



**Internal Audit Division
Finance Department
DeKalb County**

**RECREATION, PARKS & CULTURAL
AFFAIRS**

**SPECIAL REVIEW
OFFENSIVE &
INAPPROPRIATE COMMUNICATION**

February 2017

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TRANSMITTAL MEMORANDUM

DATE: February 13, 2017

TO: Marvin Billups, Interim Recreation, Parks & Cultural Affairs Director

FROM: Cornelia Louis, Deputy Director of Finance-Internal Audit

SUBJECT: DeKalb County Recreation, Parks & Cultural Affairs Department

RE: Offensive and Inappropriate Communication Complaint

Attached is the report of the Offensive and Inappropriate Communication review, which was conducted due to four separate hotline complaints. As customary with our audit work, we provide an open forum to discuss the findings, conclusions, and recommendation during an Exit Conference. However, we contacted management on numerous occasions, but we did not received a response.

We appreciate the cooperation and assistance we received from the staff of Parks, Recreation, & Cultural staff during the course of this review. If you have any questions about the review or this report, please feel free to contact me at 404-371-2639.

Sincerely,

Cornelia Louis

cc: Appendix C



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GENERAL INFORMATION

Internal Audit received four (4) anonymous complaints regarding Offensive & Inappropriate Communication in the workplace within the Recreation, Parks & Cultural Affairs (RPCA) Department. Two (2) complaints explained events at the meeting on January 20, 2016. However, all four (4) complaints were similar in nature and alleged the following conduct of the Director of Recreation, Parks & Cultural Affairs Department:

- 1) At a Leadership Training Meeting on January 20, 2016, the Director allegedly used profanity when speaking with employees. At this same meeting, another allegation associated with abuse of authority was made against the Director. The charge involved retaliation against employees who spoke up on certain matters. The Complainant expressed the Director abused his position of power and bullied co-workers and employees by humiliating and intimidating staff with angry, out-of-control rants and emotional explosions.
- 2) The Director, along with a staff member, displayed unprofessional behavior and communicated inappropriately with employees during work hours. In addition, the Complainant stated the Director rarely addressed employees by their names and uses profanity towards them, and sometimes, he intentionally initiates confrontational situations in order to bully employees.
- 3) The Director often made unprofessional comments about employees, and, in a closed-door meeting that took place around April 2016, the Director purportedly made unprofessional comments about an employee in the Recreation, Parks & Cultural Affairs Department. The Complainant maintained that other employees became aware of the comments and gossip regarding the incident was conveyed during the week from those other employees.

The Director of Recreation, Parks & Cultural Affairs retired as of August 2016.



County Code on Employee Conduct

"Every DeKalb County employee is expected to act in a professional, responsible, and courteous manner at all times and exhibit behavior that fosters a positive and productive working environment. Inappropriate or unprofessional behavior is the basis for discipline, up to and including immediate termination."¹

County Code for Dismissal or Disciplinary Action

The County Code Section 20-191 list 38 causes for dismissal or disciplinary action, the following relate to the four anonymous complaints:

- #6 – Conduct unbecoming an employee of the County while on duty.
- #20 – Fighting, threatening, intimidating, coercing or otherwise interfering with the rights of other employees.

Bullying

"A form of aggressive behavior in which someone intentionally and repeatedly causes another person injury or discomfort. Bullying can take the form of physical contact, words or more subtle actions."²

Intimidating or Harassing Behavior

"Threats or other conduct which in any way create a hostile environment, impair agency operations; or frighten, alarm, or inhibit others. Psychological intimidation or harassment includes making statements which are false, malicious, disparaging, derogatory, rude, disrespectful, abusive, obnoxious, insubordinate, or which have the intent to hurt others' reputations."³

PURPOSE AND SCOPE

To determine the validity of the four (4) anonymous complaints and whether this was a violation of the DeKalb County Municipal (Personnel) Code or the County Policies and Procedures, we interviewed Recreation, Parks & Cultural Affairs personnel.

¹ DeKalb County Government Manager's Guide to Employment & Discipline

² <http://www.apa.org/topics/bullying/>

³ <https://www.dol.gov/oasam/hrc/policies/dol-workplace-violence-program-appendices.htm>



FINDINGS

Complaint #1

We spoke with RPCA employees, who attested to observing the Director using offensive and inappropriate communication in the workplace. The employees provided the location of the meeting and described the offensive language used by the Director during the training session on January 20, 2016. Staff members also stated prior to the Director's use of inappropriate language; two employees had been conversing throughout the meeting and were requested to cease their discussion by their Manager. The Director reportedly became upset because the employees continued chatting and used offensive language to voice his disapproval.

Complaint #2

Based on interviews with various RPCA staff, we conclude that employees witnessed the Director using offensive and inappropriate communication in the workplace.

Complaint #3

RPCA employees confirmed they witnessed the Director making unprofessional comments about an employee. Additionally, RPCA personnel also stated, the Director would regularly make unprofessional comments in the workplace.

CONCLUSION

Relying on the responses from Recreation, Parks & Cultural Affairs employees and supporting documentation obtained during our review, we believe that all four (4) complaints were substantiated. The use of offensive and inappropriate communication is grounds for dismissal or disciplinary action based on DeKalb County Municipal Code Section 20-191. The recommended disciplinary actions listed after Section 20-191 (6) and (20) are in Manager's Guide distributed by the Human Resources Department.

(6) Conduct unbecoming an employee of the County while on duty

- 1st Offense Written Counseling
- 2nd Offense 2 Day to 5 Day Suspension
- 3rd Offense Demotion to Dismissal

(20) Fighting, threatening, intimidating, coercing or otherwise interfering with the rights of other employees.

- 1st Offense 2 Day to 5 Day Suspension
- 2nd Offense Dismissal

Bullying and inappropriate or unprofessional behavior by management could negatively affect employee morale and productivity. Also, Bullying can affect self-esteem, mental and physical well-being of employees.



RECOMMENDATION

We recommend that the County establish a policy, which addresses harassing behavior and retaliation in the workplace. The current policy addresses harassment when an employee has filed a grievance. It does not address retaliation and bullying in the Administrative procedures. DeKalb County Human Resource Department and Law Department should work in conjunction to codify and facilitate this policy.

Although the Director has retired, RPCA management should strive to foster an environment that is conducive to a positive culture, respectful relationships, empowerment, open communication, and reward for great performance.

Mandatory training and education on harassment, bullying, and retaliation should be provided to all department heads, managers, supervisors, and employees to reduce the risk of inappropriate behavior. In addition, a commitment to accountability for inappropriate behavior relays a clear message that offensive and inappropriate communication is unacceptable in the workplace regardless of position or status.



Approvals:

Original Signed by:

Cornelia Louis
Deputy Director of Finance
Internal Audit Division
Department of Finance
DeKalb County



Appendix A – Acknowledgements

We would like to take this opportunity to thank the management and staff of all the participating departments for their assistance during this engagement.

Conducted by:

Alexis Walton
Senior Auditor
Finance Department - Internal Audit Division

Ronald Cummings
Senior Auditor
Finance Department – Internal Audit Division

Reviewed by:

Cornelia Louis
Deputy Director of Finance
Finance Department - Internal Audit Division



APPENDIX B – DEFINITIONS AND ABBREVIATIONS

Acronyms and Abbreviation

APA ([APA.org](http://www.apa.org)) - American Psychological Association

Key Definitions

American Psychological Association – “The American Psychological Association was founded in 1892 with 31 members and grew quickly after World War II.”⁴ “APA is the leading scientific and professional organization representing psychology in the United States, with more than 117,500 researchers, educators, clinicians, consultants and students as its members.”⁵

⁴ <http://www.apa.org/about/apa/index.aspx>

⁵ <http://www.apa.org/about/>



APPENDIX C – DISTRIBUTION LIST

This report has been distributed to the following individuals:

DeKalb County Board of Commissioners

Michael Thurmond, Chief Executive Officer

Zachary L. Williams, Chief Operating Officer/ Executive Assistant

Stacey Kalberman, Board of Ethics Director

Diane McNabb, Interim Chief Finance Officer

Marvin Billups, Interim Recreation, Parks & Cultural Affairs

Bernita Ransom, Human Resource Director

O.V. Brantley, County Attorney