

MOTION

In accordance with state and federal law, the City of Los Angeles affirms the right of all employees to an environment free of discriminatory actions, language, or images, and requires that management "acknowledge and accept as a top priority its responsibility to eliminate discriminatory language and images from the workplace."¹

On January 26, 2006, City Controller Laura Chick released a management audit of the Los Angeles Fire Department that found:

- Complaint handling and disciplinary practices are poorly documented, untracked, inconsistent, and perceived by firefighters of all ranks to be unfair;
- Formal investigations are poorly documented, lack independence and are undertaken by untrained and inexperienced personnel; and
- Workplace harassment and hazing incidents are more prevalent than indicated by the number of investigations LAFD has undertaken.

By any measure, claims of harassment made against the LAFD are unacceptably frequent. The *Daily News* reported in March that the number of lawsuits rose sharply from three in 2002-03 to 13 in 2004-05. Perhaps most disturbing, the Controller's Audit found that 87% of African American firefighters responding to a survey had personal knowledge or personal experience of at least one instance of discrimination from a co-worker or supervisors, and about 60% of respondents reported being either a willing or unwilling participant of at least one incident of hazing.

At the Mayor's direction, the Fire Commission and a stakeholder group have been working intensively to restructure the Department's disciplinary policies and practices. On May 2, the Commission adopted an Action Plan addressing the Controller's audit.

However, solid evidence is needed from the documented experiences of other major urban fire departments, as well as from our own Los Angeles Police department, regarding best practices for instituting the fairest and most effective, consistent, and transparent disciplinary processes possible. This data must inform the reform efforts of the Fire Commission, its stakeholders, and the Los Angeles City Council.

I THEREFORE MOVE that the Chief Legislative Analyst and the Personnel Department be directed to report within sixty days to the Audits and Governmental Efficiency Committee and the Public Safety Committee with a report that includes a top to bottom process flow chart of the LAFD's existing disciplinary policies and practices.

¹ City of Los Angeles Discrimination Free Workplace Policy Resolution.

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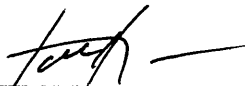
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The report should also include best practices gleaned from other large urban Fire Departments and the Los Angeles Police Department in, at minimum, the following areas:

- Preventive training for rank and file and officers on sensitivity to race, ethnicity, and gender issues;
- Disciplinary guidelines, with particular attention to discrimination, harassment, and retaliation;
- Methods for tracking all disciplinary allegations and offenses;
- Composition of investigative units charged with documenting these allegations, with particular attention to their training and their independence from the command structure;
- Composition of Boards of Rights, including presence of civilian vs. sworn officers;
- Promotion practices as they relate to documented disciplinary action; and
- The role and effectiveness of an Inspector General.

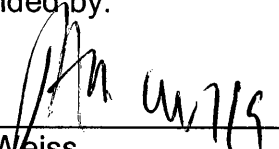
I FURTHER MOVE that the Board of Fire Commissioners be requested to hear the findings from this report at its next regularly scheduled Commission meeting.

Submitted by:




José Huizar
Councilmember, District 14

Seconded by:



Jack Weiss
Councilmember, District 5


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