




LOS ANGELES FIRE DEPARTMENT

RALPH M. TERRAZAS
FIRE CHIEF

June 5, 2017

BOARD OF FIRE COMMISSIONERS FILE NO. 17 – 066
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TO: Board of Fire Commissioners

FROM:  Ralph M. Terrazas, Fire Chief

SUBJECT: MODIFICATIONS TO DISCIPLINE PHILOSOPHY

FINAL ACTION: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<input type="checkbox"/> Approved w/Corrections <input type="checkbox"/> Received & Filed	<input type="checkbox"/> Withdrawn <input type="checkbox"/> Other
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SUMMARY

The Fire Department strives to provide the public with the highest level of service and professionalism. The Department expects members to conduct themselves in a manner consistent with its core values, at all times. When members fail to adhere to the standards of excellence, the imposition of discipline, training or other corrective action may be warranted.

The Fire Department is seeking approval from the Board of Fire Commissioners to modify its discipline philosophy from a punitive model to a Public Service Discipline Model, which allows for alternatives to traditional discipline through settlement agreements that may include “last chance agreements,” training, and education-based discipline, where appropriate and in the interest of maintaining high standards of professionalism within the Los Angeles Fire Department.

This report provides an overview of the Department’s proposed Public Service Discipline Model. The Department will concurrently present a report on the settlement criteria developed to ensure fair evaluation of settlement agreements, and a report on education-based discipline as one form of settlement.

RECOMMENDATION

That the Board:

1. Receive and approve the report.

FISCAL IMPACT

The Department anticipates that the adoption of the Public Service Discipline Model will result in a reduction of costs; however, the actual savings are yet to be determined.

DISCUSSION

Following the 2006 City Controller and City Personnel Audits, the Board of Fire Commissioners approved an Audit Action Plan (Board of Fire Commissioners Report 06-041-S Audit Action Plan, 05/02/2006) addressing the concerns of the two audits. In the ensuing two years, the Board of Fire Commissioners, the Department, and LAFD Stakeholders, consisting of labor and other Department organizations, conferred and collaborated to create the framework for the present disciplinary process.

Since that time, the discipline philosophy that has guided the application of the discipline required rigidity in handling of discipline and has not allowed for alternative approaches such as “last chance agreements,” training, or education-based discipline that might better serve the goals of the Department to both prevent misconduct and develop members to better serve our City. Rather, the only disciplinary actions that could be considered were written reprimands, unpaid suspensions, and terminations.

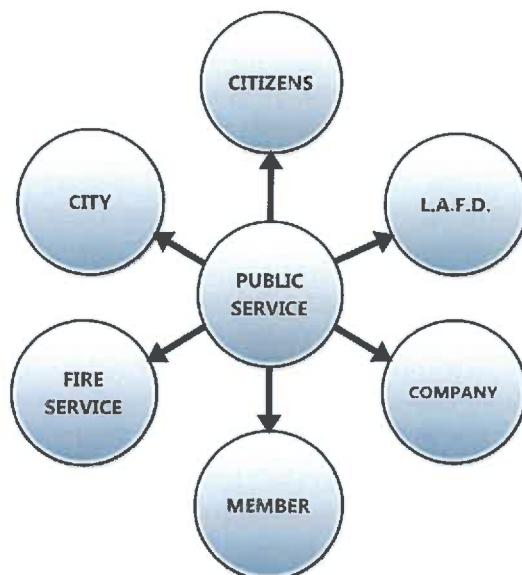
Over the past few years, the Department has discussed with the Commission the need to modify the discipline philosophy and consider alternatives to traditional discipline. At the Board of Fire Commissioners’ meeting on January 21, 2014, the Board of Fire Commissioners directed the Fire Chief to explore updates to the discipline process approved in the 2008 Audit Implementation Plan to allow the Department to adjudicate complaints with other alternatives such as corrective action, training and counseling, even when there is a relevant disciplinary guideline.

Public Service Discipline Model

The Public Service Discipline Model is based on four core concepts and provides the Department with structure in determining the appropriate level of corrective or punitive action necessary to modify a member’s behavior while maintaining a high level of public service.

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| Concept One: | The Department’s first and foremost consideration is maintaining its high level of public service to the City and the public; |
| Concept Two: | The Department’s second consideration is to balance the interests of the City, the public, the Fire Service, the Department, its members and the accused member; |
| Concept Three: | Third, the Department strives to use the appropriate level of corrective or punitive action that will ensure the delivery of public service and correct the member’s behavior to conform to the Department’s expectations; and |

Concept Four: Finally, in determining the appropriate level of corrective or punitive action, the Department considers (1) the harm to the public service; (2) the circumstances surrounding the incident and (3) the likelihood of reoccurrence.



CONCLUSION

The Department has fully explored the Public Service Discipline Model as a new discipline philosophy. Now the Department is ready to formally request the adoption of this new discipline philosophy by the Board of Fire Commissioners. This new philosophy is expected to benefit the Department, its members and the City of Los Angeles by maintaining a high standard of service while providing additional tools to develop members as valued Department employees.

Board report prepared by Karen Richter, Acting Commander, Professional Standards Division, and Erin Joyce, Chief Special Investigator, Professional Standards Division.