

**Subject: ADMINISTRATIVE INVESTIGATIONS**

**Date: March 28, 2018**

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**Replaces Policy Dated: April 15, 2009**

**PURPOSE:** To establish general guidelines for the conduct of County administrative investigations.

**SCOPE:** This policy applies to all Pinal County employees, including members of boards, commissions and committees appointed by the Board of Supervisors and contracted employees and volunteers.

**STATEMENT OF POLICY:** All matters requiring administrative investigations shall be referred to Human Resources Department to conduct objective and thorough reviews when indicated. The only exception to this policy is matters involving the Human Resources Department which should be brought to the attention of the Assistant County Manager of Administrative Services. Not all matters and issues referred to an Elected Official or Department Head's attention require an administrative investigation. Administrative investigations are an option, at the discretion of the Director of Human Resources, to assure an objective and thorough discovery of facts and circumstances in matters related to programmatic issues, policy violations, conduct, work activity, or any other matter deemed appropriate.

The Human Resources Department is primarily responsible for administrative investigations. Human Resources will ensure timely, objective, complete, and thoroughly documented investigations. Any suspected criminal activity shall be reported to appropriate law enforcement agency and/or County Attorney's Office with notification to Human Resources Department. Nothing in this policy precludes the Director of Human Resources from referring any matter for external investigation. Any investigation conducted is not to be discussed by the employee with any person other than the investigator. Failure to maintain such confidentiality can result in disciplinary action.

Matters to be investigated may include but are not limited to:

1. Programmatic issues;
2. Serious complaints against employees, contractors, or volunteers;
3. Incidents which may result in litigation against the County;
4. Violations of departmental or County policy;
5. Property misuse, damage or theft;
6. Identified incidents or issues with constituents or constituent groups;
7. Alleged civil rights violations to include but not limited to allegations of discrimination based on race, sex, color national origin, sexual orientation, religion, age, political affiliation, or disability; and allegations of sexual harassment or workplace violence.
8. Other identified issues at the Director's discretion.

The Human Resources Department shall:

1. Provide periodic notification as necessary, to those with a legitimate need to know, on the current status of the investigation until its final outcome. When the matter is complete and the findings have undergone thorough review, a written notification of the findings will be provided to the complainant(s) and individual(s) being investigated and the respective Elected Official or Department Head. Individuals subject to formal discipline or counseling based upon the investigation will receive the appropriate level of discipline as determined by the Appointing Authority.
2. At the conclusion of investigations, maintain appropriate records of the investigation and ensure the security thereof in accordance with statute and departmental policies.

Failure of an employee to participate, answer truthfully or cooperate in an administrative investigation can result in disciplinary action or termination and where appropriate may require a "Garrity Warning." The Garrity warning is an advisement of rights administered by investigators to employees who may be the subject of an internal investigation.