

Inspector General Committee Policy Evaluating the Office of Inspector General

At the October 6, 2011 Inspector General Committee (IGC), Office of Inspector General (OIG) staff were given direction to prepare a human resource operating procedure wherein the hiring, removal and annual salary/benefit adjustments of the Inspector General (IG) are outlined. The following policy has been developed for consideration by the IGC:

PURPOSE:

To assist the IGC in the selection of an IG, development of the IG employment contract, removal of IG and consideration of annual salary/benefit adjustments for the IG

AUTHORITY:

Inspector General Ordinance: 2011-009

Inspector General Employment Contract, Paragraph 2:

“The Commission on Ethics shall review this Agreement after receiving the Inspector General’s annual written report required under Section 2.G of the Inspector General Ordinance concerning the work and activities of the Office of Inspector General. The Commission on Ethics may determine that a modification increasing salary or benefits is in order after reviewing the Inspector General’s annual report and considering the work and activities of the Office of Inspector General, including but not limited to the addition of any municipalities, special districts, and other public officials or entities receiving the services of the Office of Inspector General under Section 2.B(10) of the Inspector General Ordinance. Before any modification to this Agreement shall become effective, the modification must be approved by a majority of the Board of County Commissioners (“the Board”) at a regularly scheduled Board meeting.”

UPDATES:

Future updates to this policy will be the responsibility of the IGC.

POLICY:

The IGC is required to meet with the IG every six months to review the previous six month’s activities and the IG’s plans and objectives for the upcoming six months. The IGC is charged with the responsibility of selecting the IG, considering the merit of allegations made against the IG, and removal of the IG. This policy is not meant to supplant direction provided in the IG Ordinance, but to supplement the IG Ordinance and provide more specific procedures deemed necessary by the IGC. Where any discrepancy or uncertainty exists, the IG Ordinance shall prevail.

Hiring

Responsibility for selection of the IG is vested solely with the IGC. Upon notification of vacancy in the position of IG, the OIG Chief of Administration (COA) will coordinate with the IGC Chair to convene the IGC as soon as possible after the vacancy notification, but no later than ten (10) days prior to the vacancy occurring. The COA will insure that: **1)** the IGC meeting is duly noticed; **2)** provide the IGC with information requested by the IGC Chair that will be used in selection of the interim IG; and **3)** prepare an IG job advertisement for IGC approval prior to advertising the acceptance of resumes for the position of IG. After consideration of information and discussion, the IGC shall, by majority vote, appoint a member of the OIG staff as interim IG until such time as the successor IG is selected and assumes office. The COA shall advertise the IGC approved IG job advertisement on sites regularly associated with such positions, within twenty (20) days, but no later than forty (40) days of the date the vacancy occurs.

~~The IGC Chair or Executive Director of the Commission on Ethics (COE) may initiate the hiring process of a new IG if the COA fails to do so in a reasonable time.~~

Subsequent to the advertisement period as determined by the IGC, the COA will forward all resumes received for the position of IG to each member of the IGC. The COA will work with the IGC to schedule a subsequent meeting to discuss candidate applications and determination of candidates to be selected for interview. Upon selection of candidates for interview, the IGC will schedule a subsequent meeting(s) to conduct interviews. Candidates selected for interview will be contacted by the COA and informed of the date and time of the interviews. The COA shall ensure that background checks are conducted on the candidates selected for interview by the IGC. Should the IGC elect to conduct follow-up interviews with candidates, the COA will notify candidates of the date and time and take necessary actions to schedule/advertise/coordinate the IGC meeting. The IGC must in good faith endeavor to convene and select an IG within ninety (90) days of the date the vacancy occurs.

Once the IGC selects a candidate for the position of IG, the COA will notify the County Attorney of its selection.

IG Employment Contract

After the IG has been selected by the IGC, the COE shall designate one of its members to negotiate a contract with the selected applicant in conformity with the criteria in the IG Ordinance. The County's human resources department and the county attorney's office may provide technical assistance to the member of the COE. The selected applicant may obtain representation of his or her choice for the negotiations. The OIG General Counsel or the COA, or both, shall provide technical assistance to either or both parties upon request. For purposes of contract negotiations, designation by the COE shall not be deemed a delegation of the COE's decision making authority.

The IG shall serve for a term of four (4) years. At least six (6) months prior to the end of each contract term, the IGC will determine whether or not to renew the contract for an additional term of four (4) years, and shall promptly notify the IG of its decision.

Once the contract terms have been agreed to by the COE designee and the IG applicant, the County Attorney will present the contract to the Board of County Commissioners for approval at their next regularly scheduled meeting.

Annual Salary/Benefits Consideration

The COA will facilitate the steps necessary to ensure the IG receives any increase in salary in the same percentage provided County employees as determined by the Board of County Commissioners during its budget process.

The IGC is solely responsible for selecting the IG. If the IG employment contract specifies that the IG employment contract be reviewed annually and specifies who will conduct the review, the COA will assist the designated reviewer in acquiring the documentation necessary to conduct the review. The decision to modify the salary and or benefits of the IG will be determined as specified in the IG employment contract after review of the IG's annual report and consideration of the OIG's annual performance as may be measured by workload, accreditation status, jurisdiction and other measures specified by the IGC.

Removal

The criteria and meetings required to initiate and proceed with removal of the IG are specifically outlined in the IG Ordinance. If the OIG General Counsel receives a petition for removal of the IG, the petition shall be transmitted to the IGC. If the IGC initiates the removal process, the COA will assist the IGC by coordinating the required hearings. The IGC will conduct the necessary public hearings pursuant to the IG Ordinance.

The COA may enlist the assistance of the Palm Beach County Human Resources Department to assist him or her with executing COA assigned tasks.