



COUNTY OF HUMBOLDT

For the meeting of: 12/12/2023

File #: 23-1581

To: Board of Supervisors

From: Human Resources

Agenda Section: Consent

Vote Requirement: Majority

SUBJECT:

Appointment of an Appeal Panelist Under the Merit System Rules

RECOMMENDATION(S):

That the Board of Supervisors:

1. Appoint Kyla Baxley as the county representative panelist; and
2. Delegate authority to the Director of Human Resources to appoint an alternate panelist should the selected panelist not be available at the time of the hearing; and
3. Delegate authority to the Director of Human Resources to appoint the county's representative panelist for all future Merit System Appeals and inform the Board of Supervisors through confidential communication.

SOURCE OF FUNDING:

All Funds

DISCUSSION:

The Human Resources Department is in receipt of a notice of appeal regarding a disciplinary action under the Humboldt County Merit System Rules (Rules). Human Resources has reviewed the notice and the appeal is moving forward under process defined in the Rules. Pursuant to the Rules, one panelist is appointed by the employee and one by the Board of Supervisors. Accordingly, Human Resources is recommending that your Board appoint Chief Investigator, Kyla Baxley, as the county representative panelist for the appeal panel. These two panelists will then select a third panel member to serve as chairperson and will hear the appeal. As the appeal is an open personnel matter, the details may not be provided here and will be resolved by the panel pursuant to the Rules.

Because the details of any appeal are related to a personnel matter and cannot be shared in a public setting, selecting a panelist through a public board agenda item serves no reasonable purpose. For this reason, it is being recommended that the Director of Human Resources informs the Board of Supervisors through confidential communication in compliance with Brown Act requirements for all

future appeals. If a Board Member raises issue with the selected panelist based on that communication, the Director of Human Resources will place an item on the next available board agenda for discussion.

FINANCIAL IMPACT:

There is usually no financial impact associated with choosing a Merit System Appeals Panel Member other than the staff time associated with doing so.

STRATEGIC FRAMEWORK:

This action supports the following areas of your Board's Strategic Framework.

Core Roles: N/A

New Initiatives: N/A

Strategic Plan: N/A

OTHER AGENCY INVOLVEMENT:

N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could not approve staff recommendations and discuss other options for a panelist or how the board can be informed of panelist selection; however, there is a current appeal panel in process that requires a county appeal panelist selection.

ATTACHMENTS:

N/A

PREVIOUS ACTION/REFERRAL:

Board Order No.: D-15

Meeting of: 11/18/22

File No.: 22-1521