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DATE: August 12, 2008

TO: Board of Fire Commissioners

FROM: Beatrice R. Lopez, Commission Staff

SUBJECT: INDEPENDENT ASSESSOR CLASSIFICATION SPECIFICATIONS

BOARD OF FIRE COMMISSIONERS
FILE NUMBER 08-127

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 Withdrawn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

Recommendations: That the Board:

1. Approve the final draft of the Independent Assessor Classification Specifications
2. Transmit the draft to the Civil Service Commission for adoption.

Summary: The attached draft of the specifications for the classification of Independent Assessor has been created through the collaboration of the Mayor's Office and Commissioner Andrew Friedman in response to the reform efforts prompted by the 2006 Controller's Management Audit. If approved and adopted, the new classification will report directly to the Board of Fire Commissioners and fulfill two primary responsibilities; to assist the Board in providing direction and independent civilian oversight of the LAFD and conducting an annual audit of the Department's disciplinary system.

A legal background is highly desired for this position because of the sensitive and complex nature of the subject matter and the concomitant legal implications. Additionally, the Independent Assessor will perform in-depth reviews of policies, procedures, and trends that identify significant policy or procedural issues that may become the subject of enhanced review to ascertain opportunities for improvement.

It is anticipated that this position will be pivotal in creating a collaboration between the Office of the Independent Assessor and the newly initiated Professional Standards Division to ensure the thorough, fair and complete investigation of matters as well as their timely conclusion.

This critical recommendation has been before the City Council's Public Safety Committee on several occasions where support for the creation of this position is part of

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the public record. However, issues have been raised by the City Attorney's Office and upon the receipt of the written opinion, it is recommended that your Board consider the implications for the creation of the position of Independent Assessor.

Conclusion: Based on the foregoing, it is recommended that your Board support the recommendations to approve the classification specifications and transmit the document to the Civil Service Commission for adoption as part of the City's Classification Plan.

Board report prepared by: Beatrice R. Lopez, Commission Staff, Board of Fire Commissioners

Attachment

THE CITY OF LOS ANGELES



CIVIL SERVICE COMMISSION

CLASS SPECIFICATION**DRAFT****INDEPENDENT ASSESSOR, FIRE COMMISSION, 0605**

Summary of Duties: The Independent Assessor, Fire Commission plans, assigns, organizes and directs the work and resources of professional and clerical personnel engaged in the oversight of the Los Angeles Fire Department's internal disciplinary process for sworn and civilian employees, civil litigation, and directs annual audits; conducts comprehensive procedural and operational audits of the Fire Department's administrative and EEO investigations and application of discipline for civilian and sworn employees; acts as staff consultant to the Board of Fire Commissioners and handles special investigative assignments at its direction; assists the Board of Fire Commissioners in providing civilian oversight by monitoring the disciplinary process in the Los Angeles Fire Department (LAFD) and to ensure that investigations are conducted in a thorough, fair, and effective manner; personally performs the more difficult or sensitive work; applies sound supervisory principles and techniques in building and maintaining an effective work force; fulfills equal employment opportunity responsibilities; and does related work.

Distinguishing Features: The Independent Assessor, Fire Commission reports directly to the Board of Fire Commissioners and is exempt from Civil Service. The two primary responsibilities of the Independent Assessor are to assist the Board of Fire Commissioners in providing direction and strong independent civilian oversight of the Los Angeles Fire Department and for conducting the annual audit of the Department's disciplinary system. The Independent Assessor is responsible for analyzing misconduct complaints that might provide a basis for policy recommendations. The Independent Assessor serves as the Board's independent investigator and may conduct highly complex and sensitive investigations including but not limited to EEO complaints and discipline, hazing, fraud and corruption as permitted by the City Charter. Because of the sensitive nature of the subject matter, the incumbent in this classification is responsible for the strict observance of confidentiality by all subordinate staff members. The Independent Assessor, Fire Commission is provided access to Departmental documents, records, and other information related to complaints and special independent investigations as allowed by City Charter provisions.

The incumbent performs in-depth reviews of substantive policies, procedures, and trends and will identify significant policy or procedural issues that may become the subject of enhanced review to ascertain opportunities for improvement.

The Independent Assessor, Fire Commission performs complex and sensitive inquiries into disciplinary matters and other operational issues in the Los Angeles Fire Department. The work performed is subject to review in terms of adherence to policy, initiative, and sound judgment.

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There are few guidelines or precedents on which to base this work; and assignments are received in terms of broad objectives or complex problems.

The Independent Assessor, Fire Commission is responsible for the full range of supervisory duties including the application of discipline, training, processing and resolution of grievances, and performance evaluations. The Independent Assessor receives minimal supervision and his or her work is reviewed mainly in terms of objectives accomplished, compliance with policies, and problems solved. The work involves conducting procedural and operational audits of the Fire Department's administrative and EEO investigations and application of discipline. The Independent Assessor examines broader LAFD policies and practices and recommends revisions when necessary. The work of this class is distinguished from the Inspector General class in that the Independent Assessor is only employed by the Fire Commission and reports to and is appointed by the Board of Fire Commissioners. In contrast, the Inspector General class reports to and is appointed by the Police Commission and is responsible for the annual audit of the Police Department's disciplinary system which is reviewed and evaluated by the Police Commission and for analyzing and processing personnel complaints and use of force reports to provide a basis for policy recommendations consistent with the tenets of Proposition F and the Christopher Commission. Additionally, the Inspector General classification is based on provisions of the City Charter which define the general scope of the position in the Police Commission.

It is anticipated that this position will be hired exempt from Civil Service under the provisions of Charter Section 1001 (b).

Examples of Duties: An Independent Assessor, Fire Commission:

- Reviews investigations of complaints filed against Department employees to determine whether investigations are conducted fairly and comprehensively, and progress within standard time frames and to determine whether adjudication complies with Department policies and procedures;
- Reviews reports generated from the Department's complaint tracking system;
- Handles sensitive and complex investigative assignments as directed by the Board of Fire Commissioners;
- Establishes and maintains communications with the Mayor, City Council, City Attorney and Fire Department management on matters of mutual interest
- Prepares and writes reports for the Board of Fire Commissioners;
- Develops reporting and tracking systems to monitor compliance with policies, regulations, and relevant legislation, and detect patterns of behavior;
- Conducts audits, including the annual audit, of the internal disciplinary system to identify trends and problems to ensure that oversight by the Board of Fire Commissioners is objective and comprehensive, and in compliance with recommendations;
- Reviews and evaluates citizen complaints intake procedures to ensure the thorough investigations and timely processing of complaints;
- Reviews, reports and evaluates complaints to ensure that they are conducted according to the policies of the Fire Commission.
- May write the more sensitive or complex reports and recommendations regarding complaints for Fire Commission review;
- Audits the Professional Standards Division including EEO Section investigations to ensure thorough and unbiased adjudication and consistent disciplinary action,

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- Maintains a working relationship with the City Attorney to determine the presence of misconduct or mistreatment of individual(s) by either civilian or sworn employees, and to identify whether a nexus exists between the Los Angeles Fire Department's policies and procedures and the litigation;
- Plans, assigns, directs, coordinates, and evaluates the work of professional and clerical personnel engaged in oversight and auditing activities and the related data input and filing associated with such activities;
- Establishes and maintains communication with the Litigation Section of the Professional Standards Division and the City Attorney on matters of mutual concern such as litigation, or misconduct to determine whether revisions in policies or procedures might mitigate legal actions against the City;
- Coordinates requests from the Board of Fire Commissioners for City Attorney opinions and briefings in executive sessions on matters related to litigation;
- Exercises autonomy to arrive at independent conclusions related to Fire Department policies, practices, or procedures
- Engages in mediation and conflict resolution in high level or very sensitive situations as directed by the Board of Fire Commissioners
- Assists employees in preparing for promotion as described in the City's Equal Employment Opportunity Program;
- Applies job-related criteria in selecting, orienting, assigning, training, counseling, evaluating, and disciplining subordinates;
- Communicates equal employment information to employees; and
- Ensures a safe work environment and compliance with Department safety policies and practices.

May occasionally be assigned to other duties for training purposes or to meet technological changes or emergencies.

Qualifications: An Independent Assessor, Fire Commission must have the following knowledge and abilities:

Knowledge of:

- Auditing principles, practices, and techniques such as reviewing and analyzing records and interviewing sufficient to personally perform or direct the work of subordinate employees who are involved in auditing and monitoring the Los Angeles Fire Department's disciplinary and other systems or performance;
- The differences between interviewing and interrogating, and the appropriate times to interview rather than interrogate, in order to ensure fairness when interacting with citizens and competence when evaluating interrogations from Professional Standards Division;
- Criminal law and the elements of offenses in order to review cases and determine whether or not criminal behavior or misconduct is present and to distinguish the elements of behavior that constitute a crime;
- The organization, functions, and procedures of the Fire Department and the role of the City Attorney in such areas as, the Board of Rights, discipline, and personnel complaint investigations in order to determine fair and consistent application of disciplinary action, and to facilitate communication with the appropriate Department entities;

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- The principles of the administration of discipline in a public safety agency to determine if the Los Angeles Fire Department's disciplinary system is functioning in a fair and consistent manner;
- The major principles, practices, and methods of public administration, administrative analysis, the City's legislative process, and cost accounting sufficient to direct the activities of employees responsible for auditing and monitoring the Department's disciplinary systems or performance;
- The Firefighter's Procedural Bill of Rights;
- Procedures for grievance handling;
- Dynamics of conflict
- Legislation related to the retention and release of confidential documents
- Laws and regulations related to Equal Employment Opportunity;
- City Charter and Administrative Code as they apply to the Fire Department;
- City personnel rules, policies and procedures;
- Supervisory principles and practices including planning, delegating, and controlling the work of subordinates;
- Techniques for counseling and motivating subordinate personnel;
- Effective safety principles and practices; and
- Memoranda of Understanding as they apply to subordinate personnel and members of the Fire Department.

Ability to:

- Analyze and evaluate tangible and abstract data and draw sound conclusions;
- Make sound recommendations for revisions to existing regulations to ensure that the Department's objectives and ethical standards are being met;
- Deal tactfully and effectively with elected officials, Commissioners, bureau and department heads, supervisors, other employees, and citizens;
- Employ various mediation and facilitation techniques to reach resolution of issues;
- Maintain neutrality while managing conflict;
- Understand the history and issues of underrepresented groups in fire service organizations;
- Organize and conduct studies pertaining to managing conflict in an organization
- Prepare and direct the preparation of clear, concise, and comprehensive oral and written reports;
- Plan, organize and direct the activities of an administrative staff involved in analyzing and monitoring policies and procedures related to discipline in the Fire Department; and
- Establish and maintain a work environment to enhance both employee morale and productivity.
- Develop subordinates through performance feedback and motivate subordinates to maximize productivity

Minimum Requirements:

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Graduation from a recognized four year college or university and five years of full-time paid professional experience at the senior executive level in one or more of the following areas: private investigation, legal professional, public administration, business administration or a closely related field.

Experience in administrative investigating, interviewing, mediating, and compliance monitoring and related public policy matters in a public organization is highly desired, but not required.

A law degree is highly desired but not required.

License:

A valid California driver's license and a good driving record may be required.

Physical Requirements:

Persons with disabilities may be able to perform the essential duties of this class with reasonable accommodation. Reasonable accommodations will be evaluated on an individual basis and depend, in part, on the specific requirements for the job, the limitations related to the disability, and the ability of the hiring department to reasonably accommodate the limitations.

As provided in Civil Service Commission Rule 2.5 and Section 4.55 of the Administrative Code, this specification is descriptive, explanatory and not restrictive. It is not intended to declare what all of the duties, responsibilities, and required qualifications of any position shall be.

NOTE: THIS CLASSIFICATION SPECIFICATION IS SUBJECT TO ANY CHARTER PROVISION WHICH SHALL TAKE PRECEDENCE OVER ANY CLAUSE OF THIS SPECIFICATION.