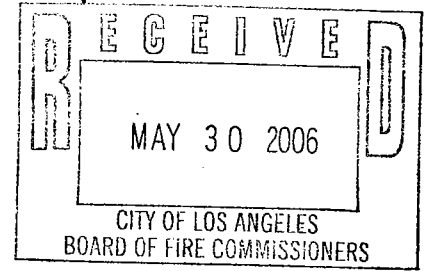


JUN 6 2006

**LOS ANGELES FIRE DEPARTMENT**



WILLIAM R. BAMATTRE  
FIRE CHIEF



May 30, 2006

TO: The Honorable Board of Fire Commissioners

FROM: William R. Bamattre, Fire Chief

SUBJECT: **BOARD OF FIRE COMMISSIONERS REQUEST FOR DEPARTMENT  
POLICY DEVELOPMENT AND COMMUNICATION PROCEDURES**

**SUMMARY**

During the Board of Fire Commissioner's regularly scheduled meeting, conducted Tuesday, April 18, 2006, the Board directed the Department to provide a written report to the Commission detailing the process by which Discretionary and Non-Discretionary Department policy is created and communicated to Department personnel. The following information has been prepared to comply with the Board's directive and is respectfully submitted for review.

**DISCUSSION**

Los Angeles Fire Department policy and procedure is categorized as either Discretionary or Non-Discretionary policy and is generally identified and developed from circumstances necessitating or requiring procedural change to improve organizational efficiency and effectiveness.

A discretionary policy is one in which there is no hard and fast rule as to the course of action that must be taken, rather one must exercise judgment as to what is proper and appropriate under the given circumstances. A non-discretionary policy is absolute and not subject to interpretation or the exercise of judgment.

Recommendations for new policies may originate from respective Bureau Commanders or the Fire Chief. New policy and/or amendments to existing policy are primarily instituted to increase the level of safety and welfare of Department members. In all cases, the Fire Chief is apprised on progress, implementation and results of the policy development process. At times, the development of new policy is time sensitive and requires an immediate response, usually related to areas concerning member safety and liability risks to the Department.



### **Discretionary Policy Process**

The following example represents a broad overview of the Discretionary Policy process:

The Fire Chief determines an emergency vehicle driving policy is needed and directs the following action:

- Operations Commander consults with Bureau Commanders.
- Bureau Commander tasks staff work.
- In-Service Training creates document.
- Bureau Commander reviews.
- Operations Staff reviews.
- Planning reviews.
- Copies of document distributed to Chief Officers at Executive Officers Symposium (EOS) for suggestions.
- Distribution to Labor Organizations and Stakeholders for feedback.
- Planning Section makes revisions.
- Operations Commander reviews.
- Bureau Commanders review.
- Final approval of document by Fire Chief.
- Distribution

Discretionary authority to implement organizational policy is granted to the Fire Chief through the following governing citations:

*City of Los Angeles Charter; Section 522, Article V States:*

The Fire Chief is the Chief Administrative Officer of the Fire Department. The Fire Chief has the powers and duties enumerated in Charter Section 522 and is responsible for administering the Fire Department in accordance with Article V of the City Charter.

*Los Angeles Fire Department Rules and Regulations; Section 1e States:*

Subject to the provisions of the Charter, the Rules and Regulations of the Department and the instructions of the Board, the Fire Chief shall establish suitable measures to put into effect the policy, Rules and Regulations, practices and procedures, necessary for the efficient operation of the Department.

*Employee Relations Ordinance Section 4.859 States:*

Although the Fire Chief does have discretionary authority to implement policy, this does not preclude the Fire Chief from consulting with the various labor organizations prior to implementation. Any policy that directly affects wages, hours and working conditions must be negotiated through the "Meeting and Conferring" process with

the appropriate labor organization. This pertains to issues that have "Practical Consequences" on wages, hours and working conditions of employee organizations. Employee Relations Ordinance Section 4.830 "Meeting and Conferring and Consulting."

1) Meeting and Conferring

- a) The scope of meeting and conferring in good faith between management representatives and representatives of recognized employee organizations includes, but is not limited to wages, hours, and other terms and conditions of employment within the employee representation unit.
- b) Meeting and conferring shall not be required on any matter preempted or specifically provided for by Federal or State law or the City Charter, nor shall meeting and conferring be required on the exercise of Employee rights or City Management Rights as defined in Sections 4.857 and 4.859 of this Code. Rules and regulations adopted pursuant to Government Code Sections 3504.5 and 3507 and Rules of the Employee Relations Board and proposed amendments thereto are excluded from the scope of meeting and conferring but are subject to consultation as provided below.

2) Consultation

- a) The scope of consultation between management representatives and representatives of affected qualified employee organizations includes employee relations matters that are specifically excluded from or otherwise not subject to the meet and confer process.
- b) Every reasonable effort shall be made to have such consultation prior to effecting basic changes in any rule or procedure affecting employee relations.

**Non-Discretionary Policy Process**

The following examples represent an overview of the Non-Discretionary Policy process:

The Bureau of Emergency Services Commander determines a policy change relative to safety equipment is needed and directs the following:

- Bureau Commander tasked with project.
- Safety Officer creates document.
- Bureau Commander reviews.
- Document sent to Labor Organizations/Stakeholders for review.
- Operations staff for review.
- Fire Chief for approval.
- Distributed by Operations.

The Bureau Commander of Emergency Services determines a new EMS Treatment Protocol policy is needed.

- Concerned Bureau tasked with project.
- Document is written.
- Bureau Commander reviews.
- Operations reviews and approves.
- Fire Chief for approval.
- Document distributed.

**Additional Non-Discretionary Policy Implementation Measures**

- Proposed policy may originate from any Division, Section, Unit or member within a Bureau or based on recommendations by concerned staff.
- Appropriate Bureau staff draft policy. Bureau Commander reviews policy for accuracy, amendments, modifications and/or approval.
- Resources for collaborative development of policy include, but are not limited to:
  - Committees-Subcommittees-Focus workgroups
  - Labor-Management
  - Stakeholders
  - United Firefighters of Los Angeles City (UFLAC)
  - Chief Officers' Association (COA).
  - Los Angeles Fire Department Employee Relations Officer (ERO)
- A responsible Bureau develops a plan for implementation. Time sensitive policies are prioritized for immediate approval and subsequent distribution to department personnel.
- Policy undergoes comprehensive review by the Operations Commander for accuracy and potential conflict with current policy, rules and regulations, prior to final approval. Operations Commander may consult labor organizations for additional recommendations on policy distribution.
- Operations Commander may approve policy with the permission of Fire Chief.
- Fire Chief may review policy at his discretion. The Fire Chief may not have the opportunity to review and approve all policies, but authorizes the Operations Commander to act on his behalf.

### **Communication of Developed Policies**

Once a discretionary or non-discretionary policy has been formulated, a number of avenues are utilized for communicating the new policy to uniformed and civilian employees. These methods include:

Policy Reproduction/Distribution - Policy is forwarded to the LAFD Manual and Orders Unit for physical reproduction and distribution to all department work locations via Department Mail for inclusion in each Department Library. At the beginning of each year the contents of every library are verified using a checklist "Special Order #1". The responsible member orders materials identified in the library as missing or requiring update from the Manuals and Orders Unit.

Electronic Communication System (E-COMM) - A computer network folder developed in 2004 titled "Department Information." This folder is available at every Department network computer, including all Fire Stations, Non-Fire Stations, Battalion headquarters and Division headquarters work locations. The folder provides real-time access to view the latest approved Department messages and policies including: Information Notices, Special Notices, Fire Chief Letters, Fire Commission documents, Weekly Bulletins, Safety Bulletins, etc. Additionally, items posted to the E-COMM folder are then e-mailed to the United Firefighters of Los Angeles, Chief Officer's Association, Credit Union and the Relief Association. E-mail of E-COMM items is required for these outside organizations as City policy prohibits the placement of City network computers at non-city facilities.

Teletype - Communications requiring immediate notification to fire station work locations that are operational in nature or time critical are also transmitted via Teletype printer to each fire station.

Verbal Communication via Supervisors – New policies and other Department information are disseminated during daily line-up meetings at fire stations and scheduled work location meetings by assigned supervisors. Line supervisors as needed then address questions regarding new policies.

Documentation – New policies and information are documented in the Fire Station journals for members to review. If the policy is discussed with all members the supervisor, when mandated enters information into each members Personal Record Book (PRB).

**CONCLUSION**

As new technologies evolve, the actual process used to develop and communicate Discretionary and Non-Discretionary policies, along with other relevant Department information, will improve. Current methods being used provide for the effective administration of daily Department affairs using both manual and electronic formats. As improvements to policy development and communication are identified, the Department will continue to take constructive steps to enhance in-place systems.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "William R. Bamattre". The signature is fluid and cursive, with the first name "William" being the most prominent.

WILLIAM R. BAMATTRE  
Fire Chief