

Ethics Commission Scope of Work Committee Draft Intake Process

Complaint Intake Process

- 1) Complaint received through website/hotline
 - a) HR performs triage by sorting the complaint and determining if the City has jurisdiction and if the complaint warrants investigation.
 - i) Reference number is assigned to that complaint.
 - ii) If the complaint is made about an employee, HR will conduct an investigation.
 - (1) HR notifies the Ethics Commission that a general complaint has been made against an employee and is being investigated.
Provides the applicable reference number.
 - iii) If the complaint is made against an elected official or appointed commissioner, the Ethics Commission is notified regarding both the alleged nature of the complaint and who it has been made against (we have a question about whether the person making the complaint should remain anonymous.)
 - (1) The Commission [CM1] determines whether the matter should be investigated by
 - (a) ~~The City Clerk~~
 - (b) The City Attorney
 - (c) A third-party investigator if applicable
 - (d) Refer to the California Fair Political Practices Commission (FPPC)
 - (e) ~~The District Attorney~~ [CM2]
- 2) If a complaint is made as a part of public comments during an official Ethics Commission meeting, a Complaint Form will be provided to the individual making the complaint. The form will then be given to HR Liaison in attendance and follow the same process as a complaint made via the hotline or website. Anyone making a complaint of violations to other city commissions or the City Council will also be provided with a Complaint Form or directed to the website/hotline.
- 3) Investigation findings will be presented to the Ethics Commission
 - a) If the complaint is of an ethical violation against a city employee, the following findings will be reported to the Commission.
 - i) Nature of the complaint (as much as possible that does not include Personally Identifiable Information.
 - ii) Findings

- iii) Resolution (as much as possible that does not include Personally Identifiable Information (PII)
- iv) City's recommendations on how to prevent future incidents of the same nature.

b) If the complaint is against an elected official or commissioner, the matter will be investigated per Section 1.a.iii. The following findings will be reported to the Commission ~~to recommend enforcement action:~~

- i) Nature of the Complaint
- ii) Findings of investigation
- ~~iii) Recommended action~~[CM3]

4) Ethics Commission Action

- a) The Ethics Commission will review the nature of complaint and investigation findings and may be Agendized to discuss during a public Commission meeting.
- b) The Ethics Commission then votes either to agree with the recommendations provided by the investigators or propose a different recommendation to the City Council for action