

1745 Enterprise Drive #2, Fairfield, CA

Issued May 28, 2010

Finding 1 – “Seven plus years of conflict have been costly to the County and its employees. As a result of these issues, many employees lost work time due to illnesses, which may or may not have been directly attributable to the work environment. Employee felt Management was insensitive to their complaints and did not act in a timely manner.”

Human Resources Response to Finding 1 – Human Resources Department agrees with the portion of the statement that, “Seven plus years of conflict have been costly to the County and its employees”, in terms of the resources expended by the County in conducting various air quality tests over the seven year period, and making improvements to the property such as relocating thermostatic controls for the Heating, Ventilation and Air Conditioning systems (HVAC), and inspecting and repairing duct work and duct connections.

Human Resources Department, however, partially disagrees with the statement that, “As a result of these issues, many employees lost work time due to illnesses, which may or may not have been directly attributable to the work environment”. In conducting the workers’ compensation claims review, all air testing reports were provided to all treating physicians in compliance with the rules and regulations of the Workers’ Compensation system. As a result of the physicians’ review of the air quality testing reports, all claims filed by the employees have been denied by the County, and none of the claims has been scheduled for a hearing at the Workers’ Compensation Appeals Board (WCAB).

Human Resources Department disagrees with the finding that, “Employees felt management was insensitive to their complaints and did not act in a timely manner.”

Over the course of the past seven years, whenever an employee complained of air quality issues at 1745 Enterprise Drive #2, Fairfield, California, the County responded by retaining consultants to conduct air quality testing at the facility. In all instances, the reports indicated the air indoors was cleaner than that outdoors. Additionally, when any issue arose during the County’s response to an employee complaint that required corrective action, it was immediately referred to the property owner for corrective action.

The County responded to employee concerns in a timely manner by obtaining approximately 17 industrial hygiene reports obtain over the seven year period. Further, the County implemented several changes to the building including relocating thermostatic control devices; repairing air ducts and duct connections. In addition, the County placed the property owner on notice of conditions on the property and required the property owner to conduct repairs, including

replacement of all second floor window casings and frames, new carpeting in the common walkways, and conducting various industrial hygiene inspections..

Recommendation 1 – “In the future, Risk Management should complete a risk analysis of employee’s complaints to better understand the problems causing those complaints and take appropriate action based on their analysis.”

Human Resources Response to Recommendation 1 – This recommendation has been implemented.

Summary of Implementation:

County employees may report safety concerns to their immediate supervisor, or to Risk Management directly, and may make anonymous reports as well, pursuant to the County's Injury and Illness Prevention Plan (IIPP) and Compliance Reporting program. The current process to respond to employee concerns includes the immediate supervisor submitting a work order request for the Facilities Operations Division to inspect the facility and its related equipment. If the issue is building related, Facilities will schedule repairs to County owned buildings (for leased facilities, the immediate supervisor will notify the County's Real Estate Manager, who will then place the property owner on notice of the complaint, and manage the remediation plan).

Based upon the issues involved, Facilities, Risk Management and/or Real Estate will interview employees and conduct joint inspections to ascertain the cause of the nature of the complaint. If the situation warrants, an Industrial Hygienist may be contracted to conduct indoor air quality testing. Throughout this process, the employee(s) and immediate supervisor are kept informed as to next steps. Facilities Operations, Real Estate, Risk Management, and the operating department will consult with County Counsel as needed and keep Department Heads informed.