



DEVELOPMENTAL DISABILITIES ADMINISTRATION
Olympia, Washington

TITLE: MAJOR ADMINISTRATIVE INVESTIGATION 12.06

Authority: [Executive Order 24-02](#) Providing for the State Patrol to Investigate Criminal Matters Involving DSHS Employees

Reference: [DSHS Administrative Policy 4.05](#) Delegation of Authority for Personnel Actions

BACKGROUND

The Developmental Disabilities Administration (DDA) is committed to addressing allegations of employee misconduct with utmost seriousness. Investigations are conducted to ensure such allegations are handled based on factual evidence. Investigations safeguard citizens, employees, and the DDA by establishing a factual record, which can also serve as a foundation for disciplinary action when necessary.

While investigations typically focus on “on-duty” conduct, inappropriate off-duty conduct that is linked to employment at the DDA may also be investigated. Examples of inappropriate off-duty conduct include misuse of a state vehicle, misuse of state resources, providing access to state resources, other actions incompatible with official duties, criminal activity, illegal actions, or other actions believed to violate DSHS or DDA policy.

In accordance with [Executive Order 24-02, the DDA Assistant Secretary has given DDA-SIU authority to conduct major administrative investigations](#)

PURPOSE

This policy establishes the process for conducting fair, timely, and thorough major administrative investigations by the Developmental Disabilities Administration Statewide Investigation Unit (DDA-SIU) as an outside investigative entity.

SCOPE

This policy applies to the DDA-SIU, residential habilitation centers (RHCs), state-operated community residential (SOCR) programs, and youth transitional care facilities (YTCF) staff. The DDA-SIU conducts major administrative investigations in accordance with [Executive Order 24-02](#). Cases of progressive discipline are investigated by RHC, SOCR, and YTCF employees. Any other type of investigation is at the discretion of the DDA Assistant Secretary or designee, in consultation with the DDA-SIU Unit Manager.

DEFINITIONS

Appointing authority means an exempt management position to whom the DSHS secretary has delegated authority to take personnel actions, as authorized in DSHS Administrative Policy 4.05, *Delegation of Authority – Personnel Actions*.

DDA Statewide Investigation Unit (DDA-SIU) means the independent investigation unit comprised of DDA Central Office Compliance and Investigation Manager (CIM) employees who conduct investigations.

Human Resources Division (HRD) representative means the human resources division employee assigned as the primary HR resource to the functional unit led by an appointing authority.

Incident Case Management System (ICMS) means the electronic recordkeeping system used by DSHS to document, track, and report employment misconduct, employment discrimination, service discrimination, and external agency complaint investigations.

Intake means a review of relevant information gathered as a part of, or following receipt of, a complaint. The intake is designed to determine whether an investigation is necessary. Information gathered during intake, including witness statements, may be incorporated into an investigation.

Investigation means the process of gathering and documenting information related to a specific allegation or set of allegations. An investigation results in a summary report for use by the appointing authority to determine the appropriate action.

Major administrative investigation means an examination of a non-criminal case where the appointing authority believes that if the facts as alleged are true, the discipline would likely be a demotion or termination – regardless of whether there has been previous discipline.

Misconduct means failure of an employee to adhere to standards expected in employment. Misconduct includes: failure to follow lawful supervisory direction; discrimination; harassment;

ethics violations; violations of DSHS Administrative Policy, DDA policy, or Collective Bargaining Agreements (CBA); and inappropriate behavior or performance issues.

Outside investigative entity means an organization, not controlled by the appointing authority, which has the legal authority to investigate actions of a DDA employee. Examples include law enforcement agencies, the executive ethics board, office of the state auditor, professional licensing authorities, and the Statewide Investigation Unit.

Retaliation means a hardship, loss of benefits, or penalty imposed on an employee as punishment for reporting any allegation of misconduct, appearing as a witness in the investigation of a complaint, or for serving as an investigator.

SIU Investigator means the DDA Compliance and Investigation Manager (CIM) who reports to the DDA-SIU Unit Manager.

POLICY

- A. Intakes and investigations into allegations of employee misconduct will be carried out in a timely, professional, and responsible manner that protects employee rights and privacy as well as the integrity of DDA operations. Investigations will be conducted in accordance with applicable CBA requirements and may include informal fact-finding, acquiring signed statements from witnesses, a formal interview process, or other situation-specific approaches as appropriate. Allegations of employee misconduct may come from self-reporting, other employees, volunteers, contractors, members of the public, or others doing business with DDA.
1. Employees must self-report criminal allegations, pending allegations, court-imposed sanctions or conditions, when there is a connection to the employee's job-related duties or when allegations, sanctions, or conditions, could impact their employment status or background check status (e.g., Regular job duties require the employee to drive, and the employee has a suspended license).
 2. Employees who are represented should refer to the CBA in conjunction with the requirements in [DSHS AP 18-89](#), *Investigations*.
- B. Employees who observe, or who become aware of, potential misconduct must promptly report (orally or written) it to any supervisor in their chain of command, to an HRD representative, or to the Office of Justice Civil Rights (OJCR) employee investigations unit.
- C. If a supervisor or manager becomes aware of alleged misconduct within their chain of command, they must promptly report it to the appropriate appointing authority.

- D. If a supervisor or manager becomes aware of alleged misconduct outside of their chain of command, they must report the allegation to either the accused employee's supervisor, their appointing authority, or both. The appointing authority, manager, or supervisor must consult with their HRD representative in determining the appropriate approach to the intake and whether an investigation is necessary.
- E. In circumstances where there is more than one accused employee, alleged victim, or appointing authority, the affected appointing authorities must determine amongst themselves who will take the lead in the investigation to ensure DDA does not have multiple investigations into the same set of circumstances, including across multiple divisions or administrations who are co-located. Where allegations involve employees, appointing authorities, or employees from multiple agencies (example: Department of Children, Youth, and Families) all affected appointing authorities must report the allegations to the senior director of the Office of Justice and Civil Rights, who will determine the investigative approach on behalf of DDA.
- F. The Investigation Case Management System (ICMS) or successor system, is the official record of employee investigation activities within DDA. Each appointing authority or designee must ensure that relevant investigation information and documentation is appropriately entered into the system.
- G. An allegation meeting the definition of major administrative investigation must be promptly reported by the appointing authority to the DDA-SIU.
1. DDA-SIU and the appointing authority will determine who will carry out the investigation.
 2. When the appointing authority authorizes an internal administrative investigation, the DDA-SIU may review the completed investigation report if requested by the appointing authority.
- H. Upon receiving the investigative report from an investigator, the appointing authority may either:
1. Initiate additional investigation; or
 2. Use the completed report if it contains the necessary information.
- I. The appointing authority may conduct a concurrent investigation while an outside investigation is underway. The appointing authority must consult with both the outside investigator and their HRD representative before implementing a concurrent investigation.

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- J. An employee may be reassigned other duties and possibly to another location during an intake, investigation, or both, if the employee's appointing authority determines the reassignment is necessary.
1. The appointing authority must notify the HRD representative when an employee is placed on alternate assignment.
 2. When a reassignment occurs outside the business hours of HR, the appointing authority must notify HR the next business day.
 3. The appointing authority must ensure the alternate assignment is noted in ICMS or successor system
- K. Upon approval from the DSHS HRD senior director, an employee may be assigned to home duty during the course of an intake, investigation or both.
1. Before placing an employee on home assignment, the appointing authority must request authorization by submitting [DSHS 03-474](#), *Home Assignment Request*, to the DSHS HRD senior director.

Note: If there is a need for immediate home assignment due to safety and security issues, the appointing authority may assign the employee to home for up to 48 hours pending notification and review by the DSHS's HRD senior director, or in the senior director's absence, the DSHS's chief of staff.
 2. The employee may receive verbal notice of the home assignment from the appointing authority or designee.

Note: If the home assignment extends beyond 48 hours, the employee must receive written confirmation of the home assignment within five working days.
 3. The start and end date of the home assignment must be entered into the human resource management system and the appointing authority must ensure the home assignment is noted in ICMS or successor system
- L. Witnesses are expected to cooperate and provide complete and truthful information if asked to participate in an intake or investigation. During the intake or investigation process, employees or witnesses must not discuss or share information pertaining to the investigation with anyone inside or outside DDA except when seeking legal or union counsel, or when complying with court orders, external investigators, or law enforcement.

- M. While appointing authorities and investigators will make every effort to maintain confidentiality, information may be shared on a “need-to-know” basis during an intake or investigation with HRD staff, the chain of command, law enforcement, or others similarly situated.
- N. Investigation records and the investigation report are subject to records retention and public disclosure laws.
- O. During and after an investigation, the subject of the investigation has a right to request the status and outcome from the appointing authority.
1. Examples of a status update include interviews are still being conducted, investigation report is being drafted, waiting for analysis of data, and so forth.
 2. At the conclusion of any investigation where the appointing authority elects to not take disciplinary action, the subject(s) of the investigation will be provided with a notification that the investigation is complete, and no discipline will be imposed.
 3. Appointing authorities should consult with their HRD point of contact if they have questions on the appropriate response to a specific status or outcome request.
- P. An employee must not retaliate against anyone who has made a report of misconduct or anyone who participates in an intake or investigation. Retaliation does not include the appropriate exercise of supervisory responsibilities, such as:
1. Providing direction or feedback about an employee's job performance and behavior;
 2. Monitoring and follow-up actions on job performance; and
 3. Guidance to change or adjust job priorities.
- Q. Failure to comply with this policy may be grounds for discipline, up to and including termination of employment.

EXCEPTION

Any exception to this policy must have the prior written approval of the Deputy Assistant Secretary or designee.

TITLE:

MAJOR ADMINISTRATIVE
INVESTIGATION

12.06

SUPERSESSION

None.

Approved:



Deputy Assistant Secretary
Developmental Disabilities Administration

Date: February 1, 2025