

PLACER COUNTY PUBLIC WORKS DEPARTMENT EQUIPMENT USE POLICY

Complaint 2001A-O1

Background/Summary

The Grand Jury received and investigated a complaint alleging County Equipment was used for private and personal benefit in violation of existing County policy. Placer County Administrative Rules, Sec. 16.2(k) states "Private Use of Government Resources Prohibited - Employees and officials are prohibited from using county owned equipment, materials, records and other informational resources, and' any other property for their private or personal benefit."

Discussion

The Grand Jury interviewed several county employees, including appointed officials and found that the violation, as stated in the complaint, was clearly confirmed by the interviews.

Subsequent to the report of violation the Department of Public Works, Road Maintenance Division, issued a memorandum to all Road Division Personnel that dealt with equipment usage. The Memorandum stated, "It has recently come to my attention that from time to time Road Division employees have used County equipment for their personal, private use. While not condoned, this practice has been ignored many times. A relatively harmless practice, but in fact this is not acceptable. From this point forward, all personal use of County equipment is prohibited unless specific authorization is granted in writing." The memorandum was prepared by a subordinate to the Department Head and was unsigned.

Based on Grand Jury interviews it is clear that Road Maintenance crews are not familiar with County Administrative Rules policies as should be required. Some long time employees interviewed had not heard them discussed since their initial hiring.

Finding 1

County policy is very specific in its wording. It says personal use of equipment is "prohibited". There is no provision in County Policy for exceptions to be made

under any circumstance. The memorandum states that this policy, even though not condoned, has been ignored many times.

Recommendation 1

The department should be guided by the Administrative Rules, as printed, and not ignore violations. The memorandum referred to in this report should be rescinded and reissued verbatim as written in the County Code. The Director of Public Works should sign the memorandum.

Finding 2

The memorandum states that personal use of equipment is a "relatively harmless practice". Interviews with County Officials confirm that it is indeed not a harmless practice and could, in the event of personal injury or damage to real property, place the County in a position of potential financial liability.

Recommendation 2

Departmental Supervisory personnel must not attempt to interpret or take exception to The County Code of Rules. Any interpretations needed should be referred to County Executive Office.

Finding 3

The Department Head did not prepare the memorandum in question. It was prepared and issued by a subordinate.

Recommendation 3

In matters of County policy, all instructions issued to employees should be approved and signed by the Department Head.

Finding 4

Employees do not receive periodic review of Administrative Rules.

Recommendation 4

Supervisors holding regularly scheduled or impromptu meetings with employees should be trained in the meaning and intent of County Administrative Rules and include discussion of one of them at each meeting.

Respondents

Placer County Executive Officer
Placer County Public Works Director

RESPONSE REQUIRED WITHIN 90 DAYS TO:

The Honorable James D. Garbolino
Presiding Judge Superior Court
County of Placer
Historic Court House
101 Maple Street
Auburn, California 95603