

APPROVED
JAN 03 2007

REPORT OF GENERAL MANAGER

NO. 07-12

DATE January 3, 2007

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. All

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: ADOPTION OF A HAZING COMPLAINT PROCEDURE

J. Combs _____	*H. Fujita <u>[Signature]</u>
S. Huntley _____	B. Jensen _____
J. Kolb _____	F. Mok _____
K. Regan _____	M. Shull _____

Robert H Jensen (fa)
General Manager

Approved _____ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board adopt a Hazing Complaint Procedure per direction of the Mayor's Executive Directive No. 8.

SUMMARY:

On November 20, 2006, the Mayor issued Executive Directive No. 8 on the subject of "Zero Tolerance for Hazing of Fellow Employees." As part of Executive Directive No. 8, the Mayor directed each department to devise a procedure to investigate allegations of hazing and initiate discipline against all participants in acts of hazing. The procedure is to be adopted no later than March 31, 2007.

To fulfill this aspect of Executive Directive No. 8, staff has drafted a Personnel Instruction No. 489 (attached) that establishes a Hazing Complaint Procedure. Upon the Board's adoption of Personnel Instruction No. 489, staff will coordinate the distribution of a copy of the instruction to all holders of the Personnel Instructions Manual, inform Department employees of its major elements and furnish a copy to the Personnel Department and the Counsel to the Mayor.

FISCAL IMPACT STATEMENT:

Staff believes that the duties and responsibilities that will be created by the adoption of Personnel Instruction No. 489 can be absorbed within existing resources; therefore, adoption of the Hazing Complaint Procedure should have no fiscal impact on the Department.

Prepared by Harold Fujita, Director, Human Resources Division.



DEPARTMENT OF
RECREATION AND
PARKS

INSTRUCTION

INSTRUCTION NO.

489

DATE

01/01/07

SUBJECT:

HAZING COMPLAINT PROCEDURE

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Reference: Mayor's Executive Directive No. 8 (Villaraigosa series)

It is the policy of the City of Los Angeles and the Board of Recreation and Park Commissioners that hazing is inappropriate, is not acceptable in the workplace and will not be tolerated. The General Manager has stated that the policy of the Department of Recreation and Parks on hazing is one of "zero tolerance."

Employees who witness hazing are expected to report it immediately. Any employee who is subjected to hazing shall file a complaint immediately that shall be processed as follows:

I. PROVISIONS OF HAZING COMPLAINT PROCEDURE

- A. This procedure shall be available to all employees except those who have utilized another City grievance or appeal procedure for the same or a closely related issue. If an employee files a complaint under this procedure and subsequently files a complaint under another City or Department procedure, the processing of the complaint under this procedure will be administratively closed.
- B. Hazing is to be reported immediately to the Hazing Counselor whenever it is experienced.
- C. No employee who initiates a hazing complaint through this procedure shall be subject to any reprisal or adverse action because of the presentation of such a report or complaint. Anyone who makes a hazing complaint that is later proved to be untrue, and was made with malice or the intent of harming another individual, will be held accountable for making a false complaint.
- E. Matters not within the jurisdiction of the Department of Recreation and Parks will be referred to the appropriate department or agency.
- F. A hazing complaint may be administratively closed by the Hazing Counselor for any of the following reasons:
 - 1. Failure of the complainant to cooperate in the investigation.
 - 2. Inability to reach the complainant after reasonable and diligent efforts.
 - 3. The Department lacks jurisdiction over the complaint.

II. HAZING COMPLAINT PROCEDURE

The Hazing Counselor is available to discuss employee complaints of hazing. Employees may contact the Hazing Counselor by calling the Human Resources Division at (213) 928-9203.

In response to a hazing complaint, the Hazing Counselor shall:

- A. Listen to the complaint and record: the name, address, and telephone number of the complainant; the date(s) the alleged hazing occurred; the full scope and nature of the alleged hazing; and the name(s) and position(s) of any person(s) alleged to be responsible for the hazing.
- B. Determine if the Hazing Complaint Procedure is appropriate for the nature of the complaint.
- C. Discuss the complaint with appropriate persons, and investigate the complaint as necessary.
- D. Prepare a report to the Director of Human Resources within five (5) working days of completing an investigation that documents the complaint, the investigation, and the findings of the investigation.
- E. Notify the complainant in writing within fifteen (15) working days of the initial interview as to the progress or findings of the investigation.

The Director of Human Resources shall review any report from the Hazing Counselor in a timely manner. Whenever the findings of the investigation by the Hazing Counselor substantiate the hazing complaint, the Director of Human Resources shall recommend to management the appropriate administrative action to be taken against those who participated in the act(s) of hazing.