

# **LASSEN COUNTY COMPLIANCE HOTLINE**

This hotline is intended to be used to report suspicious activity or conduct that may be in violation of Code of Conduct, violations of laws, regulations, or policies.

Examples include, but not limited to:

**Toll Free: (888) 257-8375**

All calls and written reports are anonymous unless you choose to leave your name or contact information to help us with follow-up.

+ Falsification of Documents

+ Medi-Cal Fraud

+ Documentation Irregularities

+ Billing or Reimbursement  
Regulations

+ Waste

+ Fraudulent Transactions

**You may also contact the State directly at the  
Department of Health Care Services**

You may remain anonymous when making the report.

**Call: 1-800-822-6222**

**Website:** <http://www.dhcs.ca.gov/individuals/Pages/StopMedi-CalFraud.aspx>

**E-mail:** [fraud@dhcs.gov](mailto:fraud@dhcs.gov)

**Whistleblower Protections** - 31 USC Section 3730 (h) protects employees against discharge, demotion, suspension, threats, harassment, or discrimination by the employer because of lawful acts done by the employee pursuant to the False Claims Act, including investigation for, initiation of, testimony for, or assistance in, an action filed or to be filed under this section.

## **Disciplinary Action**

### **ARTICLE 4.01 CAUSE**

The action of an employee which reflects discredit upon a public service, or is a hindrance to the effective performance of the department in which the employee is employed shall be considered good cause for discipline. Examples of grounds for disciplinary action shall include, but not be limited to the following:

- Incompetency
- Inefficiency
- Neglect of duty
- Insubordination
- Absence without leave
- Conviction of a felony
- Discourteous treatment of the public or other employees
- Improper political activity
- Willful disobedience
- Willful concealment or misrepresentation of material facts in applying for or securing employment
- Other conduct either during or outside of duty hours which causes discredit to the agency or the employment
- Violation of the Lassen County Personnel Rules & Regulations

### **Article 4.02 Notice of Disciplinary Action**

Employees shall be given written notice of a proposed discharge, suspension or reduction in rank at least five working days in advance of the date the action is proposed to be taken. Any offense warranting dismissal, suspension without pay, demotion, or reduction in compensation is to be cleared through the Personnel Director prior to any final action taken to insure conformity with rules and procedures. The notice shall either be given to the employee in person or be mailed. If mailed, the notice shall be deemed to have been received three calendar days after the date of mailing by the county.

Contents of Notice. The Notice shall contain:

- A. The proposed action and the complete statement of the reasons for such action which shall include the rule, ordinance or regulation violated, if applicable;

- B. A statement informing the employee of their rights to respond, either orally or in writing, to the appointing authority within five working days;
- C. Notice that the employee has a right to be represented at all stages of these proceedings;
- D. Copies of all materials on which the charges are based or a statement indicating where the materials upon which the charges are based are available for inspection.

ARTICLE 4.03 APPEAL FROM DISCIPLINARY ACTION.

Should the appointing authority determine to proceed with the disciplinary action following the employee response such action shall be set forth in writing to the employee within five (5) days after such action stating:

1. A description of the action taken and its effective date or dates;
2. A clear and concise statement of the acts or omissions upon which the action was based;
3. A statement advising the employee of the right within ten days from the effective date of the discipline to appeal the action. The appeal shall be in writing and filed with the Personnel Director. The appeal shall contain the grounds for appeal.
4. The notice shall either be given to the employee in person or be mailed. If mailed, the notice shall be deemed to have been received three calendar days after the date of mailing by the County.

A copy of the foregoing written notification(s) shall be sent to the Personnel Department at the same time as the employee.

This procedure does not apply to voluntary reductions in rank or compensation.

Employees covered by State Merit System's Local Agency Personnel Standards shall not have access to the appeal process described above but shall have appeal rights pursuant to LAPS Sections 17550-17567.

## PERSONNEL ACTION APPEALS

### ARTICLE 5.01 APPEAL Hearing.

- A. Upon receipt of a written notice of appeal, the Personnel Director shall check it as to form and timeliness and shall then notify the CAO for the purpose of reviewing said grievance/disciplinary action and selecting the county representative to select the Hearing Officer. The appellant shall notify the Personnel Director with the name of his/her representative to select the Hearing Officer. The Personnel Director shall request a list of five (5) neutrals from the State Conciliation Service. Within five (5) working days after receiving the list of neutrals, the parties shall select a name from the list and shall notify the State Conciliation Service of the name of the selected Hearing Officer. If the parties are unable to agree on a name, the Hearing Officer shall be selected by alternately striking a name from the list with the first option to strike determined by lot. Any cost of the service of the Hearing Officer shall be shared equally by the parties.
- B. The hearing shall be conducted before the Hearing Officer as a full-scale evidentiary hearing, with full due process rights, including the right to present witnesses, present evidence, cross-examine opposing witnesses, be represented and with findings to support the decision. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs. Failure to enter timely objection to evidence constitutes a waiver of the objection. Upon request of any party, the hearing officer will issue subpoenas and subpoena duces tecum.
  - a. Findings. The hearing officer shall issue a written recommended decision and findings that shall be presented to the Board of Supervisors for final decision. The Board shall be under no obligation to hold an evidentiary hearing but shall review the written recommendations of the hearing officer.
  - b. Appeal to the courts. Should the employee or the county choose to appeal the decision to the courts, said appeal or writ shall be filed within ninety days of the date of the decision of the Board of Supervisors.