision staff not be diverted from supervising the youth.

2.2.8 DUTIES OF PERSONNEL ASSIGNED TO INSTITUTIONAL SERVICES

2.2.8.1 DEPUTY CHIEF PROBATION OFFICER

The Deputy Chief Probation Officer (DCPO) for Institutions is responsible for establishing procedures within Institutional Services to implement policies, for making decisions consistent with these policies, for issuing instructions to ensure compliance with these decisions and for the overall efficient operation of Institutions. (See Manual Section 1.2 for more information on organizational relationships).

2.2.8.2 DIVISION CHIEF

Under the administrative direction of the DCPO for Institutions, the Facility Division Chief of is responsible for the internal management of the facility. His/her function is to integrate all segments of the operation into a unified system that provides maximum opportunity for youth to profit from the programs offered, while maintaining safety and security. The Division Chief may delegate authority over a wide range of activities, but their basic responsibility is developing, implementing and evaluating a productive organization that is consistent with the law, court orders and departmental policies. The Division Chief shall also ensure that there is at least one person on duty at all times who meets the training standards established by the Board of State and Community Corrections (BSCC) for general fire and life safety. (Title 15, Section 1323)

2.2.8.3 SUPERVISING PROBATION OFFICER

Under the general supervision of the Division Chief, Supervising Probation Officers (SPO) are responsible for the supervision of all custodial and support staff and the operational functions of the facility during a shift. The Supervisor does not have authority to change policy but works with the Facility Division Chief in reviewing policies and procedures and making recommendations as appropriate. Supervising Probation Officers may be relegated duties of the facility Division Chief in his/her absence as assigned.

2.2.8.4 NUMBER OF SUPERVISORS ON DUTY

There will be a minimum of one Supervisor on duty at all times in each facility (Watch Commander). Reduction below this number for any reason is not acceptable. Any deviation from this standard shall only be made by the direct specifications of the Facility Division Chief. When possible, there shall also be a back-up Watch Commander assigned to assist during waking hours.

2.2.8.5 ADMINISTRATIVE SENIOR PROBATION OFFICER

The Administrative Senior Probation Officer reports to the Administrative Supervisor. In the absence of the Administrative Supervisor, the Administrative Senior assumes the duties of the Administrative Supervisor.

2.2.8.6 SENIOR PROBATION OFFICER

The Senior Probation Officer (SrPO) reports to the Supervising Probation Officer and is the Unit/Dorm Supervisor's principal assistant in the unit/dorm. In some cases when the Supervisor is temporarily absent, the Senior may be assigned to take over the Supervisor's duties. When the Senior is assigned to the Key list he/she is responsible for all final decisions made in the unit/dorm during their shift. These decisions are to be in accord with the facility's Policies and Procedures. They are in charge of the shift program and have the responsibility for ensuring all policies and procedures are followed. The Senior assures that the daily unit/dorm functions are accomplished. They oversee the inspection of sleeping quarters, building and grounds, and assist the Unit/Dorm Supervisor with administrative reports as needed.

2.2.8.7 CORRECTIONAL DEPUTY PROBATION OFFICER II

The Correctional Deputy Probation Officer II (CDPO II) classification is a para-professional position and reports directly to the Senior P.O. or the Unit/Dorm Supervisor. In most cases, the CDPO II shall act as a Shift Leader, following all the duties of the position, except for developing unit/dorm policy. The CDPO II shall assist with the training and supervising of subordinates including documenting employee performance by signing Minimum Expectation check-off sheets for new hires and memos to the Supervisor as outlined in Manual Section 3.4.4.

2.2.8.8 CORRECTIONAL DEPUTY PROBATION OFFICER I

The Correctional Deputy Probation Officer I (CDPO I) classification is considered an entry-level position and reports directly to the unit/dorm shift leader (SrPO or CDPO II). The CDPO I is expected to learn the basic skills of group control, emergency procedures and all essential skills necessary to assist and carry out the unit/dorm program under the guidance and direction of the Senior/Shift Leader. The CDPO I is responsible for all functions regarding supervision of youth, health, hygiene, nutrition, behavior control, discipline of youth, work programs, recreation security, cleanliness and maintenance, facility security, preparation of Incident Reports and other duties as required. Other responsibilities include security, conducting Safety Checks, leading recreation and transporting youth. Additional expectations and training requirements are outlined in Manual Section 3.3. Experienced CDPO Is, with Unit/Dorm Supervisor approval and completion of Shift Leader training, may be used as Shift Leaders.

2.2.8.9 SUPPORT STAFF LIMITATIONS

The following Institutional Services staff are not youth supervision staff and are not authorized to assume security functions of youth detained/committed in a juvenile detention facility, or to initiate or participate in searches or seizures of the person, or the personal property of youth. They do not have Peace Officer status, and are prohibited from acting in that capacity.

This below lists Probation Staff / Support Staff not authorized to assume legal custody (listed in alphabetical order):

1. Chaplain
2. Clerical/Accounting/Storekeeper Staff
3. Food Service Workers/Kitchen Staff (see Manual Section 9.9.1 for exceptions with regard to supervision and work assignments of youth kitchen workers.)
4. Maintenance Staff
5. Nurses/Physicians/Clinic Staff/Mental Health/STAT Team
6. Student Workers/Interns
7. Substance Abuse Counselors
8. Teachers/School Staff
9. Volunteers In Probation

2.2.9 CHAIN OF COMMAND OVERVIEW

This section contains information on the Chain of Command and lines of communication.

2.2.9.1 CONTACTING A SUPERIOR

When a situation occurs where it is necessary to contact a superior in the Probation Department, the following chain of command should be followed. Contact the first person on the following list, and then continue to work down the list, until someone of superior rank is contacted. That person shall give the instructions as to how to handle the situation, and whether others on the list should be contacted. If you are unsure as to whether additional people should be contacted, ask the person with whom you are speaking.

1. Unit/Dorm Shift Leader
2. Unit/Dorm Senior Probation Officer
3. Any Facility Supervisor
4. Watch Commander
5. Facility Division Chief
6. Deputy Chief of Institutions
7. Assistant Chief Probation Officer
8. Chief Probation Officer

2.2.9.2 WRITTEN PROCEDURES THAT PREEMPT

In certain circumstances (i.e., such as an escape, etc.), standard procedure is to contact more than one person on the above list. Be sure to follow the response chain procedures or instructions the superior officer gives you.

2.2.9.3 EMERGENCY SITUATIONS

In the event of an emergency or disaster involving serious consequences to life or property, custodial responsibility and control of the youth may be delegated. The most senior officer on the scene has the power to exercise discretionary authority in these situations. However, the Facility Division Chief or Deputy Chief Probation Officer should be contacted at the earliest opportunity. See Manual Section 13 (Emergency Procedures) for more complete information.

2.2.9.4 STANDARD PROCEDURES

Every employee has the right to express themselves and to be heard. Normal chain of command lines should be observed. Any employee who is aware of a discrepancy and/or problems or has a suggestion shall report or discuss it with their immediate Supervisor first. Communications or directives are expected to follow the same lines when emanating from a higher level of management.

2.2.9.5 ACTION PROCEDURES

The individual receiving communication from an employee is bound by County policies to take action. This action includes, corrective measures, (if within their purview) or, if beyond their capacity, to report the situation to their supervisor. The principle aim is to rectify discrepancies and conduct operations within established standards. When corrective action has been accomplished, it is the responsibility of the correcting authority to promptly notify all involved personnel of the results and to inform their supervisor.

2.2.9.6 FOLLOW-UP

If pursuing the normal departmental chain of command does not result in satisfactory resolution of the discrepancy, the office of the service Deputy Chief Probation Officer is available at all times to receive reports, which an employee believes have not been handled properly and appropriately.

2.2.9.7 EMPLOYEE GRIEVANCE PROCEDURES

San Diego County has established formal grievance procedures that employees may use without fear of reprisal or retaliation. Following the Chain of Command and the established procedures will enhance the resolution of problems at the lowest possible level.

Formal grievance procedures are outlined in the Memorandum of Agreement between the County of San Diego and the San Diego County Probation Officer Association (POA), the San Diego County Supervising Probation Officer Association (SPOA), and the Service Employees International Union (SEIU).

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Staff Attire <u>SECTION:</u> 2.3 <u>AUTHORITY:</u> Probation Department Operations Manual, Section 924.5.1
--	---

2.3 Staff Attire

2.3.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other staff of the department, staff shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment. With that goal in mind, all officers assigned to IS shall adhere to the following personal appearance standards.

2.3.2 POLICY

All IS line staff (i.e., CDPO Is, CDPO IIs, and SrPO's) and Supervisors must maintain the highest standards of professional appearance and dress. Personal appearance and dress of employees shall project a positive and professional image. It is expected that staff must always look neat and professional. Maintaining a professional appearance is critically important to fostering public trust and confidence and to maintain the standards of the profession. All staff are expected to adhere to the dress and personal appearance policy described in this section. Supervisors are required to bring to the attention of the employee any failure to conform to these policies.

2.3.3 DRESS CODE STANDARDS

It is the standard of the Probation Department that all staff dress in a professional and appropriate manner. Staff shall adhere to the following standards of dress while on duty and/or representing the department in an official capacity. Officers are to be cleanly attired, well groomed and dressed in appropriate clothing, suitable for their work functions. Pants, shirts, jackets or hats with holes, stained or otherwise discolored are unacceptable. Shoes are to be clean, polished as necessary, and in good repair. Undershirts are to be tucked in or worn so that it does not extend past the bottom of the uniform shirt. The color of undershirts will only be white, black or gray.

2.3.4 APPROVED ATTIRE/UNIFORMS

2.3.4.1 PANTS

Pants are to be regular black, not faded, relaxed-fit jeans or "Dockers" style, with a waistband, with loops that will hold a belt and assigned equipment. The pant legs shall not be tucked into boots nor have elastic at the bottom.

2.3.4.2 SHORTS

Shorts are required to be of the "walking style" with the leg extending not less than one inch above the top of the kneecap and not extending below the knee. All shorts must have belt loops that will hold a belt and assigned equipment. Line staff may wear black or khaki shorts in lieu of the pants. Officers assigned to the Court Unit, hospital guard duty, and Transportation Officers (TO's) are prohibited from wearing shorts while on duty.

2.3.4.3 SHIRTS

Officers shall wear a green pull over shirt with a collar, purchased through the department as outlined below. The Juvenile Institutions logo is required on the left front side of the shirt. Shirts may be either long sleeve or short sleeve, with or without a pocket. This is required even when wearing a jacket or sweatshirt on the outside with the appropriate logo. Shirts will be tucked into their pants at all times.

2.3.4.4 NAMES ON SHIRTS

Officers may have their last names embroidered on the shirt. The embroidered name shall be on the right front side of the shirt and must be in the same color thread as the Institutions logo.

2.3.4.5 SWEATSHIRTS

Sweatshirts with a hood or without a hood are optional but, if worn, shall be the same green color of the polo shirt; and possess the Juvenile Institutions official logo.

2.3.4.6 JACKETS

Jackets/windbreakers are optional, but if worn, shall be black with the official logo.

2.3.4.7 PURCHASE OF UNIFORMS

All officers are to purchase shirts, sweatshirts, jackets, visors and hats meeting department approved specifications.

2.3.4.8 SHOES

Authorized shoes include black oxford style shoes, boots or any of the soft soled variety; generally the type known as athletic or tennis shoes. Tennis shoes may not be garishly colored and should be flat soled. They should also be able to support the feet for extended periods of standing and walking. Sandals, thongs, high-heels, and open-toed shoes are prohibited.

2.3.4.9 BELTS

Belts must be black leather or nylon (“Duty Belt” style) and 1-1/4" to 2" wide. They are required to be worn by all line staff and sturdy enough to safely hold work keys, OC spray, handcuffs, 2-way radios and any other required equipment attached to the belt. Belts are to be worn threaded through belt loops and tightly secured. Studded belts or belts with large buckles are prohibited. Officers who wish to wear an additional equipment belt (i.e. “Duty Belt”) may do so, provided that all equipment can be securely fastened, using “keepers” or a similar belt retention system, in such a manner that a youth cannot grab and pull off the equipment.

2.3.4.10 TRAINING ATTIRE

Training days are considered on-duty hours. Court, office, or institution attire may be worn and must be appropriate to the training site. Jeans may be worn only at specific training sessions, such as CPR/First Aid. No shorts are allowed during training events.

2.3.4.11 SUPERVISORS

Supervisors are required to dress in uniform as well, with the exception that their polo shirts shall be blue and shall have "Supervisor" printed on the shirt. They may also wear a sweatshirt of the same color that has the official logo. The procedure for purchase of Supervisor shirts is the same as listed above. Supervisors may wear a business suit as directed by the Facility Division Chief.

2.3.5 SECURITY OF PROBATION LOGO AND GARMENT

Uniform garment bearing the department embroidered badge logo or other identification for official duty purposes are not to be sold, given away to private parties or donated. Logo garments not acceptable for wear may be appropriately discarded after removal and destruction of the logo and identification lettering.

2.3.5.1 COVERING UNIFORMS

Officers may cover their uniforms when off facility premises for security reasons, for comfort due to inclement weather or while transiting to and from work.

2.3.6 UNIFORM ALLOWANCE

The County provides a uniform allowance for all regular full-time employees assigned to IS for maintenance and replacement of uniforms. Each newly hired or assigned employee is entitled to a uniform allowance as agreed upon by Article 9 of the Memorandum of Agreement (MOA) between the County of San Diego, the San Diego County Probation Officer's Association, and Article 8 of the San Diego County Supervising Probation Officer's Association. Each additional year an annual uniform maintenance allowance is received the 5th payday of each fiscal year for those employees with over one (1) year of service in IS. The full maintenance allowance is determined by the agreed upon amount per the MOA's.

Note: Uniform allowance amounts may change based on the MOA between the County of San Diego and the San Diego County Probation Officer's Association and the San Diego County Supervising Probation Officer's Association. Additional information may be obtained from those documents.

2.3.7 GROOMING STANDARDS

See Probation Department Operations Manual, Section 924.7.

2.3.8 JEWELRY AND ACCESSORIES

2.3.8.1 EARRINGS, NECKLACES, WRISTBANDS AND BRACELETS

Wearing of jewelry is discouraged while on duty. Officers must adhere at all times to officer safety issues when wearing jewelry. Dangling earrings, necklaces, neck chains, bracelets and wristbands represent items with significant potential to cause injury if grabbed by a youth. If worn on duty, necklaces shall not be visible outside the employee's shirt. If officers choose to wear jewelry, neither the facility, the Probation Department nor the County shall be responsible for replacement or repair of jewelry items lost or damaged while on duty.

2.3.8.2 SUNGLASSES

Sunglasses are only authorized while supervising outdoor activities (i.e., recreational activities and outdoor group movement).

Officers are not permitted to wear any type of mirrored lenses while on duty. Sunglasses are not permitted indoors. Prescription sunglasses that are required for medical reasons shall be permitted for indoor use only when accompanied by a Doctor's verification note which shall be submitted to administration via the employee's chain of command.

2.3.8.3 HATS AND VISORS

Baseball hats and visors are optional but, if worn, shall be black only. Baseball hats will have the Probation Department logo on them, visors will have probation lettering and must be worn with the bill forward. Winter headgear (i.e., beanie) is optional for Camp staff but, if worn, shall be black only. All other forms of headgear are forbidden, unless specifically authorized by the Facility Division Chief.

2.3.9 BODY ART AND TATTOOS

See Probation Department Operations Manual, Section 924.9.

2.3.10 DEPARTMENT BADGES AND IDENTIFICATION CARDS

The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

While on duty, sworn employees shall wear their departmental badge clipped to their belt. See Probation Department Operations Manual, Section 928 for more information.

2.3.10.1 MOURNING BADGE

See Probation Department Operations Manual, Section 924.5.1.

2.3.11 APPEARANCE OF NON-SWORN PROBATION AND COLLABORATIVE STAFF

Dress standards for non-sworn staff are defined as conservative attire that is clean, neat and fits properly. Unacceptable clothing which distracts from a professional work environment is not permitted. Examples of such clothing are as follows but are not limited to: costumes, spaghetti/halter tops or dresses, t-shirts/sweat shirts/shirts with inappropriate writing, advertising or sporting teams, low cut or sheer blouses or dresses, clothing that exposes the mid-section, underclothing worn as outer clothing, miniskirts, high-slit skirts or dresses that are excessively short (the length should be long enough to appropriately cover the wearer's body when bending, stretching, kneeling and sitting), shorts [except as defined in Manual Section 2.3.4.2 (one inch above the top of the knee cap and not extending below the knee)], cut offs or bathing suits, "flip flops" and beach-type sandals, thongs or open toe shoes, unitards or bodysuits (including spandex and lycra), recreational attire or sweat suits. All clothing must be wrinkle free, free from holes or tears, untattered, unfrayed, and not excessively faded. All under clothing that is exposed is strictly prohibited. The policy on shoes applies to all non-sworn staff working directly with youth.

2.3.12 DRESS CODE AND PERSONAL APPEARANCE COMPLIANCE

All employees are expected to adhere to the dress code and personal appearance policy set forth above. Employees having questions regarding any aspect of this policy shall discuss their concerns with their direct Supervisor. Staff may be required to correct a dress policy violation immediately. If an absence from the workplace is required to change clothing, it will not be compensated. Failure to comply with this policy may result in disciplinary action.

2.3.12.1 SUPERVISOR RESPONSIBILITIES

Supervisors or their designees are responsible for the day to day oversight of the dress code and personal appearance standards. Supervisors are required to bring to the attention of the employee any failure to conform to this policy. This will be done on an individual basis and in private. In the event the immediate Supervisor and the employee are unable to resolve an issue surrounding the dress code standards; the matter shall be discussed with the Division Chief or their designee for immediate resolution.

All supervisory personnel and Division Chiefs staff are responsible for setting an example.

<p>San Diego County Probation Department Institutional Services Policies</p>	<p><u>SUBJECT:</u> Rules of Professional Conduct</p> <p><u>SECTION:</u> 2.4</p> <p><u>AUTHORITY:</u> Sections 1306 Probation Department Admin Manual; Section 354 Probation Department Operations Manual; Policy 111, County of San Diego Department of Human Resources</p>
---	--

2.4 Rules of Professional Conduct

2.4.1 OVERVIEW

The purpose of this section is to outline the rules of professional conduct that every officer in Institutional Services (IS) is expected to follow. These rules are designed to assist the officer in maintaining a professional demeanor and bearing, in keeping with the highest standards of ethics and conduct consistent with the requirements of the law, the County, and the Department. (Also see Code of Ethics outlined in Manual Section 1.3.6.)

2.4.2 POLICY

It shall be the policy of this facility that all staff shall conduct themselves in an ethical and professional manner consistent with dedicated public service, as well as, the specific nature of individual job assignments. By setting a professional example through exemplary conduct and skillful execution of duties, staff will maintain positive public relations and provide a stable and safe environment for the youth under our care.

2.4.3 RESPONSIBILITY

The Division Chiefs shall have the overall responsibility for maintaining high standards of professional conduct by all staff assigned to IS. Each individual employee is responsible for their own conduct and violations of rules or standards may lead to discipline. Individual commitment to sustained professional conduct is critical to effective functioning of IS.

2.4.4 POTENTIAL CONFLICT NOTIFICATION

Nothing in this Manual shall serve to contravene County Policy (Board of Supervisors, Department of Human Resources). Any officer becoming aware that material in this Manual is in conflict with County policy shall notify the Division Chief, through the Chain of Command, of the apparent conflict.

2.4.5 CONFLICTS WITH THE LAW

Any officer becoming aware that material in this Manual or notifying memos from superiors is in conflict with the law shall notify the Division Chief, through the Chain of Command, of the apparent conflict.

2.4.6 CONFLICTS WITH THE COURT

Any officer directed by the Court to perform in a manner that seems inconsistent with IS or Probation Department policy or procedure shall attempt to make the Court aware of the conflict, through the Chain of Command. If the matter requires immediate response to the Court, the officer will comply with the direction of the Court, then advise the Supervisor of the action as soon as possible.

2.4.7 LAW ENFORCEMENT AUTHORITY

See Probation Department Operations Manual, Section 100.

2.4.7.1 UNOFFICIAL INFORMATION/OFF DUTY HOURS

Correctional Deputy Probation Officers observing or receiving information about youth who are within the provisions of the Juvenile Court Law in an unofficial capacity or during off-duty hours may not exercise the arrest powers of a Peace Officer. Such information is to be either referred to the appropriate law enforcement agency, or referred to the Intake Division of the Probation Department through vertical channels.

Note: As a private citizen, off-duty IS officers may arrest a youth under the “Citizen’s Arrest” provisions of Penal Code Section 837. Caution should be taken, however, to ensure the arrest is lawful in order to avoid civil liability.

2.4.8 OFF-DUTY CONDUCT

2.4.8.1 REMAIN LAW ABIDING

Employees shall not violate any federal statute, state law, local ordinance or department rule or regulation. Failure in this regard will be considered behavior that brings discredit upon the criminal justice system and the Probation Department, and could jeopardize the employee’s employment.

Any employee who becomes aware that he or she is the subject of a criminal investigation, or is arrested or charged with any felony or misdemeanor, shall immediately report the matter to the office of the Chief Probation Officer through their immediate superior.

2.4.8.2 REPRESENTATIVE OF COUNTY

All employees are representatives of the county, the court, and the department. An employee's conduct, both on and off the job, which reflects negatively on or discredits the criminal justice system, the department, the court, or county, may be a basis for disciplinary action.

2.4.8.3 ILLEGAL USE OF DRUGS

Any employee convicted of an offense involving the illegal use or possession of drugs or hallucinogens will be subject to disciplinary action, including dismissal, even if the offense was committed on off-duty time. Further, the facts and circumstances which lead to any employee's arrest for such use or possession of drugs will be considered for the purpose of imposing disciplinary action, up to and including dismissal. (For further details refer to County Drug and Alcohol Policy, Manual Section 2.10).

2.4.9 PROFESSIONAL RESPONSIBILITIES

2.4.9.1 STAFF RELATIONSHIPS WITH PROBATION YOUTH

Probation Department Administrative Manual Section 1416 restricts personal, social and business relationships between youth and their families and Probation Department employees. IS staff must report all such pre-existing relationships to their immediate Supervisor when the individuals’ client status becomes known.

2.4.9.2 ADMINISTRATIVE MANUAL ON STANDARDS OF CONDUCT

All staff are required to read and sign off on Administrative Manual Section 1306 - 1306.19, Code of Ethics and Standards of Conduct.

All officers are required to follow the ethical principles outlined in Manual Section 1.3.6.

2.4.10 INSTITUTIONAL SERVICES STAFF INTERACTION WITH YOUTH

The following general provisions set forth the standards for all IS staff with respect to their association with youth, and further delineate the limitations of their interactions.

2.4.10.1 ESTABLISH PROFESSIONAL RELATIONSHIP

Staff are to develop a professional relationship with youth by displaying responsible adult behavior, setting firm limits, enforcing consequences consistently and fairly, and treating all youth with respect. Officers need to clearly communicate behavioral standards to the youth to motivate them to believe that they can fulfill those expectations. Officers must not get too “comfortable” with youth; this can lead to complacency.

2.4.10.2 STAFF VIEWS NOT TO BE DISCUSSED WITH YOUTH

IS staff are not permitted to initiate discussions with youth that pertain to religious or political beliefs, nor shall any IS staff impose their religious or political views upon a youth. Probation staff are further prohibited from disseminating any political or religious literature to youth under their supervision and/or care.

2.4.10.3 NO PROFANITY

It is unacceptable and unprofessional for staff to use profanity, derogatory language, ethnic slurs or sexual epithets.

2.4.10.4 INAPPROPRIATE COMMENTS

Officers shall not make inappropriate or off-the-cuff comments to or about youth that could be misinterpreted. Such comments often upset the youth, can lead to claims of harassment and may be grounds for discipline.

2.4.10.5 NO HAZING

Hazing and initiations are strictly forbidden in all forms. Officers must ensure that all youth are treated with dignity and respect, and that no one is subjected to humiliating or harmful treatment by any other person in a juvenile facility (officer or youth).

2.4.10.6 NO PHYSICAL CONTACT WITH YOUTH

Officers shall not physically touch youth except when security measures require it. Under no circumstances shall a youth be allowed to touch an officer. Unnecessary physical contact between officers and youth, can lead to many problems, including accusations of sexual molestation, harassment and physical abuse.

2.4.10.7 AVOID SOCIAL CONTACTS WITH YOUTH

Probation staff shall not discuss their personal lives or establish social contacts with youth or their families.

2.4.10.8 FRIEND OR RELATIVE IN A SAN DIEGO COUNTY JUVENILE DETENTION FACILITY

If officers become aware that any relative, close friend or neighbor has become a youth in a San Diego County Juvenile Detention Facility (SDCJDF) or has been committed to or transferred to the jurisdiction of the department, they shall report it to the Facility Division Chief via the Watch Commander immediately. Officers shall not work in units/dorms where such persons are housed.

2.4.10.9 OVER-FAMILIARITY OR FAVORITISM

Probation staff are to avoid developing a "special" familiarity/relationship with a youth; one which is characterized by over-familiarity in their interactions and/or special time or favors being accorded to one youth over the rest of the group. Professional distance and objectivity is compromised if this occurs. Some examples include (but are not limited to) the following:

1. Rules are relaxed for "certain" youth.
2. Special favors are performed for "certain" youth.
3. The same youth performs errands for staff routinely.

Such favoritism or appearance of favoritism can be detrimental to unit/dorm security and is prohibited.

2.4.10.10 TRADING, BETTING, LENDING, GRATUITIES PROHIBITED

Officers are prohibited from trading, bartering, lending, or betting with any staff or youth. Officers shall not directly or indirectly give to or receive from any youth or member of their family, anything in the nature of a tip, gift, service or promise of a gift. Officers shall not benefit personally from a youth's labor including use of labor on personal projects (i.e., washing/repairing personal vehicle, etc.).

2.4.10.11 GIFTS TO YOUTH PROHIBITED

Under no circumstances shall any staff member give "rewards" or "gifts" (e.g. candy, soda, magazines, comic books, etc.) to any youth without the approval of the Facility Division Chief or their designee.

2.4.10.12 GIFTS OR GRATUITIES FROM YOUTH PROHIBITED

IS staff may not give or receive gifts or gratuities from youth or their families. If a youth or family member attempts to give anything to an officer, the officer must refuse the gift (in a professional manner) and report the incident to the Division Chief via the Watch Commander or Unit/Dorm Supervisor. Staff must report to their Supervisor any attempt by the youth's and their families to become unduly familiar.

2.4.10.13 FAMILIES OR RELATIVES OF YOUTH CONTACTING STAFF

IS officers are responsible for the care, guidance, supervision and custody of youth only while they are detained in the officer's assigned work site. This responsibility terminates upon the youth's release from the officer's assigned work site. Youth, parents, legal guardians, or relatives contacting IS officers, either inside or outside the facility, seeking advice and/or assistance or making any effort to continue association with an officer outside the facility after the youth's release from custody, shall be documented in PCMS, reported to the Watch Commander and the casework Probation Officer.

2.4.10.14 LEGAL AID TO YOUTH PROHIBITED

Staff shall not assist youth in the preparation of any legal document, or give any form of legal advice or service to a youth, except in regard to the institutional disciplinary due process procedure. Staff shall refrain from giving "opinions" about their case and shall not speculate about possible court outcomes. Whenever a youth makes inquires of this nature officers shall advise them to contact his/her defense attorney.

2.4.10.15 CORRESPONDENCE PROHIBITED

Probation staff shall not correspond by any form of communication or take pictures of a youth/ex-youth or with any member of a youth's/ex-youth's family, except as required by their official duties or when specifically approved by the Facility Division Chief and the casework Probation Officer. If officers are contacted by any of the previously listed individuals, other than approved circumstances, they must immediately report all such contact to the Facility Division Chief via the Watch Commander or Unit/Dorm Supervisor to prevent the youth from continuing the correspondence. The officer shall also contact the Supervisor of the youth's assigned unit/dorm, (if the youth is still in custody) inform them that you have received the letter and the name of the youth sending it and request that the youth be instructed not to write any more letters to staff. The Supervisor shall inform the youth that the letters are unwelcome, inappropriate and that disciplinary action will result if such behavior continues. The officer who was contacted shall write an Incident Report documenting all actions and responses.

Failure to act in these situations may compromise professional standing with other officers, and lead the youth and his/her peers to assume that continued correspondence and the sentiments expressed therein are welcomed.

2.4.10.16 OTHER TYPES OF CORRESPONDENCE

Infrequently, when staff believes there may be some therapeutic or rehabilitative value in responding to the correspondence, the staff shall notify the immediate Supervisor of the situation, get permission to write to the youth from the Supervisor and the Facility Division Chief, and get permission to write to the youth from the casework PO.

2.4.10.17 LANGUAGE

Every individual has the right to converse in his/her primary language without the fear of reprisal. Therefore, officers shall not prohibit the speaking of Spanish or any other language by youth's in custody.

2.4.10.18 WORKING WITH YOUTH OF OPPOSITE SEX

The following policies have been developed for officers who work in units/dorms with youth of the opposite sex:

1. All youth shall be afforded the right to privacy and personal dignity in regard to supervision by officers of the opposite sex. This provision shall be strictly adhered to during showers and bedtime activities and when youth are changing clothes and using the restroom.
2. officers working in units/dorms with youth of the opposite sex are to avoid directly supervising showers and shall not conduct body searches. If such supervision occurs, staff are to maintain privacy needs of youth except in the case of safety/security issues.

2.4.11 RELATING PROFESSIONALLY WITH STAFF

2.4.11.1 INTRODUCTION

The following general provisions shall structure the working relationships between IS staff members.

2.4.11.2 STAFF CONDUCT

IS Officers are to conduct themselves in a professional and responsible manner at all times.

2.4.11.3 WORKPLACE VIOLENCE

IS, the Probation Department and the County of San Diego are committed to providing a work environment free from violence and from threats of violence. It is the policy of the County that a “zero-tolerance” standard shall apply to violent behavior, implied or actual, and to threats of violent behavior, from any County employee that is directed at another employee at a County facility. For further information on this work standard see Probation Department Administrative Manual Section 1306.

2.4.11.4 COURTESY AND RESPECT

Officers are to treat each other with courtesy and respect. It is unacceptable and intolerable for officers to use profanity, derogatory language, ethnic slurs or sexual epithets when speaking with or referring to other coworkers, especially in the presence of a youth.

2.4.11.5 HARASSMENT FREE ENVIRONMENT

All officers have a responsibility and duty to maintain a working environment free of harassment. Use of sexist or ethnic slurs which have the effect of creating a hostile, intimidating or offensive work environment, are in violations of Title VII of the Civil Rights Act of 1974 and Departmental Policy. Officers who engage in such actions will be subject to departmental disciplinary action and/or termination of their employment.

All officers shall be responsible for reading the County of San Diego Department of Human Resources Manual, Policy Number 111 (Sexual Harassment Complaint Procedure).

2.4.11.6 NEVER DISCUSS OFFICER JOB PERFORMANCE WITH YOUTH

Officers shall never discuss the job performance of themselves or another co-worker with or in the presence of a youth. Problems that develop between officers over the performance of work activities shall be discussed in a setting that affords a level of privacy, and civility shall be maintained in all discussions amongst staff and/or public agency people.

2.4.11.7 CONSTRUCTIVE CRITICISM

All officers have a duty to inform other officers when any aspect of their job performance is in violation of the law and/or any IS policy and/or procedures, counter-productive to the team effort, injurious to unit/dorm security and/or the safety of other coworkers. Such discussions shall take the form of constructive criticism. Officers must not make comments that reflect negatively on the professional competence or practices of another officer. The communication of such criticisms shall be educational in intent, and never for the purpose of demeaning or ridiculing a fellow employee. Shift Leaders are responsible for providing this kind of feedback and training to staff and reporting such training to the Unit/Dorm Supervisor.

2.4.11.8 DON'T UNDERMINE OTHER OFFICERS

Under no circumstances shall an officer engage in behavior that deliberately undermines the authority or seeks to embarrass another officer. All officers have the responsibility and duty to assist other officers in becoming effective team members.

2.4.11.9 CONSISTENCY WITH OTHER OFFICERS

Be consistent with other officers so that youth know and understand the standards of behavior and can be held accountable if they fail to meet those standards.

2.4.12 SPECIFIC RULES OF CONDUCT

Listed below are some of the specific Rules of Conduct and regulations for IS staff.

2.4.12.1 NO WEAPONS

Officers shall not bring any type of weapon upon the grounds of any institution. Any officer procuring for or delivering to any youth any type of weapon shall be subject to dismissal and referred to the District Attorney for prosecution. Any staff member that becomes aware that another individual is in possession of any weapon will immediately notify the Watch Commander.

2.4.12.2 HONESTY AND TRUTHFULNESS

Officers will, truthfully, honestly and accurately answer questions, make statements, reports, records, accusations or representations relating to their employment both verbally and in writing.

2.4.12.3 REMOVAL OF FOOD PROHIBITED

Food provided to staff shall be consumed on site. No food of any kind is to be removed from the premises. Violation of this regulation shall constitute a theft of property.

2.4.12.4 PUNCTUALITY

Officers must report for their shift promptly at the time directed (see “Scheduling”, Section 2.6 below for more information) and not leave their assigned unit/dorm before the completion of the shift except with a Supervisor's permission.

2.4.12.5 EMERGENCY DUTY

Regardless of class or service, when notified of an emergency at the facility and ordered to return to the work site, officers shall report without delay to the officer in charge.

2.4.12.6 DISTRACTIONS PROHIBITED

Officers assigned to supervision duties and control functions shall not read (books, magazines or newspapers), listen to a private radio, watch television, or engage in any distracting activity while on assignment, except for such authorized reading as may be required in the proper performance of their duties.

2.4.12.7 NO GLASS

Officers may not bring or keep any glass containers/cups or ceramic mugs into any juvenile detention facility. This includes any thermos type containers with glass insulation on the inside. The risk that a youth might find such a container, break it and use the broken glass to harm themselves or others is too great to be allowed. Any officer who finds any glass shall confiscate it and report the finding to the Watch Commander.

2.4.12.8 CONFIDENTIALITY OF CASE FILES

Officers are directed to regulations specified in the Probation Department Operations Policy 354 (Confidentiality and Probation Case Files). The IS records regarding a youth are confidential and shall not be given to anyone, except to persons who have an official need for such information (i.e., casework Probation Officer, the Court, persons designated by Court Order, etc.). See Manual Section 4.2.

2.4.12.9 CONFIDENTIALITY OF INFORMATION ABOUT YOUTH

In addition to case files being confidential, all information about youth is confidential and shall not be given to unauthorized persons. This includes information about where the youth is housed, how they are adjusting to the facility, any discipline problems, etc. Officers shall not give such information out even to defense attorneys or investigators asking for information about their clients as this information may compromise a youth's safety and/or prosecution of their case. Any inquiry regarding a youth's behavior shall be forwarded to the Watch Commander.

2.4.12.10 FILES NOT TO BE REMOVED

Juvenile or JPCF files shall not be removed from the facility without the approval of the Supervisor.

2.4.12.11 MEDIA REQUESTS

IS personnel (officers and staff) shall not give interviews or discuss with media reporters anything about any youth in custody. This is a breach of confidentiality and could subject staff to discipline. All media requests for information shall be referred to the facility Division Chief via the Watch Commander.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Staff Regulations <u>SECTION:</u> 2.5 <u>AUTHORITY:</u> Section 394.5, Military and Veterans Code; Sections 602.3 and 910, Operations Manual
--	---

2.5 Staff Regulations

2.5.1 OVERVIEW

This section sets forth the general regulations for officers regarding leave, holidays, overtime, requests for time off, call-backs, breaks, computer use policy, phone policy, tobacco use policy, mileage reimbursement and employee resignation.

2.5.2 KRONOS

Officers are required to complete KRONOS on a bi-weekly basis. KRONOS is used to report regular hours worked, time off and overtime. It is the responsibility of each officer to maintain his/her KRONOS file. KRONOS must be completed and approved by the Officer by Tuesday on the 2nd week of the pay period. Supervisors must approve by 2:00 p.m. on the second Thursday of the pay period.

2.5.3 LEAVE

Leave and absence regulations are governed by the rules of the County of San Diego Civil Service Commission, the County Compensation Ordinance and the Memorandum of Agreement (MOA) between the County of San Diego and the San Diego County Probation Officer Association (POA), and the San Diego County Supervising Probation Officer's Association. Officers are referred to San Diego County Probation Department Operations Policy 910 (Leave and Absences) and their site procedure manual for additional information.

2.5.3.1 TYPES OF LEAVE AND APPROVED ABSENCE

This table lists the types of leave and/or approved absences available to Probation employees.

	Leave Type	Leave Request Approved by Supervisor Prior to Leave	Leave Request Approved Upon Return To Work	Paid	Non-Paid
1	Holidays	X (for Birthday Holiday only)		X	
2	Vacation	X		X	
3	Bereavement	(Verbal approval)	X (Written)	X	
4	Sick Leave	(Verbal approval)	X (Written)	X	
5	Injury	X		***	
6	Court / Jury Duty	X		X	
7	Military	X		X	
8	Administrative	X (Personnel)		X	
9	Catastrophic	X (Personnel)		X	
10	Compensatory (CTO)	X		X	
11	Leave Without Pay	X			X
12	VTO (Voluntary Time Off)	X (Approved by Division Chief or Above)			X
13	Family Medical Leave	X (Approved by Personnel)			X

All types of leave must be approved by a Supervisor.

*** 100% for sworn officers; 75% for non-sworn staff.

2.5.4 HOLIDAYS

Refer to the Memorandum of Agreement (Article 6 Section 1C) for specific details on eligibility and compensation for holidays, floating holidays, and holidays on a scheduled day off.

2.5.5 VACATION TIME AVAILABILITY

An employee's earned vacation time becomes available to use as it is accrued, and may be used in the pay period following the pay period in which it was earned. The Department attempts to schedule vacation in accordance with the employee's request, but authorization is subject to the needs of the Institution. A limited number of officers are able to be on vacation at any one time. See MOA Article 6, Section 2A, for more details.

2.5.5.1 MAXIMUM VACATION CREDITS

Vacation credits may be saved or accumulated from one year to the next, up to a "maximum balance" of twice the annualized earnings rate of the employee. For example: for officers employed five years or less – maximum balance is 160 hours; for officers employed between five and fifteen years – maximum balance is 240 hours; and for officers employed fifteen years or more – maximum balance is 360 hours. Once these maximum balances are reached, no more vacation credits are earned. The County payroll department will notify an employee when they reach 80 percent of the maximum balance. See MOA, Article 6, Section 2D.

2.5.6 INJURY LEAVE

Injury leave is paid leave that is available to an employee who is unable to perform his/her job duties because of a job-related injury, and is entitled to Workers' Compensation temporary total disability benefits, and is not otherwise ineligible. Injury leave compensation for non-sworn staff shall equal the difference between 75% of the employee's pay and the Worker's Compensation temporary total disability indemnity. Sworn Officers shall receive "4850 Benefits" equal to 100% of their normal pay.

See Memorandum of Agreement, Article 6, Section 5A for conditions of ineligibility.

2.5.7 COURT LEAVE ELIGIBILITY

Only a biweekly employee who has received an order/subpoena from a court is eligible for court leave. Court leave is not granted when the employee is paid an expert witness fee or when attendance is part of the employee's official County duties.

2.5.8 JURY DUTY INSTRUCTIONS

When called to jury duty, the employee must bring the letter/subpoena from the Jury Commissioner to the scheduling supervisor as soon as possible after it is received. Unless the employee on late-nights, the schedule will not be changed, but the employee will be placed on "jury duty" status for the day scheduled to work. If on late-nights the schedule will be changed to accommodate jury duty.

If selected to serve on a jury the employee must inform the Scheduling Supervisor or the Watch Commander as soon as possible. Most Judges will give prospective jurors an estimate of how long the trial will last. Give the estimate to the Watch Commander so your schedule can be changed to allow completion of jury duty.

On days the employee is scheduled to work but is at jury duty, the employee must keep track of the time on the time clock in the jury lounge and present the time sheet to the Facility Watch Commander by the end of each pay period in order to get paid for those days. Employees are encouraged to make a copy of the document for their records. Further, the employee must put in regularly scheduled hours per day between jury duty and work at your assigned facility in order to be paid for the entire shift. Reasonable travel time is allowed. If called to jury duty at 8:30 AM and are

released from jury duty at 11:30 AM, the employee must return to the work site and work until 4:30 PM to complete the eight-hour shift. Comp time off will not be automatically granted if the employee does not work your regularly assigned hours between jury duty and your assigned work site. Time off can only be taken with the permission of a Supervisor.

During a 1-day obligation, or while serving on a jury, if the employee is dismissed from jury duty on a day the employee would otherwise work, the employee must notify the Facility Watch Commander as soon as they are dismissed, and the employee will be placed back on the Key List. If the employee's regular schedule requires work on Saturday and/or Sunday, the employee must report for work on those days and report for jury duty Monday through Friday. The employee must notify the scheduling supervisor when jury duty is completed.

Jury duty is a civic obligation. If required to perform jury duty on a scheduled day off, that time will not be counted toward the work week and the employee will not be paid by the County. If the employee must remain on jury duty over the normal workday, the employee is not eligible for any overtime compensation.

2.5.9 MILITARY LEAVE

Officers who are or become members of the Armed Services, Militia or Organized Reserves of California or the United States are entitled to the leaves of absence and employment rights and privileges provided by the Military and Veterans Code of the State of California (Section 389 et. seq.) Specifically, Section 394.5 provides as follows:

“Any employee of any corporation, company, or firm, or other person, who is a member of the reserve corps of the armed forces of the United States or of the National Guard or the Naval Militia shall be entitled to a temporary leave of absence without pay while engaged in military duty ordered for purposes of military training, drills, encampment, naval cruises, special exercises or like activity as such member, providing that the period of ordered duty does not exceed 17 calendar days annually including time involved in going to and returning from such duty.”

The types of leaves for training and the different rules for each service are too complex for full treatment in this manual. Therefore, if applicable to you, check with the Probation Department Human Resources Division Chief or designee for specific information on policies and procedures required for a temporary military leave of absence. Also refer to County of San Diego Human Resources Policy 601.

2.5.10 ADMINISTRATIVE LEAVE

Administrative leave means the employee's non-disciplinary paid absence from duty imposed by the appointing authority under specified conditions.

See Memorandum of Agreement, Article 6, Section 8, for conditions of eligibility and procedures.

2.5.11 CATASTROPHIC LEAVE PROGRAM

The Catastrophic Leave Program is a means for vacation or sick leave balances to be transferred from one employee to another, on an hour-for-hour basis. The receiving employee is required to be absent from work due to injury or illness of the employee or his/her immediate family member, and has exhausted all other earned leave credits. All transfers made under this program are irrevocable.

See Memorandum of Agreement, Article 6, Section 9 for additional information.

2.5.12 NON-PAID LEAVE

Refer to the Memorandum of Agreement for information on all non-paid leave. Leave without Pay is governed by MOA Article 7, Section 1. Voluntary Time Off (VTO) is governed by MOA Article 7, Section 2. Family Medical Leave is governed by MOA Article 7, Section 3.

2.5.13 COMPENSATORY TIME OFF (CTO)

Compensatory time off (Comp Time or CTO) is credit for overtime worked when the employee could normally receive cash compensation. Comp Time must be approved by a Supervisor. See MOA, Article 5 and County Compensation Ordinance, Section 1.5.2 for additional information.

2.5.14 MAXIMUM BALANCE

Compensatory time off (Comp Time) is accrued on an "hour for hour" basis for overtime worked. Officers may accumulate up to 120 FLSA Comp Time and 40 hours of Non FLSA compensatory time off. (MOA, Article 5, Section 2.C.) A balance that exceeds either limit is to be reduced. Officers shall have fifteen (15) working days advance notice before being required to take compensatory time off or have their accumulation reduced. See County Compensation Ordinance, Section 1.5.2 for additional information.

2.5.14.1 REQUESTING CTO

Compensatory Time Off (CTO) must be approved by a supervisor.

2.5.15 OVERTIME

Refer to Memorandum of Agreement (Article 5, Section 2) for specific details. Overtime must be reported in KRONOS.

2.5.15.1 ORDERED OVERTIME

On occasion, all IS officers may be required to perform overtime to fulfill the needs of the institution. For example: during CORE Training many officers are removed from the key list for the five weeks of training and the other Facility officers must provide coverage of the shifts. The Watch Commander shall coordinate all ordered overtime assignments in accordance with MOA Article 5 and Probation Department Administrative Manual Section 1321.

2.5.15.2 CALL-BACK

Call-back work is work required of an employee who following completion of the employee's work-day and departure from the work site is ordered to report back to perform necessary work. Refer to Memorandum of Agreement (Article 5, Section 3) for more specific details.

2.5.16 STAFF BREAKS

Each employee is entitled to a 15 minute break, near the midpoint, for each four-hour work period. Only one 15 minute break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

Employees normally assigned to the facility shall remain in the facility for their breaks. This would not prohibit them from taking a break outside the facility if on official business.

Officers are not allowed to combine two 15-minute breaks into one longer break, and may not use the 15-minute break to leave work early. The breaks shall be organized and cleared by the Unit Shift Leader and shall be taken when it is convenient for the unit; the Unit Shift Leader may authorize staff to leave the unit for a maximum of 15 minutes. If leaving the unit, staff shall log themselves out and in via the Daily Message Log. Break time starts when officers leave the unit. Officers shall not go to other units or dorms, during this break and talk/visit with other staff who are working. Officers shall not leave the facility during 15-minute breaks.

2.5.16.1 16-HOUR SHIFT

Officers working a 16-hour shift are authorized a 30 minute break between shifts and may leave the facility. If the officer with the 16-hour shift is changing units/dorms from one shift to the next, they shall notify the unit/dorm to which they are moving that they are on duty before leaving to take their break. The Shift Leader shall assure that the unit/dorm is properly staffed to allow the officer to take the 30 minute break. The Shift Leader will notify the Watch Commander in the event that the unit/dorm does not have the required number of staff. All questions or concerns about breaks (either 15 minute or 30 minute breaks) are to be directed to the Watch Commander for resolution.

2.5.17 COMPUTER USE POLICY

It is the policy of the Probation Department and IS that the use of all computer equipment used in the course of conducting IS business shall be used in a businesslike and professional manner. All information and/or data residing in department-owned telecommunications devices and mainframe, mini and personal computers are the property of the County of San Diego. Departmental, County and Internet e-mail messages and other data or information in computer files are not private communications. County or departmental information in privately owned computers utilized for County business is also the property of the County of San Diego. No right to privacy is extended to individuals using equipment or data. Information and data relating to County business must be managed and protected from unauthorized access, distribution, and accidental loss. Use of County-owned or County-purchased software by staff must be for tasks or assignments (e.g. telecommuting) authorized by the department and is to be returned to the department upon completion of tasks or assignments for which they have been used. All information contained in County automated memory sources, shall only be accessed for County of San Diego business purposes. County computer databases shall not be accessed for personal purposes. Access to such data resources shall be extended only to those with a bona fide "need to know", and legal "right to know".

Employees who damage the computer equipment through abuse, carelessness, or negligence will be held financially responsible for the replacement or repair cost of the item.

Employees shall not use County provided Computer equipment, information and/or services to conduct any private business activities or for unauthorized purposes.

Also see Manual Section 4.2.7 for more information on Computer Authorization and Security.

2.5.17.1 MISUSE OF COUNTY COMPUTERS

All Housing Units/Dorms have computers that are Internet capable. Officers are reminded that personal use of County computers to use the Internet or to view or download computer games, programs, pictures, etc., is prohibited. Staff are not to connect any personal devices to any County computer or computer line. Individuals violating this policy or engaging in unauthorized Internet or Computer use may be subject to discipline. Sending forged e-mail, and theft of or unauthorized reading of another person's e-mail is prohibited.

2.5.17.2 NO YOUTH USE

IS officers shall not permit a youth to access unit/dorm computers without Supervisor approval.

2.5.18 INSTITUTIONAL SERVICES PHONE POLICY

All telecommunications equipment, whether County or privately owned and when used in the course of conducting County business, shall be used in a businesslike and professional manner. Telecommunications equipment shall be used only to accomplish the purposes of County business (exception: reasonable use of telephone, voice mail and e-mail for personal communication may be permitted). Use of e-mail, voice mail, and fax machines for transmission of defamatory, obscene, offensive or harassing messages is prohibited.

2.4.18.1 PERSONAL PHONE CALLS

IS staff are expected to remain in the facility and are subject to get called back to the unit/dorm at all times during their respective shifts. Therefore, it is understood that staff may need to make or receive personal phone calls on occasion while on duty.

In the interests of safety and security, staff members shall keep the number and length of personal calls to a minimum. Use of personal cell phones, placing or receiving calls, and texting is prohibited during youth supervision duty. Cell phones may only be used during authorized staff breaks (see Sections 2.5.16 and 2.5.16.1 above). Staff are permitted to use County phones for personal calls subject to the above rules.

2.4.18.2 PUBLIC CONTACT AND BUSINESS PHONE CALLS

All IS officers shall treat members of the public with respect and courtesy. When answering a facility business phone, officers shall answer the telephone with the name of the facility or unit/dorm and the name of the person answering the phone. Officers shall answer questions as accurately and completely as possible, unless the question involves disclosure of confidential information (see Manual Section 4.2 for more information on Confidentiality). If the question does involve confidential information the officer shall refer the call to the Watch Commander.

Each IS employee shall provide visitors or other members of the public with their name and job classification if requested. If a visitor or other member of the public has a question or problem that cannot be resolved, the IS employee shall refer the matter to their supervisor or to the Watch Commander.

2.4.18.3 HOME PHONE NUMBERS OF OFFICERS

The Watch Commander has access to the home phone numbers of all officers. These numbers are confidential and are not to be given out under any circumstances unless authorized by the Watch Commander, or the request comes from the employee's Supervisor or any Probation Officer above the classification of Supervisor (e.g. Division Chief, DCPO, ACPO, or the Chief Probation Officer). If an IS officer must be contacted for business reasons, the Facility Watch Commander shall ascertain the nature of the business, obtain a contact number for the person needing to contact the officer, and then call the officer and relay the message.

2.5.19 COUNTY TOBACCO POLICY

As of January 1, 1990, all County facilities, including juvenile detention facilities, were designated as tobacco-free environments. County policy prohibits tobacco use in private offices and areas where both smokers and non-smokers congregate (i.e., cafeterias, lunchrooms, lounges, shared work areas, etc.). With respect to the juvenile detention facilities, tobacco use is not permitted in any area within the confines of the building. Employees violating this policy may be subject to disciplinary action. See Probation Department Operations Manual, Section 910.

2.5.20 MILEAGE REIMBURSEMENT

Mileage reimbursement is approved for Probation Department officers for call-backs and Standards and Training for Corrections (STC) Training. Compensation is by county approved rate. Mileage reimbursement is not allowed for normal commuting between home and the work site.

For officers to qualify for private mileage reimbursement, they must submit a "Mileage Report for Reimbursement for Use of Private Conveyance" (AUD form 277-A) within 30 days of the date the mileage was incurred (see Attachment A). The form must be forwarded for approval via the chain of command. The form must be submitted by the 3rd day of each month. Mileage reimbursement is paid on the employee's regular paycheck, and is usually received by the end of the month in which the request was submitted.

Please refer to the end of this policy for a link to all attachments.

For more complete information on mileage reimbursement eligibility see MOA (Article 9, Section 2), Probation Department Operations Manual (Section 602) and the County of San Diego Administrative Manual (Section 0200-2).

2.5.21 EMPLOYEE RESIGNATION

An employee who decides to terminate County service should submit his/her resignation in writing to his/her immediate Supervisor. The resignation should include the expected date of termination. A two-week notice is requested (one week required by County policy). The Supervisor will forward the resignation to the Division Chief who will relay the information to the Probation Personnel Office. Refer to San Diego County Civil Service Rules, Section 14.2.1, and Human Resources Policy and Procedures Manual, Policy # 301, for additional information.

2.5.21.1 EXIT INTERVIEW

The Supervisor and/or Division Chief will conduct a separation interview with the employee prior to their termination. (See County of San Diego Civil Service Personnel Guidelines for Separation Interview.) The information gathered at this interview is then forwarded to the Personnel Office on the employee's last day of employment.

The exit interview form, (See Attachment B) shall be completed by the departing employee's Supervisor during the separation interview. Following completion, the form shall be forwarded to Risk Administration at M/S A-226, on the employee's last day of employment.

A Performance Appraisal will be completed for an employee who terminates from County service if significant time has passed since the last appraisal was completed per Administrative Manual Section 1309.

Please refer to the end of this policy for a link to all attachments.

2.5.21.2 RETURN OF BADGE AND IDENTIFICATION CARD

At the time of the employee's separation from service, the employee shall turn in their badge and Identification Card to the Department Personnel Officer, the Watch Commander or their direct Supervisor. (Also see Manual Section 2.3.10.)

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Scheduling Policies <u>SECTION:</u> 2.6 <u>AUTHORITY:</u> Chief Probation Officer
--	--

2.6 Scheduling Policies

2.6.1 OVERVIEW

This section sets forth the general regulations for officers regarding scheduling of shifts.

2.6.2 GENERAL SCHEDULING AND TARDINESS RULES

Each Facility's scheduling is determined by service delivery needs, location and staffing allocations.

2.6.2.1 SCHEDULING BASED ON SENIORITY

IS staff's schedules are determined by each individual facility. Unit/Dorm assignment requests and schedule preferences may be submitted in writing to the scheduling Supervisor or unit/dorm Supervisor if officers desire a change in assignment.

Officers of the same class may be allowed to swap shifts provided there is mutual agreement and approval. Officers who have agreed to swap will work each other's shift as agreed. Swaps can be revoked or terminated at any time.

2.6.2.2 ROTATIONAL SHIFT ASSIGNMENTS

The Facility Division Chief (with assistance from a designated Scheduling Supervisor) shall be responsible for creating and maintaining a scheduling plan that takes into account the needs of the facility, shift assignments (i.e., AM, PM and Late Night), officer seniority and staffing ratios (see Manual Sections 2.2.3). The scheduling plan shall include a system whereby individual officers may be rotated to different shifts (upon 14 days notice to comply with MOA Article 5, Section 1E) and may submit unit/dorm assignment requests and schedule preferences in writing (in accordance with MOA Article 1, Section 4.B.2).

2.6.2.3 REPORTING HOURS

Reporting Hours are designated by each individual facility.

If for any reason officers are unable to report for duty (e.g. flat tire, accident, etc.), they must personally notify the Watch Commander at the earliest possible opportunity.

2.6.2.4 TARDIES

The Watch Commander or shall be notified by the staff designated by the facility of any scheduled officer who has not arrived by the start of the shift. The Watch Commander shall call the absent officer at home to try to determine the reason.

If employees think they are going to be tardy to work, they shall promptly notify the Watch Commander. The Watch Commander shall decide whether or not the tardy shall be excused after discussion with the employee. An excused tardy is a verifiable emergency which the employee could not have anticipated and therefore prevented. The Supervisor shall complete a Tardy Slip (see Attachment C), noting why the officer is late and whether or not he/she called in, and whether the tardy is considered excused or unexcused. This form will then be forwarded to the officer's supervisor for inclusion in the officer's work site file. The time lost shall be reflected in the employee's KRONOS.

Please refer to the end of this policy for a link to all attachments.

2.6.2.5 EXCUSED TARDIES

If the Supervisor determines that the officer's tardiness is "excused," the Supervisor will grant compensatory time off (CTO). If this is their first tardy within a year's time frame a Supervisor will grant CTO; if the tardy officer has more than one tardy in the years' time frame, the Supervisor may reflect this tardy as leave without pay (LWOP).

2.6.2.6 UNEXCUSED TARDIES

Unexcused tardies shall be considered absence without leave (AWOL). The unexcused tardy record will be kept in the employee's site-file for a period of one year, going back from the current date.

2.6.2.7 CONSEQUENCES

This table lists the possible consequences of an unexcused tardy:

1. First: Watch Commander records on Tardy Slip (see Attachment C) and notes that it is unexcused. Employee signs Tardy Slip, which is sent to Unit/Dorm SPO. Employee will receive a verbal warning.
2. Second: Tardy Slip procedure as described for first tardy; with worksite file documentation that any additional unexcused tardies will result in action with further documentation including the possibility of disciplinary action.
3. Third: Tardy Slip procedure as described for first unexcused tardy and a Record of Discussion.
4. Fourth: Tardy Slip procedure as described for first unexcused tardy and a Letter of Warning, with appropriate site file entry.
5. Fifth and all subsequent: Tardy Slip procedure as described for first unexcused tardy; and the matter may be referred to the Division Chief recommending appropriate formal disciplinary proceedings.

Please refer to the end of this policy for a link to all attachments.

2.6.2.8 CONSEQUENCES OF DISCIPLINARY PROCEEDINGS

The following is a partial list of possible administrative consequences that can result from disciplinary proceedings:

1. Delay of step increase by as much as two weeks. You must have 1040 paid hours in order to go from Step 1 to Step 2 and 2080 paid hours to go to step 3 and above. (Per Compensation Ordinance Section 1.4.3)
2. Retirement service credit will not be earned for AWOL period.
3. Vacation and sick leave credits will not accrue during AWOL period. You earn sick leave and vacation credit only for each hour of regularly scheduled paid service. (Per Article 6 of the MOA)
4. Repeated offenses can lead to more serious consequences such as: suspension without pay, pay step reduction, demotion, or dismissal. See Human Resources Policy and Procedures Manual, Policy 1004.

2.6.2.9 AWOL

This table sets out how AWOL will be charged (e.g. payroll deductions on time sheet):

Minutes Late	Time Charged	Minutes Late	Time Charged
0 - 6	0	37 - 42	.6
7 - 12	.1	43 - 48	.7
13 - 18	.2	49 - 54	.8
19 - 24	.3	55 - 60	.9
25 - 30	.4	61 - 66	1.0
31 - 36	.5		(Tenths of hours)

2.6.3 ORDERED OVERTIME AND ORDERING STAFF

On occasion, staff may be required to perform overtime to fulfill the needs of the institution. For example during Juvenile Institution CORE, the institutions will need to fill vacant shifts. During this time staff will be mandated to work overtime shifts throughout the training period. If the need for Ordered Overtime exists, the Division Chief will determine with scheduling personnel how many shifts will be mandated and staff will be required to fill the vacant slots. Once all staff has signed up for the Ordered Overtime (OOT) the remaining shifts will be offered to volunteers who want to work more shifts. If shifts remain available and no one has volunteered to work the Watch Commander shall order employees to remain at work following the procedures for ordering staff to remain.

2.6.3.1 ORDERED OVERTIME PROCEDURES

1. Division Chief/Scheduling personnel will determine the number of shifts requiring mandated overtime for the facility to remain at Board of State Community Corrections (BSCC) minimum staffing as early as possible.
2. Scheduling personnel will notify staff via e-mail of OOT requirement.
3. Division Chief will notify staff via e-mail of OOT requirement.
4. Selection process mandates the following guidelines:
 - No more than three (3) overtime shifts per pay period.
 - Staff will not work more than six (6) consecutive days.
 - No staff will work back-to-back sixteen (16) hour shifts.
- No staff shall work more than two (2) shifts in a day.
5. If staff do not sign up for OOT by required date OOT shifts will be assigned to the staff not yet signed up.
6. Once all staff have signed up for the required OOT remaining available shifts will be available for volunteers.

2.6.3.2 PROCEDURE FOR ORDERING STAFF TO REMAIN

There may be occasions that staff does not volunteer to fill the vacant shifts and staff may be ordered to remain at the facility. Should staff be ordered to remain, the following guidelines will be followed:

1. To determine who from onsite staff will be ordered to remain, staff will be chosen by reverse seniority. Seniority will be based upon the Memorandum of Agreement (MOA) between the County of San Diego and the San Diego County Probation Officers Association., Article 5, Section 4 B. A copy of the list will be provided to a union representative at the facility for review.
2. Only the amount of staff necessary to meet BSCC standards will be ordered to remain.
3. Positions must be filled by similar classifications.
 - CDPO IIs and Senior Probation Officers (SrPO) will fill Shift Leader shifts with CDPO IIs to be ordered first.
 - If CDPO I staff have been exhausted for CDPO I positions then CDPO IIs will be utilized and then SrPO's based on reverse seniority.
4. The Watch Commander will review the seniority list and determine the staff with the least amount of seniority.
5. The Watch Commander will talk to the employee and explain their name was chosen by reverse seniority.
6. Once ordered to remain at work the staff's name will be crossed off the list and their name will be added to the bottom of the list noting the date ordered to remain at work. No staff will be ordered to work again unless all names have been exhausted no matter the classification.

2.6.4 LATE NIGHT LINE STAFF, NON-SHIFT LEADERS

Section 1321 of Title 15 requires that at least two wide-awake officer be on duty at all times. This requirement naturally necessitates a Late Night shift. This section covers the policies governing the assignment of officers to the Late Night shift.

2.6.4.1 OVERVIEW

Physiological tests have shown that continuous late night shifts can be harmful to an officer's health. Accordingly, a system of rotational assignments shall be implemented by the Division Chief to ensure the needs of the Institution are met in a way that is equitable to all officers. (See "Rotational Shift Assignments" in Section 2.6.2.2 above.)

2.6.4.2 CDPO I

Line staff positions for Late Night shifts are primarily performed by CDPO Is. All assignments for Late Night duty are done on a rotating basis for an approximate period of three (3) or four (4) months depending on the facility. Line staff assignments for late night shifts are made according to the needs of the institution (i.e., experience, security requirements, emergency situations, etc.) and staff seniority. New hire CDPO Is shall not be assigned as the primary supervision staff to a Late Night shift until they have completed CORE Training (per Title 15, Section 1322(c)) and the "Minimum Expectations for 3 Months" check-off sheet outlined in Manual; Section 3.5.3.

2.6.4.3 SELECTION CRITERIA

For Late Night line staff positions, qualified volunteers (if approved by their Supervisors) are considered first. When the volunteer list has been exhausted, assignments will be made from the eligible CDPO Is on a rotating basis, starting with the lowest seniority and advancing to those with the highest seniority, until all positions have been filled.

2.6.4.4 ADDITIONAL CRITERIA

In addition to the primary considerations of institutional need and seniority, the following criteria will also affect the assignment of eligible line staff to the late night rotation.

1. Employee Work Performance: Deficiencies and needs could affect eligibility for assignment to late nights due to the high degree of responsibility required for certain late night positions.
2. Probationary Staff: Probationary With some exceptions depending on facility, CDPO I's may be assigned to a late night shift only after they have completed CORE Training (per Title 15, Section 1322(c)) and the "Minimum Expectations For 3 Months" check-off sheet outlined in Manual Section 3.5.3. Additionally, their Supervising P.O. must make a determination that they are fully trained on the day shift, and depending upon the needs of the institution.
3. Release from Voluntary Assignments: Voluntary late night officers who have completed their rotation on late nights will automatically be returned to day shift at the next rotation. If an officer wishes to stay on late nights, they must submit a new request in writing to the Scheduling Supervisor. Approval to stay on late nights more than one rotation requires "special needs" as determined by their immediate Supervisor. Extension for more than two (2) rotations requires the approval of the Facility Division Chief.

2.6.4.5 NO VACATION

Officers assigned to late nights will not be granted vacation for an extended period of time. Once the schedule has been posted, officers may request a night off if there are extra officers on late nights and granting the vacation would not require the use of overtime.

2.6.5 LATE NIGHT LINE STAFF, SHIFT LEADER

2.6.5.1 MINIMUM OF ONE SHIFT LEADER

A minimum of one CDPO II officer shall be assigned to late night duty in Main Control/Central Control/Admin Office. In extenuating circumstances, the facility Division Chief may authorize a shift leader qualified CDPO I to staff the Main Control/Central Control/Admin Office. The late night Shift Leader position will be covered by a CDPO II. The needs of the institution dictate that only experienced Shift Leaders are assigned to this position. This officer will be responsible for coordinating the operations in Main Control/Central Control/Admin Office, and will be the principal assistant to the Watch Commander.

All Shift Leaders assigned to late night duty will work a three (3) or four (4) rotation, depending on their work site, similar to CDOPIs. Assignment of Shift Leaders will be based on the criteria given below.

2.6.5.2 CDPO II SENIORITY LIST

Volunteers are considered first. When the list of volunteers has been exhausted, assignments will be made from the CDPO II seniority list. Names of the individuals who have completed their late night duty by volunteering will be passed over until all other names on the list have been exhausted.

With some exceptions depending on facility, Probationary CDPO IIs may be assigned to a late night shift after at least six (6) months has passed. Provided that their Supervising P.O. has determined they are fully trained on the day shift, and depending on the needs of the institution. The list will be based on lowest seniority and advancing to the person with the highest seniority.

2.6.6 LATE NIGHT WATCH COMMANDER

The late night Watch Commander position will comprise the highest level of on-site authority.

2.6.6.1 SELECTION

The selection criteria for a late night Watch Commander is based on the following criteria:

1. Volunteers will be given priority for assignment.
2. Late night Watch Commander Assignment is on a rotating basis among Supervisors. The Division Chief shall be responsible for the rotational scheduling of Supervisors.
3. Emergency situations or needs of the institution shall supersede all other selection criteria.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Employee Files and Performance Appraisals <u>SECTION:</u> 2.7 <u>AUTHORITY:</u> Sections 3305-3306 and 6253(a), Government Code; Section 832.7 Penal Code; Peace Officer’s Bill of Rights
--	--

2.7 Employee Files and Performance Appraisals

2.7.1 OVERVIEW

Institutional Service employees are referred to San Diego County Probation Department policy section 916 for information on personnel files. The remainder of this section provides information on employee performance appraisals.

2.7.2 EMPLOYEE PERFORMANCE APPRAISAL REPORTS

The Department’s employee performance appraisal system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

2.7.3 POLICY

The San Diego County Probation Department utilizes a performance appraisal report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion and termination. The appraisal report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards. The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee’s position, without regard to sex, race, color, national origin, religion, age, disability or other protected classes.

2.7.4 PERFORMANCE APPRAISAL FREQUENCY

Permanent employees shall receive an Employee Performance Appraisal once each year by the employee's immediate supervisor on the anniversary of the employee’s date of hire except for employees who have been promoted in which case an Employee Performance Appraisal shall be completed on the anniversary of the employee’s date of last promotion. CDPO I through Supervising P.O.'s who have been appointed to a permanent position from an Eligible Employees List and are currently serving, but who have never completed a probationary period, shall receive an Employee Performance Appraisal once each six months by the employee’s immediate supervisor on the six month and one year anniversary of the employee’s date of hire or promotion.

2.7.5 REPORT GUIDELINES

Performance Appraisal Reports will cover a specific period of time and should be based on documented performance during that period. Appraisal reports will be completed by each employee’s immediate supervisor. Other supervisors directly familiar with the employee’s performance during the rating period should be consulted by the immediate supervisor for their input. Each supervisor should discuss the tasks of the position, standards of performance expected and the appraisal criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise. Reports should include goals and expectations but may not include goals that are outside of the employee's classification. Supervisors should refer to the "Performance Appraisals" section of the Probation Supervisor Resources SharePoint site when preparing Appraisal Reports.

2.7.6 PERFORMANCE STANDARD DEFINED

When completing the Employee Performance Appraisal, the rater will place a check mark in the column that best describes the employee's performance. The definition of each rating category is as follows:

Exceptional: An Exceptional rating should be reserved to identify extremely exceptional performance. Although rare, they should be achievable by staff at any position. These ratings must be approved by the Division Chief and the Deputy Chief Probation Officer in advance. These ratings should be reserved for staff who perform at standard or above in all areas, with most individual measures being exceeds expectations or exceptional. A single, exceptional achievement that is recognized by a commendation might be justification for an Exceptional rating for an employee whose performance otherwise exceeds expectations.

Exceeds Expectation: An employee rated as Exceeds Expectations consistently takes initiative to plan and implement projects and programs; assists/helps others, takes on extra assignments and /or volunteers for extra shifts, is viewed as a leader/mentor, consistently exceeds performance in daily work tasks, anticipates problem issues/presents solutions, willing to work beyond expected job descriptions to further department mission and enhance customer service; high level of competence at problem solving, organizing, listening and communicating. The aforementioned employee will meet or exceed expectations in all individual measures.

Meets Expectations: An employee in this category demonstrates competency in all job functions for their classification. The work performed is consistent with the Department's Mission Statement and all actions are in compliance with the Code of Ethics. The officer complies with policy and procedure, understands functions and responsibilities of their job and carries them out in a satisfactory manner. The officer produces accurate work, is consistently on time for work and meetings, and proficient in computer use.

Does Not Meet Expectations: A rating in this category must receive advance approval by the Division Chief and the Deputy Chief Probation Officer. The rating may be justified by the employee being the subject of progressive discipline during the period.

Space for written comments is provided at the end of the Appraisal in the rater comments section. This section allows the rater to document the employee's strengths, weaknesses, and suggestions for improvement. Any rating under any job dimension marked Does Not Meet Expectations, Exceeds Expectations or Exceptional shall be substantiated in the rater comments section.

Non-probationary employees who do not meet basic expectations shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the Appraisal period.

2.7.7 APPRAISAL INTERVIEW

When the supervisor has completed the preliminary appraisal, arrangements shall be made for a private discussion of the appraisal with the employee. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the appraisal. Areas not meeting expectations and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities. The supervisor and employee will sign and date the appraisal. Permanent employees may also write comments in the Employee Comments section of the performance appraisal report.

2.7.8 APPRAISAL REVIEW

After the supervisor finishes the discussion with the employee, the signed performance appraisal is forwarded to the Division Chief. The Division Chief shall review the appraisal and forward the document to the Department of Human Resources.

2.7.9 APPRAISAL DISTRIBUTION

The original performance appraisal shall be maintained in the employee's personnel file in the office of the Chief Probation Officer for the tenure of the employee's employment. A copy will be given to the employee and a copy will be forwarded to County Department of Human Resources.

2.7.10 APPEAL PROCESS

If an employee appeals his/her Performance Appraisal Report, the Supervisor shall immediately call the Probation Human Resource Officer to notify them of the appeal and to allow them to assign an Appeal Officer in a timely fashion. The Employee Performance Report shall be forwarded to the Reviewing Officer who shall, in turn, forward it directly to Probation Human Resources for assignment of an Appeal Officer. The Appeal Procedure for performance reports is covered in detail in the Probation Department Administrative Manual Section 1309.

2.7.11 VERBAL DISCUSSION

If a Shift Leader/SrPO writes a memo documenting performance of an officer, the Shift Leader shall verbally discuss their review with the rated officer. Following discussion of the memo, the rated officer shall initial it. The Shift Leader shall then forward the memo to the Unit/Dorm Supervisor for inclusion in the rated officer's work site file.

2.7.12 IN-SERVICE TRAINING

All Probationary Officers shall complete an In-Service Training Packet within the first half of their probationary period. Officers are responsible for obtaining on-the-job training in all areas and having shift leaders sign off. Failure to complete this packet within time limits shall result in a rating of Improvement Needed. (See additional information on In-Service Training in Manual Section 3.5.)

2.7.13 REVIEW UPON TRANSFER

Whenever a staff member is transferred, a Transfer Performance Appraisal shall be completed if more than 90 days have passed since the day of the annual appraisal. All noteworthy data in the file should be included in the appraisal.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Reporting Occupational Injury or Illness <u>SECTION:</u> 2.8 <u>AUTHORITY:</u> Division IV of the California Labor Code; County of San Diego Human Resources Policy and Procedures Manual, Section 501; Probation Department Admin Manual, Section 1319
--	--

2.8 Reporting Occupational Injury or Illness

2.8.1 POLICY

It is the policy of the Probation Department that any employee or other eligible person who is injured or becomes ill while on duty, shall report such incident immediately to his/her supervisor or the Watch Commander and shall receive prompt medical care.

All Workers' Compensation forms discussed in this policy are available at:

<http://insite.sdcounty.ca.gov/fg3/dhr/Pages/DHR%20Services/Work%20Comp/Reporting-ReportAn-Injury.aspx>

2.8.2 COUNTY INSURANCE

All Probation Department employees are covered under San Diego County's self-funded, self-administered Worker's Compensation Program. The County of San Diego will provide benefits to industrially injured employees for any injury sustained by an employee which arises out of and in the course of employment; except for those specific acts enumerated in the Labor Code that are not compensable.

2.8.3 EMPLOYEE RESPONSIBILITIES

Every employee is required to report any on-the-job injury, no matter how slight. All such injuries shall be reported immediately to the Watch Commander. Failure to report an "on-the-job" injury may result in a loss of Worker's Compensation Benefits, should complications arise at a later date.

2.8.4 SUPERVISOR RESPONSIBILITIES

It shall be the responsibility of the Watch Commander, or Unit/Dorm Supervisor, to fill out all necessary paperwork, and/or help the employee fill out the paperwork, to ensure that any injured employee receives the statutory benefits due to them under the workers' compensation laws of California. Supervisors shall be guided by the Probation Supervisor Resources SharePoint Site when filling out accident/injury report forms.

2.8.5 PROCEDURES FOR REPORTING ON-THE-JOB INJURY/ILLNESS

2.8.5.1 MINOR INJURIES

The following procedures shall be used when officers report an injury/illness that occurred as a result of employment. Minor injuries refer to an injury that is reported, but does not require medical treatment beyond routine first aid, which can be administered at the work site. For all reported minor injuries occurring in a juvenile detention facility, the supervisor must complete the Supervisor's Accident Investigation Report. (Form RM-3)

If the officer later decides that the injury does require medical attention (e.g. a small cut becomes infected, or a jammed finger swells so badly you cannot bend the finger) the Supervisor shall provide the officer with the “Workers’ Compensation Claim Form” (DWC 1)

All "on-the-job" injuries that occur away from the facility shall be reported to the Watch Commander immediately. The reporting Supervisor shall use the below procedure as soon as they become aware of the injury/illness.

2.8.5.2 MEDICAL CARE NEEDED

The following actions shall be completed when an employee incurs an "on-the-job" injury/illness that requires medical treatment. The reporting Supervisor shall complete the following:

1. Obtain the San Diego County Probation Department Reporting Work-Related Injuries Checklist. Assist employee in completing the Workers’ Compensation Claim Form (DWC 1). The Supervisor should fill out the Proof of Service Form. Mail the claim form if the officer cannot return to work.
2. Fill out the General Claim Worksheet (form RM-10) and assist employee with their portion of the form. This form must be turned in to the Personnel office within 24-hours.
3. Complete Supervisor's Accident Investigation Report (form RM-3).
4. Complete and have employee sign the Medical Release form so that medical records can be sent to an evaluating or treating physician. Forward copies of the completed forms to Human Resources. Provide photocopies of the above reports to the injured employee.
5. Mail or fax all documents to the Workers’ Compensation Division upon receipt.
6. Refer injured officer to one of the approved medical clinics for treatment. In situations of emergency medical treatment, refer the staff to the nearest medical facility. Staff may elect to be seen by their private physician only if they have previously completed and filed the proper form requesting treatment by their private physician for occupational injuries. This form is the “Workers’ Compensation Treating Physician Pre-Designation” form (see Attachment D).
7. Instruct injured staff to obtain copies of all paperwork from the treating physician if the physician determined that work restrictions must be imposed (e.g. for Modified or Limited Duty, as in Section 2.9).
8. Refer to Probation Supervisor Resources SharePoint site for additional information on reporting procedures.

Please refer to the end of this policy for a link to all attachments.

2.8.6 TREATMENT LOCATIONS

San Diego County currently has a contract with a local medical clinic to provide medical treatment for occupational illness or injury to County employees. All injured employees should go to one of the approved locations to receive medical treatment. For occupational illness or injury of an emergency nature, the nearest medical facility may be used. Employees may find the closest clinic location by contacting the Watch Commander.

2.8.7 WORKERS' COMPENSATION ELIGIBILITY

All IS officers are eligible for Worker's Compensation benefits under provisions of the State Labor Code. Basically, this provides for payment of medical expenses incurred as a result of an on-the-job injury and partial pay in the form of temporary disability benefits during time off.

It is the responsibility of the County Workers' Compensation Division to administer the Program, provide employees with all Workers' Compensation benefits to which they are entitled, and to assist County employees in securing their legitimate rights and benefits.

Compensation payments for lost time due to injury/illness are governed by Labor Code section 4850, the County Compensation Ordinance, Human Resources Policy and Procedures Manual Policy 501, Probation Department Admin Manual Section 1319 and the Memorandum of Agreement, Article 6, Section 5.

San Diego County Probation Department Institutional Services Policies	<u>SUBJECT:</u> Modified Duty Program <u>SECTION:</u> 2.9 <u>AUTHORITY:</u> County of San Diego Human Resources Policy and Procedures Manual, Section 1000
--	---

2.9 Modified Duty Program

2.9.1 POLICY

In accord with Probation Department Administrative Manual Section 1328, a special class of positions have been created to accommodate officers who are placed on work restrictions by a physician, due to injury or disability. The Department's intent is to assist officers in maintaining salary, benefits and work involvement while they are recuperating.

2.9.2 MEANINGFUL WORK

The purpose of this program is to supply temporarily disabled or injured staff with light duty assignments that contribute positively to the overall operation of the Department. The work assignment will be determined by the Facility Division Chief.

2.9.3 ELIGIBILITY

2.9.3.1 FOR STAFF RESTRICTED BY A PHYSICIAN

The Modified Duty Program is only available to officers who have been recommended for light duty work restrictions by a physician. Typically, those employees with "no altercation" type limitations will be assigned modified duty. Every effort shall be made to accommodate eligible employees with light duty assignments, provided their disabilities are short term and compatible with the positions available within the Modified Duty Program.

Officers with projected long-term work restrictions or limitations, recognized as incompatible with the light duty positions available through the Modified Duty Program, may be subject to administrative transfer to other Probation Department Services.

2.9.3.2 NO OVERTIME

Regardless of eligibility or physician imposed restrictions, officers on Modified Duty are not eligible for overtime work.

2.9.3.3 LIMITATIONS

Officers on Modified Duty are not to be in the positions where possible contact with youth may occur, may not work as shift leaders or swap shifts with other officers.

2.9.3.4 TEMPORARY TRANSITIONAL WORK ASSIGNMENT

In those cases when modified duty is not available the officer's assigned job site, or when the "light-duty" status is expected to be for an extended period of time, the officer may be temporarily assigned to another work location or service. County Department of Human Resources Policy 1000-1101 governs this policy.

<p>San Diego County Probation Department Institutional Services Policies</p>	<p><u>SUBJECT:</u> San Diego County Probation Department Drug and Alcohol Policy</p> <p><u>SECTION:</u> 2.10</p> <p><u>AUTHORITY:</u> County of San Diego, Board of Supervisors Policy #C-25; County of San Diego Human Resources Policy and Procedures Manual, Section 107; 41 USC § 8103; Sections 23003 and 23004, California Business and Professional Code</p>
---	--

2.10 San Diego County Probation Department Drug and Alcohol Policy

2.10.1 NO ALCOHOL OR DRUGS

See Probation Department Operations Manual, Section 907 for additional information. Employees shall not bring any type of alcoholic beverage, marijuana or any type of illicit drug upon the ground of any IS facility. Any officer procuring for, or delivering to any youth, alcoholic preparations of any type or a drug of any type shall be dismissed from the service and referred to the District Attorney for prosecution.

ATTACHMENTS

Please note that all attachments for this section may be found under the Probation Shared drive.