



# City of Los Angeles Board of Fire Commissioners

## ***DRAFT*** ***ACTION PLAN***



# Los Angeles City Fire Department

In response to the Office of the City  
Controller and Personnel Department Audit.

2006

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# **Leadership And Communication**

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## **CONTROLLER'S RECOMMENDATIONS**

(Alphabetically Assigned in the Order Presented in the Controller's Audit)

- a. Develop and communicate a formal overall "Vision" for the LAFD.
- b. Set a "tone at the top" that demonstrates accountability to all organizational policies and procedures and develop protocols that ensures policies, procedures, rules and regulations are consistent, clear, and enforced
- c. Expand and enrich the lines of communication from the Fire Chief down through the chain of command to rank and file firefighters, including more use of electronic communications media (with appropriately equipped fire stations), increased fire station visits by the Fire Chief and key commanders, periodic mandatory "all hands" meetings with battalion level commanders, and a formalized no-fault direct feedback system, such as an Employee Suggestion Evaluation Committee.
- d. Undertake a comprehensive effort to develop future leaders and increase management competency to lead, guide and mentor both male and female firefighters, as well as those from all ethnic groups. Also, future leaders should be trained to address the different communication style and direction needed to assure today's generation of recruits can excel in a paramilitary organization like the LAFD.

## **PERSONNEL RECOMMENDATIONS**

(Numbers Coincide with Personnel Dept. Audit Numbering)

4. Request the stakeholders, as identified in this report, to continue to consistently communicate their valuable insight to Fire Department management regarding the work environment.

**Chief Officers Association (COA) Response:**

- The collective “core” findings in both reports indicate numerous opportunities to improve the direction of our Department with respect to leadership, communication, the disciplinary process, human relations issues, and Recruit Training. The Chief Officers Association agrees that improvement can and must be made in order to become more consistent with the expectations of our “external and internal” constituency.
- The strategic plan is not clear and has not been communicated through the Department.
- We also have a problem with the lack of accountability. The Department has too many policies that have no value and are not enforced appropriately or consistently.
- Organizational culture will change only when members are held accountable to follow sensible policies.
- In our organization, the actions and decisions that first level supervisory personnel make has a greater influence on organizational effectiveness than any written mission statement, vision or rule. It is imperative that we provide our current and future leaders with the training, knowledge and ability to support the direction of the Department. In order to change organizational culture, we need to intensify executive development and supervisory responsibility training.
- The organization currently has too many informal channels for communicating. Communication channels need to be formalized and utilized consistently.

**RECOMMENDATION A**

**“COA agrees with further clarification.”**

- Needs to be a Department vision that is clear and “embraced” by the entire organization. This strategic plan needs to include human resource growth and management as a priority.
- Vision statement needs to be conspicuously posted at all work locations and on all communications including letterhead stationary and business cards.

**RECOMMENDATION B**

**“COA Agrees.”**

- The Rules and Regulations, policies and procedures should be embraced, followed and enforced consistently. Emphasize accountability at all levels for adherence to organizational policy, procedures and budget. Consequences should be clear, rational, appropriate, and consistent.

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## **RECOMMENDATION C**

### **“COA Agrees in part.”**

- Need technological enhancements to current communication mediums (i.e., broadband internet, hardware, DVD players, internet conferencing abilities).
- There are too many communication mediums used by the LAFD (formal and informal). We should formalize and simplify lines of communication.
- Have all members of the LAFD have a group-wise e-mail address, not just supervisors.
- More frequent visits by Battalion Chiefs are not the answer. Becomes routine with no specific purpose – quality not quantity. If the Administration truly wants our first-line managers to perform their primary duties and responsibilities, then this should become their priorities instead of numerous committees, work groups, and projects.

## **RECOMMENDATION 4**

### **“COA Agrees.”**

- The Labor/Management Executive Committee is in place, is an excellent medium for this information and should continue. It should become an institutionalized process that the information derived from the employee organizations should be respected and valued by management.

## **RECOMMENDATION D**

### **“COA agrees in context with the recommendation, however requires clarification with defining ‘different communication style and direction’ and ‘today’s generation’.”**

- Intensify executive development. Provide training necessary to perform the position, not pass an examination. Expand the current In-Service Training for supervisors to include supervision, leadership, ethics and managerial responsibilities by credible instructors. . The actions of our first level supervisors have the greatest influence on our organizational effectiveness.
- Require responses to F-225’s submitted through channels.
- Consider a monthly LAFD Newsletter to communicate with the masses that provide factual information on leadership, managerial, or supervisory techniques and operational issues that can be reviewed by all members.

**Los Bomberos Response:**

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- This analysis defines the '06 HRDC goals of a transparent process that is inclusive to all interests participating. More importantly the process provides an organized approach to develop a clear understanding of the issues identified in each audit.
- In addition, the following Control Measures have been developed for consideration to be incorporated into the final recommendations of the Final Report from the Fire Commission. The Control Measures will serve to ensure that the intent of the '06 HRDC recommendations is documented and to ensure accountability.

**Recommended Control Measures:**

- Accountability Statements
- Quality Assurance Components
- Measures Of Effectiveness
- Oversight And Reporting

NOTE: Specific definitions to be developed by the HRDC Committee.

**HRDC Recommendations:**

- Los Bomberos as members of the HRDC Committee remain committed to founding principals of the '95 HRDC Recommendations; "Equity, Inclusion, and Accountability". We remain equally confident that under the leadership of the Fire Commission the HRDC Committee will achieve established objectives and fulfill the necessary oversight to ensure accountability.

**SIRENS Response:**

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- The SIRENS reserves the right to revise, rework, adjust or amend these recommendation responses as we move collectively through this post-audit process.

**RECOMMENDATION A**

**“Concur with audit recommendation.”**

Successful Fire Departments across America have an established Vision for their Department that it is an integral part of the organization. The Vision should be:

- Embraced by top level management
- Supported by the department members, from the top down
- Visible i.e. work locations, training material, and written material and included in all training completed and produced.

**RECOMMENDATION B**

**“Concur with audit recommendation.”**

- Consistency and accountability is key to this element. Policies, procedures, rules and regulations are not effective if they are perceived as selective, and must be supported by the chain of command.

**RECOMMENDATION C**

**Response in development**

**RECOMMENDATION D**

**“Concur with audit recommendation in part.”**

**RECOMMENDATION 4**

**“Concur with audit recommendation.”**

- The most successful organizations don’t just tolerate diversity. They seek it out. When a team includes people from various ethnic backgrounds and genders, and all those perspectives are utilized, the team is more effective. Communication with the stakeholders in this report cannot be emphasized enough.



**Stentorians Response:**

The Stentorians understand that from our leadership perspective, this resolution will not be reached overnight. Based on the critical nature of the Chick/Personnel Audits, our membership disclaims, "Due to the complex nature of the issues raised, we reserve the right to alter, amend or enhance the attached preliminary recommendations".

**LEADERSHIP**

- The most prominent issue facing the Los Angeles Fire Department today is leadership. The Department's failed rests largely with an inability to develop and implement contemporary leadership skills and a leadership ethos, from candidates through senior staff.
- The challenges the Department faces in organizational leadership are multifaceted. Easily noted are the issues of communications and "shared vision". However, the root of leadership issues on the Los Angeles Fire Department may very well reside in the Fire Captain and Chief Officer promotional processes.
- Our current promotional processes for Captain and Chief Officer neither cause nor measure any effort or attainment of contemporary leadership skills, knowledge, abilities or traits by the candidate.
- So, it would appear that the Los Angeles Fire Department's leadership challenge starts with our promotional process. As the world evolves, as the workplace evolves and as the workers evolve, we are still training today's leaders no different then we have for the last thirty years.
- In recent years an attempt has been made to address workplace and human relations issues. Unfortunately, the messenger and method have been less than adequate. All factions of the Department need to be included in the solution.
- Communications remains a significant challenge on the Los Angeles Fire Department. The size of our organization presents certain physical and technological issues. A big part of failed communications goes back to our leadership dilemma. Contemporary leaders and leadership have a general idea of what the "commanders intent" is. This allows subordinate leaders to "fill in" the gaps causing everyone to know the general direction to be followed. On the Los Angeles Fire Department the "commanders intent" is 1) not always known, 2) changed without warning and 3) not a vision that can be shared by leaders and/or the rank and file.
- The real issue on the Los Angeles Fire Department is not human relations, but leadership. Let's start at the top. A CEO who surrounds himself with people who were raised in the previous administration that quashed any initiative and/or thought that weren't developed within the Los Angeles Fire Department. A senior staff that rarely, if ever, looks outside of the Department for innovative, new ideas or trends.
- The only significant effort at outside training has been in human relations which 1) is handicapped by the leadership dilemma and 2) slanted by HR advocates who have their own agenda.

**United Firefighters of Los Angeles Local 112 (UFLAC) Response:**

**RECOMMENDATION A**

- Develop the vision collaboratively with Local 112 and other stakeholders. To do so, employ a genuine and effective labor / management approach modeled after the Phoenix Fire Dept.

**RECOMMENDATION B**

**“We concur.”**

**RECOMMENDATION C**

- Information communicated down the chain of command must also be put in writing and provided to Local 112 when requested. There is an extensive history on the LAFD of verbal communication via *all-Chiefs meetings* and *battalion Captains meetings*, in which the information communicated was outside of policy and inappropriate.

**RECOMMENDATION D**

- LAFD members should be allowed to self-identify regarding intention or desire to promote. Department sponsored mentoring or assistance for those who wish to compete for promotional positions should be available for all members without bias or favoritism.

**RECOMMENDATION 4**

**“We concur.”**

**UFLAC - Leibman & Associates Response:**

**RECOMMENDATION A**

**“I support this recommendation.”**

- But it is certainly very broad and demands a systemic response both in formulating the vision and implementing it. It is also unclear whether this would be the individual Chief's vision for how he intends to lead the Department, or a vision for the Department as a whole regardless of whom is Chief.
- A vision statement should include a list of Core Values for the LAFD, as statements of the highest values to which the Department aspires and holds itself accountable.
- Any vision statement for the LAFD includes a commitment to inclusion and diversity and an equally strong statement of a lack of tolerance for bias in the Department.

**Los Angeles Fire Department (LAFD) Response:**

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**RECOMMENDATION A**

**“This recommendation is valid.”**

- It is indicative of the need to further promote the existence of the established Mission Statement, Core Values and Department Goals.
- The Manual of Operations is specific in the Mission Statement, Core Values and Department Goals.
- The deficiency is in the communication of this information. Most members are unaware of it or only become informed of its existence when studying for a promotion
- The challenges of this recommendation are the time and cost associated with the development of communication methodologies.
- With enhanced communication methods, the “Vision Statement” can be more easily communicated and reinforced.
- Twenty-four communication options have been developed to enhance communications. To communicate with the majority of members on a consistent basis, multiple redundant methodologies must be applied.
- The significance of the message would determine which one or if multiple communication means should be applied.
- The resources required to implement the communication options are varied and range from LAFD staff, outside corporate organizations, specific individuals as well as many others.

**RECOMMENDATION B**

**“This recommendation is valid and manageable.”**

- Consistent, clear and enforced policies, procedures, and regulations are critical to the efficient operation of the LAFD. Protocols developed to ensure this goal are essential to its successful accomplishment.
- The challenge to accomplishing this recommendation is funding to support staff, training for staff, and all associated support needs such as clerical, office equipment and office space.
- The elements necessary to accomplish this recommendation include:
  - Staff procurement
  - Review of all existing policies, procedures, protocols, etc to ensure that they are easily understood
  - Placement of the revised information into the LAFD library

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- Procedures developed to ensure that the Department library is kept current with all revisions
- Development of an Officer Disciplinary Action Training Program
- The resources for this recommendation are numerous and can be found through multiple means. They include models used by other agencies; individuals with specialized training and organizations uniquely qualified to address organizational behavior issues.

### **RECOMMENDATION C**

**“This recommendation is valid and manageable.”**

- Requires the necessary resources to implement and maintain it.
- There is universal agreement that timely communications through multiple redundant means would be optimal for ensuring effective communication to the vast majority of our members. In fact, the Department has taken numerous steps to increase the usage of modern communication technology.
- Much discussion and staff work has gone into the development of enhancing communication methods prior to this audit. Historically, the most significant challenges to enhancing communications are a lack of funding to support staff and the procurement of modern communication equipment and systems.
- The resources required to implement the communication options are varied and range from LAFD staff, outside corporate organizations, specific individuals as well as many others.

### **RECOMMENDATION D**

**“This recommendation is valid.”**

- It is indicative of the need to further enhance the officer corps of the Fire Department. The officers of this department are the lynchpin to planning, organizing, and implementing the established Mission Statement, Core Values and Goals.
- The deficiency is in the preparation and continuing training of our officers. Officer preparation tends to focus on the technical aspects of the position with very little time and effort devoted to interpersonal skills, mentoring and leadership.
- The challenges of this recommendation are the time and cost associated with the development of a credible education program.
- Develop and fund a comprehensive leadership training program partnering with local universities such as the University of Southern California, UCLA and Claremont for all officers. The program should address the issues and the relationship between citizens and their government. In addition the program should examine the ethical and professional responsibilities of leadership.

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**CITY OF LOS ANGELES  
BOARD OF FIRE COMMISSIONERS  
Leadership and Communication**

**ACTION PLAN RECOMMENDATIONS**

# **Complaint and Disciplinary Process**

**CONTROLLER'S RECOMMENDATIONS**

(Alphabetically Assigned in the Order Presented in the Controller's Audit)

- e. Reinstitute a separate EEO investigation function outside the LAFD chain of command as was the intent of the original recommendation by the HRDC and City Council ten year ago, including confidential treatment, investigating, tracking and reporting to the Fire Commissioners and the City's Personnel Department of EEO-related complaints.
- f. Establish a centralized mandatory tracking and reporting system for disciplinary and corrective actions that include all measures taken at each LAFD level, beginning with the fire station level, decisions made at each higher level (e.g. battalion, division, bureau) when advanced through the chain of command, and ultimate results from disciplinary actions taken at the Operations command/Fire Chief/Board of Rights levels.
- g. Develop within the tracking system the capability to provide feedback to supervisors and accused members, within an established timeframe, regarding the status and actions taken in disciplinary cases that have progressed through channels.
- h. Empower an independent party (i.e. a monitor within a separate Internal Affairs Division) to periodically and systematically review the disciplinary tracking and reporting system for consistency and compliance as well as detecting behavioral trends, training needs, and possible policy/procedure changes.
- i. Develop, with input from the firefighters' and chiefs' unions, a set of disciplinary standard disciplinary penalty guidelines for sworn firefighters that reflect the unique and accountability resulting from their public safety responsibilities; and, once developed assure that they are consistently applied and fairly administered. The standard disciplinary penalty guidelines should include specific penalties for specific offenses, repeat offenses and include criteria for progression through channels.
- j. Eliminate the practice of proposing greater disciplinary punishment simply to create a bargaining position for negotiating a lesser punishment with the accused member or the union. Rather, only propose penalties that are consistent with a set of disciplinary penalty standards developed through joint cooperation of the firefighters' and chiefs' unions.
- k. Assure that Skelly hearings are continued when new information is presented so that a response from key witnesses or supervisors can be obtained. Also ensure that all outcomes and decisions that result from Skelly hearings are sufficiently documented and supported.

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- I. Create a separate Internal Affairs Division within the LAFD with permanently assigned investigative staff who possess the necessary expertise, experience and training to conduct the wide range of investigations to ensure public accountability of the LAFD, as well as prepare and maintain professionally documented investigative files. Necessary knowledge, skills and abilities of the investigators would likely come from prior experience as former or current peace officers, and other government investigators or inspectors.
- m. Require that the separate Internal Affairs Division report to both the Fire Chief and Fire Commission, but be otherwise removed from the chain of command and work closely with the Fire Commission's EEO on EEO-related complaints. This unit's mission should be to hold all LAFD members accountable to comply with policies and standards.
- n. Consider creating within the separate Internal Affairs Division an Internal Auditor or Monitor position to provide oversight of the investigative process to ensure and maximize accountability.

### **PERSONNEL RECOMMENDATIONS**

6. Request the Los Angeles Board of Fire Commissioners to transfer the reporting relationship of the Equal Employment Opportunity Section from the Fire Commission to the Fire Administrator.
7. Direct the Fire Department to assign responsibility for the investigation, analysis and reporting of all equal employment issues to the Equal Employment Opportunity Section and revise all internal procedures to reflect this change in organizational responsibilities.
8. Direct the Fire Department's Equal Employment Opportunity Section to provide quarterly reports to the Fire Commission on the number and status of all discrimination complaints filed internally and externally with compliance agencies.
10. Amend Charter Section 1060 (g) of the Disciplinary Procedures for the Fire Department to reflect the provisions of Charter Section 1070 (f) governing the composition and selection of the members of the Board of Rights, thereby adding a non-sworn, independent civilian member to the Board of Rights.
12. Direct the Fire Department to ensure that any sworn or civilian employee receive training from experts in public sector employment law and the use of effective investigation techniques prior to being assigned to conduct, supervise or review disciplinary investigations.
13. Direct the Fire Department to revise its current investigation procedures to ensure that all pertinent witnesses are interviewed and that the interviews are thoroughly documented.



**Chief Officers Association (COA) Response:**

(Note: The Chief Officers Association submitted multiple responses to many of the recommendations)

**RECOMMENDATION e**

**“The COA agrees in concept.” “The Chief Officers Association agrees with Controller Recommendation (e).”**

- “The COA believes that there is a need for a separate EEO investigation and/or a joint investigation that includes an EEO component and a Department Advocate.”
- “We also believe that the EEO function is a critical position and should report directly, or indirectly, to the Fire Commission or at the highest level of Fire Department management.”
- “Assumes that the Department has, in fact, an EEO Section.”

**RECOMMENDATION f**

**“COA Agrees.”**

The Chief Officers Association agrees with Controller Recommendation (f.) with noted exceptions

- “Analyzing information can provide information to determine trends, training needs and provide general, accurate information to all members.”
- “It would be appropriate that at the F-1104, Reprimand, level that the tracking and reporting system be initiated. Additionally, any personnel issues or complaints, were a recommendation for any type of corrective action is made, that is forwarded to any Bureau level or higher would be included in the tracking and reporting system. This would also include all internal or external complaints where a formal investigation (advocates) is initiated.”

**RECOMMENDATION g**

**“COA agrees with exception.”**

“The Chief Officers Association agrees with Controller Recommendation (g.) with noted exception(s).”

- “Within the due process and personnel rights of the affected members, supervisors should be kept informed with information relative to their duties and responsibilities pertaining to personnel issues affecting their commands.”

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- “The City Attorney should provide specifics regarding what information relative to status, information and actions taken in disciplinary cases should be provided to other than the affected individual.”
- “Within the privacy rights of the affected member(s), supervisory personnel should be informed of the status and actions taken in cases where (1) they made recommendations for corrective action, and (2) issues affecting the personnel under their command (to what degree they can legally be informed).”

### **RECOMMENDATION h**

#### **“COA agrees.”**

- “To ensure timeliness, consistency, and fairness in the disciplinary system, an independent party should be identified to review all recommendations for disciplinary action and imposed disciplinary action. This position or individual would provide oversight and the quality assurance component to performance and/or behavioral issues and identify training needs for supervisory personnel in order to improve, correct or modify identified behavior.”

### **RECOMMENDATION i**

#### **“The Chief Officers Association agrees with Controller Recommendation (i.).”**

- “Currently, the Department utilizes the Civil Service Commissions’ “Guide to Disciplinary Standards”, Section 33.2, in determining and proposing an appropriate disciplinary action relative to an act of misconduct. Section 33.2 provides suggested actions for a first, second, and third offense. The COA believes that Section 33.2 is designed for the civilian workforce and not for the sworn, public safety sector and should be modified and/or designed to more accurately reflect appropriate penalties for misconduct relative to sworn members of the Los Angeles Fire Department.”
- “Controller’s Recommendation (i.) includes a provision to “*include criteria for progression through channels.*” The Department needs to ensure that existing policies are adhered to that require that all reports to be forwarded to the person intended and should not be stopped at intermediate levels throughout the chain-of-command. Intermediate officers have the ability to respond to the report and include their response in conjunction with the initial report. Any member who fails to or unnecessary interferes with forwarding a report within an appropriate time period should be held accountable.”
- “In conjunction with Controller’s Recommendations (f.), (g.), and (h.) the

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criteria for progression of corrective action (counseling, notice to improve, reprimand – at the station, unit, battalion, section, division, and bureau, can be monitored, tracked, and documented).”

### **RECOMMENDATIONS I and 11**

**“COA Agrees with both recommendations.”**

#### **RECOMMENDATION j**

**“COA agrees.”**

- “By an agreed set of disciplinary guideline standards – fair, consistent, and applicable penalties for specific offenses can be adhered to throughout the entire disciplinary process.”

#### **RECOMMENDATION k**

**“COA agrees.”**

“The Chief Officers Association agrees that Controller’s Recommendation (k.) with the noted suggestion of providing complete and accurate documentation of the Skelly hearing through the use of a certified stenographer.”

- “Direct the Fire Department (i.e. Skelly Officer) to consider all pertinent and relevant evidentiary information during the pre-disciplinary hearing. All evidentiary information not substantiated during the hearing should be further investigated to support or discount the information. This would help ensure due-process to the employee during the process. Consider the use of a certified stenographer to accurately document the Skelly process.”

#### **RECOMMENDATION 10**

**“The COA does not agree with this recommendation.”**

- “Page 28 of the Personnel Department’s audit identifies Charter Section 1060 as being “deficient” due to the fact that there is no civilian involvement in the Board of Rights process as it currently exists in the Police Department process. The audit briefly discusses that “in the unanimous opinion of the stakeholders that the Board of Rights are marked with conflict of interest, favoritism, nepotism, and excess both in leniency and in stringency.” No objective facts or supporting evidence to change the current Charter section relative to the composition of the Board of Rights is provided other than the “opinion” of the stakeholders.”

**“The Chief Officers Association disagrees with this recommendation.”**

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- “The COA believes that the selection and composition of the Board of Rights should remain as currently written in the Charter. The Board can only act and make a finding of guilt/innocence and make an appropriate decision of the penalty based on the facts presented during the tribunal.”
- “It would be respectfully recommended that the Honorable Board of Fire Commissioners, either as a whole or in part, review the Findings of Fact and the Penalty Determination for recent Board of Rights to get a better understanding to whether or not the change in the composition of the members of Board of Rights would have a positive impact in the administration of discipline.”
- “It is the Associations belief that the “opinions” of the stakeholders that initiated this recommendation, is based solely on the perception of a publicized act and resulting publicize penalty without being completing aware of the facts that support or counter the charges and the determination of guilt by the Board.”

**“The COA does not agree with this recommendation.”**

### **RECOMMENDATIONS l, m, n, and 12**

**“COA agrees with the above recommendations with noted exceptions.”**

- “The COA believes that Advocates should be sworn members of the Department.”
- “Controller’s recommendation (m) describes EEO issues are handled by Fire Commission’s EEO section/office. This is in conflict with previous recommendations.”

### **RECOMMENDATION 13**

**“COA agrees.”**

- “Investigative practices should ensure that all witnesses are thoroughly interviewed during the investigative process. All interviews, conducted by Advocates should be tape-recorded.”
- “Independent oversight and/or the Skelly process can ensure that all witnesses have been interviewed and witness statements can be verified and are consistent with what is documented in written reports.”

### **RECOMMENDATION 11**

**“The Chief Officers Association agrees with Personnel Recommendation (11).”**

- “The Personnel Department’s Recommendation (11) coincides with and is equivalent to Controller’s Recommendation (i.).”
- “As with Controller’s Recommendation (i.); Personnel Recommendation (11) can be accomplished with collaboration between Department management and the recognized employee bargaining units. Implementation of this recommendation would have minimal financial impact on the Department.”

“(See comments relative to Controller’s Recommendation (i.).)”

**RECOMMENDATION 12**

**“The Chief Officers Association agrees with Personnel Recommendation (12).”**

- “The COA believes that not only Department Advocates and supervisory personnel assigned to supervise Department Advocates, but all Department supervisors should be provided with training that provides them with the skill set to initiate and if necessary conduct a thorough, diligent and objective investigation.”

Training, at a minimum, should consist of:

- Investigative techniques
- Investigative strategy
- Interview techniques
- Preparing for interviews
- Report writing
- Employee rights
- Legal Issues
- Note taking/Documentation

**Los Bomberos Response:**

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**Complaint and Disciplinary Process**

The following preliminary recommendations respond to the Controller's and Personnel Department's Audit, they have been developed through a comprehensive analysis and historical comparison of the original applicable '95 HRDC Recommendations. This analysis defines the '06 HRDC goals of a transparent process that is inclusive to all interests participating. More importantly the process provides an organized approach to develop a clear understanding of the issues identified in each audit.

In addition, the following Control Measures have been developed for consideration to be incorporated into the final recommendations of the Final Report from the Fire Commission. The Control Measures will serve to ensure that the intent of the '06 HRDC Recommendations are documented and to ensure accountability.

**Recommended Control Measures**

- Accountability Statements
- Quality Assurance Components
- Measures of Effectiveness
- Oversight and Reporting

NOTE: Specific definitions to be developed by the HRDC Committee.

**RECOMMENDATION e**

**“Agree with Controller’s Audit Recommendation and that the items from item I. to be included.”**

Additionally;

- The EEO Office remain reporting directly to authority of the Fire Commission
- The EEO Office scope of responsibilities be reviewed to comparable sized organizations both public and private to identify appropriate staff and resources to complete assigned responsibilities
- The EEO job description be re-evaluated to reflect the scope of responsibilities and that the salary grade be comparable
- The EEO develop and utilize an appropriate recording and tracking data base
- The EEO Office remain within the administrative office level with an additional office be added for issues and meetings of confidentiality
- Reject the Personnel Department's Recommendation item #6.

The Personnel Department's initial recommendation was provided on June 30, 2005 prior to completion of their audit and in direct contradiction to the Personnel

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Department's '95 Recommendation. Additionally, the Personnel Department's Recommendation places the EEO function five levels down in the Department organization reporting to the Fire Administrator prior to reporting to the Fire Commission.

More significantly, the current Fire Administrator has not been identified as having the experience or credentials to fulfill the requirements of the Personnel Department's Recommendation.

### **RECOMMENDATION I**

**“Agree with Controller’s Audit recommendation.”**

Additionally;

- Develop a review and analysis of recommendations from UFLAC and COA Guidelines to Disciplinary Standards and ensure they meet required criteria in Policy 33.2
- Review disciplinary model standards identified by the HRDC
- Additional recommendations to follow after completion of current research
- Ensure that the Disciplinary Standards are just, timely and comparable to other Fire Departments (size, philosophy, policies and procedures)

### **RECOMMENDATION L**

**“Agree with Controller’s Audit recommendation and that the recommendations from item I to be included.”**

- An Internal Affairs Division to be created within the authority of a Civilian Oversight Unit.
- Civilian Oversight to incorporate a “General Advocate” position
- The Civilian Oversight Unit report directly to the Fire Commission
- The permanently assigned investigative staff be assigned for not less than four years with offsetting replacement (two year intervals)
- Specific Investigative Training be provided by outside subject matter experts
- The permanently assigned LAFD investigative staff be paired with qualified and experienced civilian investigators for not less than 5 years
- The LAFD investigative staff be awarded a bonus for the second two years assigned
- Specific criteria for job description, selection criteria, specific appraisal criteria with annual evaluation be developed
- The Fire Commission and the HRDC be part of the selection board and review of potential applicants
- Specific policies and procedures of Rules and Regulations and Manuals and Orders guidelines be developed and incorporated into the Department Library

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## **RECOMMENDATION m**

**“Agree with Controller’s Audit recommendation and that the recommendations from item l to be included.”**

“Additionally;

- The EEO Office remain reporting directly to the authority of the Fire Commission
- The EEO Office scope of responsibilities to be reviewed to comparable sized organizations both public and private to identify appropriate staff and resources to complete assigned responsibilities
- The EEO job description be re-evaluated to reflect the scope of responsibilities and that the salary grade be comparable
- The EEO develop and utilize an appropriate recording and tracking data base evaluation and quality assurance
- The EEO Office remain within the administrative office level with an additional office off site be added for issues and meeting of confidentiality
- Reject the Personnel Department’s Recommendation item #6.
- The Personnel Department’s initial recommendation was provided on June 30, 2005 prior to completion of their audit and in direct contradiction to the Personnel Department’s ’95 Recommendations. Additionally, the Personnel Department’s recommendation places the EEO function five levels down in the Department organization reporting to the Fire Administrator prior to reporting to the Fire Commission. The current Fire Administrator has not been identified as having the experience or credentials required to fulfill the requirements of the Personnel Department’s Recommendation.”

## **RECOMMENDATION n**

**“Agree with Controller’s audit recommendations and that the recommendations From item l be included.”**

- A Civilian Oversight Unit be created to fulfill the required responsibilities and report directly to the Fire Commission.
- The Civilian Oversight Unit be comparable to the LAPD model, additional recommendations to follow upon completion of review of models presented

## **RECOMMENDATION 11**

- Develop a review and analysis of recommendations from UFLAC and COA
- Guidelines to Disciplinary Standards and ensure they meet required criteria in Policy 33.2
- The Civilian Oversight Unit be responsible for the development and review of the new Guidelines to Disciplinary Standards



- Review disciplinary model standards identified by the HRDC

Additional recommendations to follow after completion of current research

### **RECOMMENDATION 12**

**“Agree with Controller’s Audit recommendations and that the recommendations from item I. to be included.”**

- The unit structure, specific scope of responsibilities and position descriptions be developed by the Fire Commission and the HRDC.
- The subject matter experts qualifications and experience be reviewed prior to selection
- The Fire Commission and the HRDC be part of the selection board and review of potential applicants

**SIRENS Response:**

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**RECOMMENDATIONS e, 6, and 7**

**“Concur with audit recommendation.”**

- **“C(e) P(6) P(7)** - A true Equal Employment Opportunity (EEO) is responsible for monitoring compliance with City, State, and Federal EEO laws and regulations. Staff should investigate complaints of discrimination filed by employees on the basis of race ancestry, color, national origin, sex, creed, religion, age, disability, sexual orientation, medical condition and retaliation.”

“In 1994, Human Relations Implementation Plan originally recommended an EEO/AA Coordinator job. The job description included “work with Department management to: Assess the Department’s progress, revise goals and develop action programs, **investigate and resolve internal discrimination complaints filed with the EEO/AA Coordinator against the Department.**”

“It is imperative that the EEO component be emphasized and valued by this current Administration. Without it, we will continue to disregard EEO complaints and concerns.”

**RECOMMENDATIONS f, g, and 8**

**“Concur with audit recommendation.”**

- **“C(f) C(g) P(8)** - The establishment of a tracking system will allow the EEO Section to respond to trends that have historically disappeared from investigations. Although care needs to be addressed in regards to the rights and privacy of the individuals involved in the process, and the absolute importance of those rights.”

**RECOMMENDATION 10**

**“Concur with this recommendation in part.”**

- “An amendment to the City Charter requires multiple changes and time. As the entire disciplinary system is re-evaluated, the Charter amendment should be postponed until the new system has been established. This will assist the Fire Department in constructing a system that is organized, well thought out, and not piecemealed system, allowing ALL stakeholders to assess the Charter amendment.”
- “HRDC committee should assess other current Board of Right processes, which allow civilian oversight, paying close attention to the benefits and

# **DRAFT DRAFT DRAFT DRAFT DRAFT**

challenges of those systems. The stakeholders will play an important part in assessing new models for use.”

## **RECOMMENDATIONS h, i , j, k, 11, and 13**

### **Response in development**

## **RECOMMENDATIONS l, m, n, and 12**

**“Concur with audit recommendation.”**

**“Concur with audit recommendation in part.” (n)**

- **“C(l) C(m) C(n) P(12)** - A separate Internal Affairs Division, to include sworn and civilian investigators permanently assigned to provide consistency. Develop and implement disciplinary guidelines that are consistent with progressive fire departments.
- “The EEO/Sexual Harassment Counselor should be charged with the investigative function for EEO related complaints, with the ability to independently receive, fully investigate, and document all complaints within the EEO jurisdiction.”

“Accountability is key to the investigative process. Though this position will provide oversight, the system with which the position is being placed needs to be defined prior to the implementation. In the current system, this position adds another level of bureaucracy, which may or may not add to the problems currently addressed in the audit, such as:

- Unfairness
  - Discretionary discipline
  - Lack of accountability
- Permanent investigators should be given continuous training on the latest techniques used in investigation and discipline. In 1994, the original HRDC committee addressed this issue with recommendations that were never fully or adequately implemented. These recommendations included extensive training for advocates from sources outside the Department, and use of civilians for all or some of the investigative functions.”

### **Additional Information**

“The Los Angeles Police Department has a position referred to as “The Women’s Coordinator.” This position is located in the Department Ombuds Office and is available to all Department employees as a counselor and advisor for assisting sworn and civilian female employees in promotional and assignment opportunities. The Women’s Coordinator also acts as spokesperson for female officers in the resolution of problems unique to women; assists and monitors the efforts to recruit and retain female officers; advises on matters involving affirmative action relating to women; and counsels and advises on personnel, equipment and uniform problems involving female sworn employees.”

**Stentorians Response:**

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**RECOMMENDATION 7**

**“We agree in part with response #7, please add confidentiality for individuals reporting.”**

**RECOMMENDATION 6**

**“We disagree with response #6. (The Fire Administrator is under the Fire Chief’s supervision).”**

**RECOMMENDATION 8**

**“We agree with response #8.”**

**RECOMMENDATIONS 10, 11, 12, and13**

**“We agree in part with responses 10, 11, 12, & 13 but have grave concerns as to the “how to” or the possible implementations. We wish to express our concern for who will handle the creation of said guidelines.”**

- **“The Complaint and Disciplinary process can be very confusing and complex. The issues surrounding this subject need to be studied and reviewed to ensure that fair and equitable guidelines are established to resolve corrective action challenges.”**

**United Firefighters of LA City Local 112 (UFLAC) Response:**

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**RECOMMENDATION f**

**“UFLAC concurs with the intent of this recommendation.”**

**RECOMMENDATION g**

**“UFLAC cautions that the implementation of this recommendation does not sacrifice privacy or confidentiality where warranted and appropriate.”**

**RECOMMENDATION h**

**“UFLAC concurs.”**

- **“We caution that this recommendation be implemented in coordination with and be informed by how recommendations l, m, and n are implemented and developed.”**

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## **RECOMMENDATION i**

**“UFLAC concurs with the intent of the recommendation.”**

- “We have long believed that the current disciplinary system results in unequal application of discipline, as well as unnecessarily severe discipline in many cases.”
- “Therefore, disciplinary guidelines would be beneficial and should be developed **based on a benchmark study of penalties imposed by other comparable fire departments.**”

## **RECOMMENDATION j**

**“We concur.”**

- “If a penalty is imposed upon a member as a means of discipline, it should be one that is befitting the infraction, and not a penalty to be used in some sort of bargain.”
- “Currently by imposing such a bargaining structure, the Department is undermining its authority and creating low morale among the department ranks.”

## **RECOMMENDATION k**

**“We concur.”**

## **RECOMMENDATION l**

**“We completely concur with this recommendation.”**

- “Additionally, by professionalizing the investigative staff and permanently assigning investigators, the current practice of having members investigate members, who may ultimately work side by side, would end.”
- “This would result in a more trusted and fair process that members would ultimately believe in.”

## **RECOMMENDATION m**

**“We concur with the intent of this recommendation.”**

- “It is imperative that the individuals involved in the investigative functions be removed from the chain of command.”

## **DRAFT DRAFT DRAFT DRAFT DRAFT**

- “A member should never perceive that his/her complaint or investigation of him/her would come back in another form as retaliation or retribution. The only way to insure this is by removing the investigative functions from the chain of command, where the outcomes would be safe from manipulation.”

### **RECOMMENDATION n**

**“We concur, although we believe that this recommendation should be looked at in context with a comprehensive look at how the department investigates discipline and EEO cases.”**

### **RECOMMENDATION 8**

**“UFLAC concurs, understanding that the manner in which the reports are presented do not violate the privacy rights of those who the statistics are about.”**

- “Again, we caution strict adherence to this recommendation in that other recommendations may change the EEO section and reporting capabilities.”
- “UFLAC agrees that this information be provided to the appropriate compliance agencies and that the technology be identified to do so. However, if the EEO section is changed considerably as a result of other recommendations, we must be mindful that this recommendation be implemented consistent with the other changes.”

### **RECOMMENDATION 11**

**“We concur with the basic intent of the recommendation, recognizing that the current disciplinary system is not working and is in need of reform.”**

- “UFLAC is not specifically convinced that the ultimate change in the disciplinary system should be to accept Personnel Department policy.”

### **RECOMMENDATION 12**

**“We concur with the intent of this recommendation, recognizing that this be implemented as part of a comprehensive looking into improving the investigation process.”**

- “Additionally, we think that by making investigators permanent, this will go a long way at addressing the issue.”
- “However, the Department must also recognize the need that permanent investigators be given on-going training in the most updated techniques.”
- “Permanent investigators require on-going training and should receive information on how other agencies are modifying their functions over time.”

**RECOMMENDATION 13**

**“We concur.”**

**UFLAC- LIEBMAN and ASSOCIATES Response:**

**RECOMMENDATIONS e, l, m, and n  
RECOMMENDATIONS 6, 7, 12, and 10**

- “I believe that they are all directed at creating a new approach to discipline within the LAFD that will produce results that are fair, consistent and supportable; a goal I strongly support. Nevertheless I think that the recommendations should not be assessed individually but reviewed together to create a systemic response.”
- “This can and should take some months. This will ensure that good models are reviewed and vetted, a system designed and circulated among stakeholders for review, any labor/management issues subjected to bargaining and any charter amendments drafted.”

1. The Limits of the Audit - while we appreciate the urgency for response generated by the publication of the audit by the City Controller’s Office and by the Personnel Department we are mindful that both audits were either limited in scope in terms of what they reviewed or were of limited depth in terms of the time spent and exploration done. More important, the recommendations of both audits, are in our view, incomplete. They simply fail to address any of the systemic challenges that may have given rise to the needs they identified. This is most notable in areas of the recommendations regarding recruitment of women and in those concerning the elimination of discrimination and hazing.

Thus, we feel it is imperative that the Board of Fire Commissioners not limit its efforts at reform to only those recommendation surfaced by the audits but also remain open to and aware of recommendations that could provide meaningful, long term systemic and culture change in the LAFD.

2. Timeline – again, we understand the need to provide an Action Plan to the Mayor within the time frame requested by him. However, we strongly urge that the Board and the Fire Department not undertake the implementation of any recommendations under a timeframe that sacrifices meaningful change to expediency. It is our judgement that programs, policies and practices undertaken in haste without consideration of the various ramifications of those changes has led to many of the current challenges faced by LAFD. A thoughtful, realistic timeframe should be proposed and then regular assessments made as to progress. Such assessments should include steps to rectify needless delays and measures that hold those responsible for the changes accountable for the changes and any delays in implementing them.

**Los Angeles Fire Department (LAFD) Management Response:**

**RECOMMENDATIONS 6, 7, 8, and 9**

**“Recommendations 6,7,8, and 9 are each valid and achievable recommendations.”**

- “Recommendation 6 maintains oversight of the EEO unit within the Department’s chain of command, in contradiction with recommendation E above.”
- “In order for Recommendation 7 to be effective, the EEO unit would need to be staffed with trained investigators.”
- “Recommendation 8 is valid and easily achievable. Recommendation 9 infers that the Fire Commission has the authority to direct the Personnel Department provide training to LAFD staff, if the staff hired is not already trained, or the LAFD could seek outside sources for training.”

**RECOMMENDATIONS e, 6, and 7**

**“These recommendations are supported with minor revision to Recommendation 6.”**

**“Recommendation E is valid and achievable.”**

- Option 1. EEO investigation, tracking and reporting functions to be fully assumed by the newly formed Professional Standards Bureau (PSB) as further defined in Item Controller’s Audit Item L. All PSB activities audited by the existing staff of the Fire Commission and Fire Administrator for forwarding to the City Personnel Department.
- Option 2. Contract with LAPD Professional Standards Bureau to investigate all EEO complaints, and report findings to LAFD PSB.

**RECOMMENDATIONS F and G**

**“This recommendation is supported.”**

**RECOMMENDATIONS H, L, 8 and 11**

**“This recommendation is supported.”**

- “Provides for consistency, enhanced morale and accountability.”

**RECOMMENDATION J**

**“This recommendation is supported.”**

- “The Operations Office agrees with the Controller’s Audit and this recommendation has been a long standing practice of the Commander of Operations to carefully weigh all the facts, testimony and information introduced in the Skelly Hearing in determining guilt or innocence of the member.



**RECOMMENDATIONS K and 13**

**“This recommendation is supported.”**

- “The Department currently utilizes careful criteria to determine if additional investigation or witness interviews are required. Consideration must be given to the criteria for a good witness, including:

Can the witness provide first hand knowledge

Can the witness provide relevant knowledge of the facts surrounding the charges

Do we have reasonable access to a witness

Degree of credibility (Certain witnesses with past criminal history, close family ties, substance abuse problems, etc. can be assumed not to possess the necessary objectivity required of a credible witness)”

**RECOMMENDATIONS L and 12**

**“This recommendation is supported.”**

- “Create a new and separate Professional Standards Bureau (PSB), reporting directly to the Office of the Fire Chief. Proposed staffing requirements would include a greater number of sworn investigators of varied ranks, the addition of civilian investigators, and the addition of Chief Officers up to and including the rank of Deputy Chief.”

**RECOMMENDATION M**

**“This recommendation is supported with minor revision.”**

- The proposed Professional Standards Bureau answers this requirement, as it will report directly to the office of the Fire Chief with oversight provided directly by a representative of the Fire Commission.

**RECOMMENDATION N**

**“This recommendation is supported.”**

- “Utilizes a specially trained person to maintain the integrity of the investigation and reporting process.”
- “Identifies training needs within the Professional Standards Bureau.”

**RECOMMENDATION 10**

**“This recommendation is supported.”**

- “Provides the opportunity for civilian participation within the disciplinary process.”
- “Supports the concept of public trust.”

“Option 1. A member of the Fire Commission will participate as the third hearing officer in a Board of Rights.”

“Option 2. By ordinance certain members of the public will be selected to participate as the third hearing officer in the administrative tribunal currently known as the Board of Rights.”

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**CITY OF LOS ANGELES  
BOARD OF FIRE COMMISSIONERS**

**Complaint and Disciplinary Process**

**ACTION PLAN RECOMMENDATIONS**

# **Human Relations Issues**

**CONTROLLER'S RECOMMENDATIONS**

(Alphabetically Assigned in the Order Presented in the Controller's Audit)

- o. Undertake a department-wide initiative to address the LAFD's hostile workplace issues, including harassment, hazing and discrimination concerns. Under the Fire Chief's leadership, this comprehensive effort should include gaining input and insights through workplace forums and focus groups representing all civilian and sworn firefighter levels, employee associations and unions and other interested stakeholders. The objective of these meetings would be to create specific action plans to address problems identified, and to establish measurable timelines for completion. The LAFD's approach must be developed in such a way that all employees are encouraged to participate without fear of retaliation or other retribution
- p. Create an employee evaluation and recognition process that addresses firefighter adherence to, and application of, the human relations goals of the LAFD. Assure through training, professional development and counseling that each member is accountable and has the tools to effectively fulfill the LAFD's core values regarding workplace interactions.
- q. Determine whether the current promotional system administered by the Civil Service Commission can be modified to include subjects related to human relations management and other areas directly related to LAFD's mission. Work with the appropriate organizations to assure the promotional process is relevant to LAFD's needs.
- r. Continue to provide the recent department-wide Human Relations training initiatives and, through a rigorous feedback system, expand or strengthen them as opportunities arise.

**PERSONNEL RECOMMENDATIONS**

- 5. Direct the Fire Department to evaluate the effectiveness of the human relations training program, and work with the Personnel Department and the Human Relations Commission to modify and enhance the program as appropriate
- 3. Direct the Fire Department to reevaluate previously implemented Human Relations Development Committee (HRDC) recommendations, implement the remaining HRDC recommendations and ensure that each one is effectively achieving the goal of the original HRDC recommendation
- 9. Direct the Personnel Department to make equal employment opportunity/discrimination complaint investigation training available to all staff assigned to the Fire Department's Equal Employment Opportunity Section.

**Chief Officers Association (COA) Response:**

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**RECOMMENDATIONS O and 5**

**“COA disagrees with recommendations as noted. Recommendations need to be better defined.”**

- The COA believes that before starting an initiative, we should survey all members to get an idea on the scope and nature of workplace issues that are in need of change or that we desire to change. Once the issue(s) are clearly defined, and then a decision can be made on making a focused initiative to correct any problems.

**RECOMMENDATION 3**

**“COA agrees in principle.”**

- Many HRDC recommendations previously implemented (informal or formal) have not benefited the organization, i.e., hiring/selection procedures have become too cumbersome and/or have become too labor intensive. Need to review past HRDC recommendations and evaluate efficiency and effectiveness of implementation.

**RECOMMENDATION P**

**“COA agrees with exceptions.”**

- If rating factors can be objective, measurable, evenly applied and easily quantified. Consider providing immediate supervisor(s) with yearly goals and objectives for the following evaluation period.
- The Department needs to provide all Officers with performance evaluation training to ensure objectivity and consistently (Department-wide) in the evaluation process.
- What does the auditor mean or how is “tools” defined?

**RECOMMENDATION Q**

**“COA agrees.”**

- The COA agrees with this recommendation if the components of the promotional exams can be measured and will be predictive of future performance. The Association also believes that an SME, intimate to LAFD operations, policies and procedures be included in the examination process.

## **DRAFT DRAFT DRAFT DRAFT DRAFT**

- Consider another component of the examination process to include a review of the candidate's personnel file. This should be considered and coincide with supervisory training in objective performance evaluations.

### **RECOMMENDATION 9**

**“COA agrees.”**

- Training must be kept in proportion to training time available and other training needs. Consider an individual or Unit to assist Officers with complaint type questions and complaint investigation procedures.

### **RECOMMENDATION R**

**“COA agrees as noted.”**

- First, determine if the recent department-wide HR training are achieving the desired results/outcomes. If they are, continue.
- Utilize available technology, such as internet based HR training.

### **RECOMMENDATION 1**

**“COA agrees as noted.”**

- Recruitment efforts should have specific goals and objective measures to ensure that goals of qualified candidates are being attained. Events should be critiqued to determine methods to improve intended results.

**Los Bomberos Response:**

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**(Response in development)**

**SIRENS Response:**

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The SIRENS reserves the right to revise, rework, adjust or amend these recommendation responses as we move collectively through this post-audit process.

**(Response in development)**

**Stentorians Response:**

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**RECOMMENDATION 5**

**Human Resource Management Issues**

- Most Members of the Los Angeles Fire Department are unaware of our Human Resource goals. Therefore, that is unable to strive to achieve those goals because they are vague or unknown.
- The Departments Human Resource goals should be communicated in a clear and precise manner to all members.
- Provide department wide human resource training to all members specifically discussing Human Resource goals and provide feedback and discussion on current issues.
- Human Resource goals should be placed in department training material. (rules and regulations, manual of operations, and department bulletins)
- Require company commanders to review and document training on the Human Resource goals of the department on a quarterly basis.
- Empower the Equal Employment Opportunity officer to review and monitor ALL workplace complaint issues to assure compliance with Federal, State and Local laws.
- Establish a system for the independent and or external monitoring of Human Resource issues such as sexual harassment and or workplace environment issues.

**RECOMMENDATION Q**

**The Promotional Process and Special Duty Selection Process**

- The promotional process lacks integrity. Many members are aware of the results of internal interviews (three whole scores) prior to the completion of the process spreading information on who failed or in some cases have received copies of the grading criteria prior to interviews.
- The Personnel Departments use of Los Angeles Fire Department subject matter experts for developing promotional examinations could possibly lead to the process being compromised.
- The Special Duty Selection Process is skewed. When vacancies exist for special duty, it is predetermined who will fill the vacancy. Although, an interview process is carried out, it is merely an exercise of futility.
- Utilize informed external Subject Matter Experts to develop promotional test and grading criteria and score sheets for promotional examinations. Insure that department members conducting three whole score interviews have controlled and very limited access to grading criteria and score sheets prior to interviews being conducted.
- Include a Interview Specialist or Civilian assigned by the Personnel Services Section who shall:
  - Participate in the Three Whole Score process
  - Deliver and pick-up grading criteria / score sheets on a daily basis
  - Deliver material to the Personnel Services Section for processing
- Have the Department's Equal Employment Opportunity officer or other person determined by the Fire Commission to participate in and monitor the Special Duty Interview Process.



**United Firefighters of LA City Local 112 (UFLAC) Response:**

**RECOMMENDATION O**

- A department wide initiative is a worthy goal. Local 112 is currently studying these issues with consultant Abby Liebman. Her work is still in progress, and we therefore are not yet ready to endorse a program that includes forums and focus groups. Abby may suggest an initiative with different components.

**RECOMMENDATION P**

**“We concur.”**

**RECOMMENDATION Q**

- We concur that human relation skills should be measured to some degree during the examination process. We must caution that significant modifications to promotional processes will require negotiations with Local 112. As always, Local 112 will support appropriate and reasonable proposals at the bargaining table.

**RECOMMENDATION R**

**“We concur.”**

**RECOMMENDATION 3**

**“We concur.”**

**RECOMMENDATION 5**

**“We concur.”**

**RECOMMENDATION 9**

**“We concur.”**

**UFLAC - Leibman & Associates**

**RECOMMENDATION O**

- I support the first portion of the recommendation regarding a Department-wide initiative as a goal for the Department but it is far too vague and overbroad to actually be termed a recommendation.

## **DRAFT DRAFT DRAFT DRAFT DRAFT**

- I do not support the second portion of the recommendation regarding forums and focus groups. In my opinion such efforts would be redundant at best and a waste of time and resources at worst.
- Recommendation “o” is far too broad to be meaningful.
- Including “hazing” as a form of hostile environment is an inaccurate application of a term of art and is misplaced here. The changes needed to eliminate hazing are likely to be quite different from those designed to remove bias.

### **RECOMMENDATION 3**

#### **“I support recommendation 3.”**

- It’s clearly a valid recommendation given the wealth of statistical and anecdotal information supporting it. As written it is simply not manageable.
- The LAFD must review the recommendations made by HRDC to determine the following:
  - Relevance
  - Meaningfulness
  - Timeliness
  - Clarity
  - Specificity
  - Accountability
- The real challenge here is to undertake a change in the LAFD culture so that it is the one so many members of the Department expected it to be, and hope that is or can be. The Department has to implement this recommendation in the context of appreciating the underlying causes for the problem identified here.
- In order to undertake such a change the LAFD has to make certain it explores the interrelationship between:
  - Its policies and practices (as written and as implemented)
  - The composition of the Department (recruitment and hiring)
  - The priorities of its leadership (from the Chief especially to Captains)
  - Its commitment to professionalism (at all times while on duty)
  - Its approach to training and inculcating new recruits
  - Changes that make LAFD a model for innovative approaches to firefighting (equipment, support systems for its employees, facilities)

**RECOMMENDATIONS P and Q**

**“I support both recommendations.”**

- Without such accountability, a vision, goals or other mandates regarding the import of diversity is virtually meaningless.
- These recommendations presuppose an evaluation system at all levels that is fair, accurate and acceptable to all those subject to it as designed and as applied. There is a great deal of information suggesting that this is not the case currently in the LAFD.
- A systemic review and revision of the evaluation and promotion process is probably a necessary prerequisite to the implementation of these recommendations.
- Developing standards/goals to which all employees should aspire with regard to human relations.
- Identifying mechanisms to determine employee success or failure in meeting those standards.
- Identifying alternatives to traditional “testing” to determine employee adherence to, and application of, human relations goals.
- Ensuring that at least some portion of such assessments can be done objectively (employees attend certain trainings, employee’s brief colleagues on information, etc.).

**Los Angeles Fire Department (LAFD) Response:**

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**RECOMMENDATION O**

**“Recommendation O’s validity and achievability are most clearly embodied in the second sentence.”**

- The proposed initiative must be embarked upon with extreme care and deliberation. As recommended, it should involve the input, feedback, and monitoring of members of all ranks. The architect of the overall plan should have expertise in organizational management, communication skills, and interpersonal and group conflict management. This most likely means that the Department must partner with an external individual or agency.
- Models of workplace forums and focus groups are plentiful. Those that focus on reluctant or resistant participants should be closely studied.

**RECOMMENDATION P**

**“Recommendation is valid.”**

- This will require a thorough analysis of the current evaluation methods, how the implementation of a new performance evaluation program will measure successes and non-successes, and what training will be required to fully implement a new program. Adherence to, and application of, the human relations goals of the Department needs to start at the top of the organization. An evaluation system must provide a mechanism for clarifying roles and responsibilities within the organizational framework and establishing approaches to setting performance goals. Performance successes and inadequacies must be regularly monitored and reviewed, so that useful feedback can be provided.
- A review of “Guidelines for Appraising Employee Performance”, provided by the City’s Personnel Department, followed by an appraisal of a sampling of corporate and agency employee performance evaluation models would provide concrete examples of a viable framework.

**RECOMMENDATION Q**

**“Recommendation has merit, but requires further research as to the scope and approach.”**

- Although questions addressing Human Relations concerns are currently part of the promotional process, subject matter experts have not developed them.

## **DRAFT DRAFT DRAFT DRAFT DRAFT**

As part of the research, the Department should consult with Human Relations Subject Matter Experts to design layered questions and scenarios.

- A volunteer committee of experts can be convened on an ad-hoc basis to serve as a Board of Advisors to assist the Department in designing and developing questions.

### **RECOMMENDATION R**

**“Recommendation is valid and achievable with limitations outlined below.”**

- Human Relations training is but one component of a City, Department, and Fire Service-wide approach to cultivating leadership and accountability, increasing diversity through natural, unforced measures, improving the work environment and restoring trust in the complaint and disciplinary process. The training initiatives can be expanded and evaluated with additional staffing and resources.
- Two documents: an overview of human relations training design and delivery and a 2005-2007 training schedule has been distributed to HRDC members and advisors for their review and input.
- Input and feedback will be considered for incorporation into training approaches and scheduling. Documents reflecting these changes will be submitted to the HRDC for inclusion in the final report to the Mayor’s Office.

### **RECOMMENDATION 3**

**“Recommendation 3 is valid and achievable, with limitations outlined below.”**

- The HRDC should be the lead entity charged with reviewing the 25 recommendations with the Department’s actions to date. Their findings should be inputted to an electronic, track-able, web-based version of the 1995 HRDC Recommendations Matrix. Once updates have been made to the matrix, a thorough analysis can be applied to each recommendation, its outcomes, its sustainability, and its success rate.
- Microsoft Office Online has downloadable templates for tracking changes and forecasting outcomes.

### **RECOMMENDATION 5**

**“Recommendation 5 is valid and achievable, with the limitations noted below.”**

## **DRAFT DRAFT DRAFT DRAFT DRAFT**

- A number of entities and individuals should be invited to evaluate human relations training. This should include the Fire Department, the Personnel Department, the Commission on the Status of Women, the Human Relations Commission, community leaders and stakeholders, and trainers and training managers of other City Departments. An in-house Human Relations Training Section should be created, staffed, and funded so that human relations research, training, evaluation and resources can be included as regular items in the Department's annual budget.
- A proposed structure of a Human Relations Training Section has been drafted and is available to all stakeholders for review and input.

### **RECOMMENDATION 9**

#### **“Recommendation 9 is valid and achievable.”**

- Recommendation 9 infers that the Fire Commission has the authority to direct the Personnel Department to complete a task. The Fire Commission could certainly request that the Personnel Department provide training to LAFD staff, if the staff hired is not already trained, or the LAFD could seek outside sources for training.
- This requires changes to existing rules and regulations; the responsibility to investigate EEO complaints remains within the chain of command; staffing of the unit.

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**CITY OF LOS ANGELES  
BOARD OF FIRE COMMISSIONERS**

**Human Relations Issues**

**ACTION PLAN RECOMMENDATIONS**

# **Drill Tower Recruit Training Academy**



**CONTROLLER'S RECOMMENDATIONS**

(Alphabetically Assigned in the Order Presented in the Controller's Audit)

- s. Assure that only recruits who have achieved passing scores for each performance standard during the Drill Tower academy are hired as probationary firefighters.
- t. Cease the Fire Chief's practice of overruling Drill Tower instructors' recommendations to terminate recruits until the resulting qualitative and quantitative impact to the recruit, co-workers and the public have been fully considered; and the perception among firefighters of special treatment and favoritism has been addressed. While the number of firefighters from certain underrepresented groups has increased as a result of the Fire Chief overruling Drill Tower instructors, only if such an evaluation overwhelmingly demonstrates that an overriding public benefit is achieved can such actions be justified.
- u. Review the Drill Tower statistics for the 2005 graduates and those that come later to assure the retention rates, manipulative and academic test scores and other performance measures fulfill LAFD's need to train and advance fully-competent firefighters. Also, track graduates through their probationary periods to whether the newly revised curriculum needs to be modified.

**PERSONNEL RECOMMENDATION**

(Numbers Coincide with Personnel Dept. Audit Numbering)

- 1. Direct the Fire Department and the Personnel Department to jointly report back in 120 days with a comprehensive; recruitment, testing, and selection action plan to increase the number of women, including minority women, in the sworn fire service.
- 2. Direct the Fire Department to provide semi-annual status reports to the Mayor and Fire Commission on the progress of increasing the diversity within each sworn classification in the Fire Department, including a sex and ethnic breakdown of each Drill Tower class, and the probationary pass rate of each class.
- 14. Direct LAFD and Personnel Department report back to the Mayor and City Council on the implementation status of these recommendations in six months.

**Chief Officers Association (COA) Response:**

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**“COA agrees with Controller Recommendation (s).”**

- “Establishing minimum performance standards of critical and essential tasks should be determined and measured. Passing scores in the academy should be a good predictor of performance as a Firefighter.”

**“COA agrees with Controller Recommendation (t).”**

- “We need to support our Recruit Training Cadre in evaluating and determining if a recruit has satisfactory completed all evolutions to the Department standards. If a recruit is unsatisfactory, they should be terminated in the Training Academy. The field (Bureau of Emergency Services) should not be relied upon to terminate them.”

**“COA agrees with Personnel Recommendation (1) as noted”**

- “Recruitment efforts should have specific goals and objective measures to ensure that goals of qualified candidates are being attained. Events should be critiqued to determine methods to improve intended results.”
- “Consider re-focusing our recruitment efforts at non-traditional events, such as EMS conventions with the caveat that we are recruiting for the position of “Firefighter”. We don’t believe in re-creating a “single function position”.”

**“COA agrees with Personnel Recommendations (2) and (14).”**

**Los Bomberos Response:**

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Developing a response.

**SIRENS Response:**

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Developing a response.

**Stentorians Response:**

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**“We agree in part with response #1.”**

- “Review and listen to current recruitment cadre and determine what is needed.”

**“We agree with response #2 and #14.”**

- “Evaluate don’t eliminate the current recycle process.”
- “Reevaluate the training & grading on skills with a high failure rate. Consider changing the word **standard** to guideline to remove rigidity.”
- “The Fire Chief ***should*** maintain the authority to deny or approve the recommendation to terminate a recruit.”

**United Firefighters of Los Angeles Local 112 (UFLAC) Response:**

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**“We concur with City Controller’s Audit Recommendation “s”.**

**“We concur with City Controller’s Audit Recommendation “t”.**

- “We believe that it will probably always be impossible to justify allowing failing candidates to graduate, or to adequately address the negative perceptions and animosities created among firefighters when that occurs. We believe that an all-stakeholder revamp of both the Drill Tower and *preceptor program* used for field training is essential. There must be agreement between stakeholders regarding an appropriate Drill Tower standard and training regimen if we hope to change the LAFD culture of skepticism, hyper-scrutiny and harassment of rookies.”

**”We concur with City Controller’s Audit Recommendation “u”.**

**“We concur with a caveat Personnel Dept. Audit Recommendation 1.”**

- The short-term focus needs to be on better recruitment. Any changes to the testing and selection process that are tilted to favor women over men will only lead to deeper human relations problems on the LAFD, and should be avoided. The long-term focus must be on ending the cultural issues and barriers that currently exist. The Drill Tower must be revamped so that women are no longer stigmatized by it. Field probation must be revamped as well, with team-building, practical instruction and peer acceptance as goals, and an insistence that no form of harassment be tolerated.

**“We concur with Personnel Dept. Audit Recommendation 2.”**

**“We question Personnel Dept. Audit Recommendation 14 as to whether there is a need for the Personnel Dept. to have monitoring and reporting responsibilities regarding the final action plan put forth by the Fire Commission to address the recommendations.”**

- “Regarding these new audits Local 112 would prefer monitoring done jointly by LAFD stakeholders, the Fire Commission and LAFD management.”

#### **UFLAC - Leibman & Associates Response:**

**Leibman & Associates analysis indicates “there is much support for RECOMMENDATION “1”if the essence of the recommendation is to develop a comprehensive recruitment and hiring plan in order to increase the number of qualified women in the LAFD.”**

- “I believe this recommendation would be unacceptable if it is suggesting that LAFD implement testing and selection processes for women that differ from those offered to men.”
- “Among the challenges of recruitment in the LAFD is the Department’s reputation in the community with regard to the treatment of women firefighters and the culture in which all firefighters work. It is likely that no recruitment effort will be successful without a complementary commitment to culture change that is highly visible.”

**Los Angeles Fire Department (LAFD) Response:**

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**“Recommendation S is valid and consistent with existing practice.”**

- “Improvements continue to be made to the Drill Tower/Recruit Academy. Input from Recruit Academy staff, recruits, field members, and other stakeholders has been incorporated into Academy improvements in the curriculum, program scheduling and sequencing, ratings, and other elements to better prepare the recruits for their field probation and improve their opportunity for success. Recruits have to achieve a passing score for each of the rated evolutions in the Recruit Academy.”

**“Recommendation T is not valid because it is predicated upon questionable conclusions.”**

- “The Fire Chief must be committed to maintaining integrity in the recruit training and evaluation process and therefore must retain the right to overrule a decision that may be rooted in findings derived from subjective standards and observations. It is his responsibility to serve in this role as part of the checks and balances system and to ensure that the goals of the City are achieved.”

**“Recommendation U is valid.”**

- “The Fire Department collects data on recruit performance based upon manipulative and academic test scores. It also maintains statistics on recruit retention rates. The Quality Assurance (QA) Unit tracks graduates throughout their probationary period and provides the Recruit Academy with feedback on the effectiveness of the 17-week curriculum.”

**“Recommendation 1 has valid and achievable points.”**

- “The Personnel Department is preparing the portion of the plan that addresses testing and selection. A Recruitment Work Group (consisting of representatives of the Fire and Personnel Departments and Employee Representation Groups) has been assembled to address the recruitment portion of the plan. Goals include assessing current recruitment efforts, researching best practices, and producing a comprehensive recruitment plan.”
- “The Personnel Department will notify the Fire Department once its plan has been devised. The Work Group will continue to meet until its goals have been met and can provide quarterly progress updates to the HRDC.”

**“Recommendation 2 is valid.”**

- “The Fire Department will provide semi-annual status reports as recommended.”
- “The first status report will be prepared in advance of a date selected by the Mayor and communicated to the Fire Commission and Fire Department.”

**DRAFT   DRAFT   DRAFT   DRAFT   DRAFT**

**CITY OF LOS ANGELES  
BOARD OF FIRE COMMISSIONERS**

**Drill Tower Recruit Training Academy**

**ACTION PLAN RECOMMENDATIONS**