

**Livermore Area Recreation and Park District  
Staff Report**

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**TO:** Chair Boswell and Board of Directors

**FROM:** Mathew Fuzie, General Manager  
Michelle Kleman, Human Resources Officer

**DATE:** April 26, 2023

**SUBJECT:** Proposed Action - Dissolution of the Personnel Commission

**Prior Review:** Personnel Commission on March 14, 2023

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The Staff proposes to dissolve the Personnel Commission and utilize either a third party ombuds investigator for employee concerns and appeals or to provide the employee with the option of the internal investigation process.

**Background**

Policies and Procedures are being updated at the District. The new human resources team is recommending that the Personnel Commission be dissolved and employee appeals of discipline either be handled by the internal process through human resources or through a vetted third-party investigator. Or, a combination of both processes.

The Personnel Commission was created by the Livermore Area Recreation and Park District at a time when the District was very different in makeup and function. Since its inception in 1964, the District has grown. Over the years, laws and statutes have evolved, and the District found it necessary to staff the human resources department with employees educated in performance management and the investigation process.

The Commission consisting of five (5) volunteer members from the Livermore area has served at the will of, and is appointed by, the Board of Directors. The role of the Personnel Commission was narrowed in 2022 from providing general human resources support to primarily acting as an appeals board.

The current internal investigation path is staffed with personnel who have experience in personnel investigations. The proposed third-party route is available for situations where it does not make sense for an internal investigation or when human resources should not be a part of the investigation, or as an appeal process should the employee request. The investigative ombuds service is highly trained and available on demand. Therefore, employees will continue to have a third-party alternative even more removed from any interest with the District.

The process outlined in the outdated rules and regulations says that a non-probationary pensioned employee can either ask the Personnel Commission to assign a third-party ombudsman to conduct a review **or** an employee can request an appeal directly through a hearing before the Personnel Commission. Simplifying this process by removing the Personnel Commission better protects the BOD and the employees. Nothing in this process would prevent employees from utilizing outside employee protection processes available through statute.