RULE XI

INVESTIGATIONS

SECTION 11.1 INVESTIGATIVE POWERS OF THE COMMISSION

For purposes of protecting the merit basis of the personnel system, the commission may in its discretion upon request of any individual or on its own initiative, investigate, either as a group or as individuals, the conduct and operations of any department. In the course of such investigations the Commission or designated individuals may administer oaths and subpoena witnesses and materials.

SECTION 11.2 LEGAL ACTION

The Commission may take legal action, as provided by general law for boards of supervisors, against any person, who failing to comply with its subpoena or by refusing to testify, shall be considered in contempt.

SECTION 11.3 PROCEDURES

The Commission shall adopt procedures for the institution and conduct of investigations, which may vary according to the scope and nature of the investigation.

SECTION 11.4 FINDING AND PROPOSED DECISION

The Commission shall review the findings and proposed decision of a designated individual Commissioner before taking final action in the matter.

SECTION 11.5 ENFORCEMENT

After review of the findings and proposed decision, the Commission may make any necessary orders, including, but not limited to, back pay and classification adjustments, to carry out the provisions of the Charter and the Civil Service Rules. The findings and decision and orders, if any, shall be certified to the appropriate affected county officers and shall forthwith be enforced and followed.

SECTION 11.6 REMEDY

Where an employee has taken an authorized employment related action in reliance upon the Civil Service Rules then in existence and the Civil Service Rule relied upon is subsequently amended or repealed resulting in an adverse impact upon the employee, the Commission upon finding that the application of the previously amended or repealed rule would mitigate the adverse impact upon the employee, may apply such previously amended or repealed rule. (Amended 3-15-83)