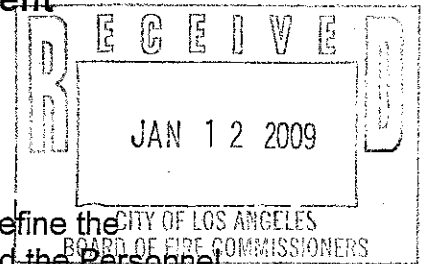


**Memorandum of Agreement Between the
Los Angeles Fire Department and
The Los Angeles Personnel Department**

HRDC/PER CMT
JAN 26, 2009



INTRODUCTION

The purpose of this Memorandum of Agreement (MOA) is to define the responsibilities of the Los Angeles Fire Department (LAFD) and the Personnel Department relative to the recruitment, selection, and hiring of full-time Los Angeles Firefighters. Further, it is the intent of this Agreement to foster a spirit of cooperation between the LAFD and the Personnel Department to ensure the hiring process is professionally managed and that the best possible candidates are selected for service with the LAFD.

Charter Section 1005 provides that the authority and responsibility for selection of all civil service classifications rests with the Personnel Department. It is the responsibility of the Personnel Department to provide the LAFD with qualified candidates to hire into the Fire Department. The LAFD is the appointing authority for all employees entering the LAFD and has the right to select from among qualified candidates provided to them by the Personnel Department.

The provisions of this Agreement are not intended to restrict or limit the authority or duty of the Fire Chief (or designees) of the LAFD. Nor are the stipulations of this agreement intended to restrict or limit the authority or duty of the General Manager of the Personnel Department.

The LAFD and the Personnel Department may amend the terms of this Memorandum of Agreement as deemed necessary.

1. GENERAL RESPONSIBILITIES

The LAFD and the Personnel Department are jointly responsible for recruiting Firefighter candidates and must work together to attract the most qualified candidates into service with the LAFD. Each department has the following additional responsibilities:

1.1 Los Angeles Fire Department

The LAFD shall:

- 1.1.1 Deploy, staff and supervise a section of personnel dedicated to the recruitment and mentoring of Firefighters.
- 1.1.2 Provide personnel of an appropriate rank to assess Firefighter candidates in the civil service testing process.

- 1.1.3 Maintain statistical and historical data related to Firefighter attrition and make that information available to the Personnel Department upon request.
- 1.1.4 Provide accurate information regarding LAFD's projected hiring needs subject to budget constraints, with updates on a quarterly basis, for use by the Personnel Department in determining appropriate resource availability and allocation.
- 1.1.5 Notify Personnel Department of scheduled LAFD Family Orientation dates as soon as determined.

1.2 Personnel Department

The Personnel Department shall:

- 1.2.1 Provide qualified candidates to meet the LAFD's hiring needs.
- 1.2.2 Provide Firefighter recruitment and media services and support, in consultation with LAFD.
- 1.2.3 Coordinate and administer the recruitment budget provided by the City of Los Angeles.
- 1.2.4 Coordinate and administer the entry-level Firefighter civil service selection process including the written test, interview, background investigation, initial and final panel review process, medical evaluation, psychological evaluation or appropriate selection instruments.
- 1.2.5 Conduct background investigations for those full-time Firefighter candidates, as identified through the initial panel review process, to determine if candidates meet the background standards adopted by the Civil Service Commission.
- 1.2.6 At minimum, 30-days prior to an LAFD Family Orientation, the Personnel Department shall provide the LAFD with a list of certified eligible Firefighter Candidates. The list of eligible candidates shall not be ranked in any particular order and shall be in sufficient numbers to fill the academy class to capacity, plus 20 additional eligible candidates. For example, for an LAFD Training Academy class of 60 candidates, the Personnel Department shall provide the LAFD with a total of 80 candidates. Those candidates not appointed will be placed in the next scheduled LAFD Training Academy, subject to their maintaining valid test scores and all applicable certifications and exam requirements. The provision of eligible candidates on the certification as stated above is contingent upon a sufficient number of candidates completing all necessary test parts in a timely manner and on timely processing by both the LAFD and Personnel Department.
- 1.2.7 Maintain statistical and historical data related to Firefighter recruitment and hiring including data on all aspects of the hiring process.

2. SPECIFIC RESPONSIBILITIES - Recruitment

2.1 Los Angeles Fire Department

The LAFD recognizes that recruitment of Firefighters is a high priority for the City and vital to the continued well-being of the LAFD and the City. The LAFD shall deploy and maintain a section of employees dedicated to the recruitment and mentoring of Firefighters. Experience has shown that potential candidates desire to speak to recruiters who have completed the Drill Tower and staffed other fire-related assignments. Furthermore, the LAFD understands that recruitment is best done with a long-term view and is least effective when conducted in an inconsistent manner. Therefore, the LAFD shall make every reasonable attempt to staff and maintain a full-time "Recruitment Section".

The LAFD Recruitment Section shall:

- 2.1.1 Implement the strategies as directed by the Personnel Department, developed in consultation with LAFD, to recruit candidates through a variety of means. Recruitment shall take place at a variety of locations, including colleges, community centers, military bases, and other venues that may be viable in the recruitment of Firefighters.
- 2.1.2 Mentor candidates as they progress through the selection process by answering any questions they may have about the testing process and discussing training programs and/or seminars offered by the LAFD.
- 2.1.3 Provide periodic question and answer seminars and oral interview seminars open to Firefighter candidates.
- 2.1.4 Provide recruitment materials to LAFD Stations and community groups for distribution to the general public.
- 2.1.5 Mentor high school students to pursue a career with the LAFD, subject to the availability of volunteer mentors.
- 2.1.6 Administer a physical preparatory program open to Firefighter candidates.
- 2.1.7 Assist the Personnel Department as needed to develop advertising and recruitment strategies, methods, and materials.
- 2.1.8 Seek opportunities for pro bono advertising, in coordination with Personnel.
- 2.1.9 Organize LAFD-sponsored recruitment events.

2.2 Personnel Department

The Personnel Department will contribute its general recruitment expertise and administrative skill to the LAFD recruitment effort.

Marketing is an important facet of an effective recruitment program. Although LAFD will be consulted and has a significant role in this aspect of the recruitment effort, the Personnel Department has the primary responsibility for developing and implementing a marketing plan. The Personnel Department, with its human resource and public relations staff, will market the LAFD recruitment campaign and may utilize advertising experts from outside the City.

The Personnel Department shall perform the following recruitment tasks:

- 2.2.1 In consultation with LAFD, develop and implement innovative strategies to recruit Firefighters, including establishing liaison with colleges (including athletic programs), military, Firefighter academies and Paramedic schools, community centers, community organizations, employment centers, and other venues.
- 2.2.2 In consultation with LAFD, research recruitment methods, strategies, and incentives used by other fire agencies to determine applicability to the LAFD recruitment effort.
- 2.2.3 Along with LAFD, organize LAFD-sponsored recruitment events.
- 2.2.4 In consultation with LAFD, develop and maintain a recruitment event calendar.
- 2.2.5 In consultation with LAFD, develop a yearly strategic recruitment plan including recommended use of budgetary funds, suggested media mix, targeted venues, etc.
- 2.2.6 Develop and maintain the budget for promotions/events and recruitment travel.
- 2.2.7 Coordinate and administer all contracts involving outside entities retained to assist in LAFD recruitment.
- 2.2.8 Collect data through recruitment surveys and other tools to determine the effectiveness of various recruitment strategies and advertising mediums, and provide the LAFD with a quarterly report relative to use of recruitment funds.
- 2.2.9 In conjunction with LAFD, analyze data to determine recruitment strategies to attract candidates most likely to succeed in the selection process and adjust recruitment strategies as needed after thorough analysis.
- 2.2.10 Maintain applicant demographic information throughout the selection process.
- 2.2.11 Design and maintain a database to store data obtained from recruitment surveys and other tools.
- 2.2.12 Create and maintain an automated system to track recruitment expenditures and evaluate the cost effectiveness of advertising campaigns and recruitment strategies.
- 2.2.13 Develop advertising and recruitment strategies, methods, and materials.
- 2.2.14 Develop a recruitment media budget and allocate funds based on proven effective recruitment strategies.
- 2.2.15 With LAFD, disseminate recruitment information to the Mayor and City Council offices, the State Employment Development Department, community organizations, and other local venues, including schools and churches.
- 2.2.16 Maintain a community resource mailing list.
- 2.2.17 Research various advertising methods, including placement and purchase of radio and television media, print, Internet advertising, outdoor advertising, and other advertising.

- 2.2.18 Coordinate the development and production of a variety of media presentations, videos, and commercials for all media types.
- 2.2.19 Design recruitment materials including brochures, pamphlets, posters, and flyers.
- 2.2.20 In consultation with LAFD, write and distribute press releases related to recruitment events.
- 2.2.21 Consult with media buying and advertising agencies to secure effective placement and purchases of advertising buys .
- 2.2.22 Seek pro bono advertising and advertising consulting services.

3. Specific Responsibilities – Selection

As stated in the City Charter, Section 1005, the Personnel Department is responsible for the civil service system, which requires that all applicants be examined and hired based on job-related criteria. Therefore, the Personnel Department has the ultimate responsibility for the Firefighter selection process. Furthermore, the Personnel Department has the human resource expertise to develop the appropriate tests to assess all applicants interested in joining the LAFD.

Examination materials used for testing and the evaluation of candidate qualifications are strictly confidential, and personnel involved in the Firefighter selection process shall not share this information with anyone outside the Firefighter selection process. Examination materials include, but are not limited to, test questions, test scores, interview worksheets, panel review worksheets, and background investigation information, including but not limited to collateral interview worksheets.

3.1 Los Angeles Fire Department

The LAFD shall:

- 3.1.1 Provide Personnel Department with uniformed personnel as required for an updated Firefighter validation study, contingent upon public safety and available funding, with the understanding that this contingency may delay completion of the validation study.
- 3.1.2 Schedule, coordinate and provide uniformed Officers to participate in the civil service interview process for Firefighter.
- 3.1.3 Designate a point of contact within the LAFD for the use of Personnel Department staff when scheduled sworn personnel do not report or must be replaced for any reason.
- 3.1.4 In cooperation with Personnel Department staff, assist in the administration of the written test for entry-level Firefighters for small groups at colleges, military bases, and job fairs (i.e., pocket tests).
- 3.1.5 The Initial Candidate Review Panel ("Initial Panel") shall consist of one sworn Fire Department representative and one Personnel Department representative.

- 3.1.6 Schedule, coordinate and provide a sufficient number of sworn personnel (no fewer than three, unless mutually agreed upon by both Departments), at the level of Captain to serve on the Initial Panel to review and evaluate candidates for Firefighter in a timely manner.
- 3.1.7 In the event of a rating discrepancy, as defined in 3.1.11, among the Initial Panel members resulting in the non-selection of a candidate, the LAFD shall provide an assigned Battalion Chief to meet with the Initial Panel members to review the Panel Review of Candidate Qualifications worksheets and discuss the rating discrepancy in an effort to resolve it. In the event the discrepancy is not resolved by the Initial Panel members, the Battalion Chief will evaluate the candidate's qualifications and determine whether the non-selected candidate should move forward in the process; this determination will be documented and based on the criteria delineated in the Panel Review of Candidate Qualifications worksheet.
- 3.1.8 The Final Candidate Review Panel ("Final Panel") shall consist of two sworn Fire Department representatives and one Personnel Department representative.
- 3.1.9 Provide a sufficient number of sworn personnel at the levels of Captain and Battalion Chief, (no fewer than three at each level, for a minimum total of six, unless mutually agreed upon by both Departments), to serve on the Final Panel to review and evaluate candidates for Firefighter in a timely manner.
- 3.1.10 In the event of a rating discrepancy, as defined in 3.1.11, among the Final Panel members resulting in the non-selection of a candidate, the LAFD shall provide an assigned Assistant Chief to meet with the Final Panel members to review the Panel Review of Candidate Qualifications worksheets and discuss the rating discrepancy in an effort to resolve it. In the event the discrepancy is not resolved by the Final Panel members, the Assistant Chief will evaluate the candidate's qualifications and determine whether the non-selected candidate should move forward in the process; this determination will be documented and based on the criteria delineated in the Panel Review of Candidate Qualifications worksheet.
- 3.1.11 If a candidate receives overall ratings in either the Initial or Final Panel review that are more than one rating category apart (i.e., a "rating discrepancy"), all panel members will meet and discuss their ratings to ensure a thorough evaluation and full consideration of the candidate's qualifications.
- 3.1.12 Meet with the Personnel Department at regular intervals (at least semi-annually) to evaluate the efficiency of the Initial and Final Panel Review rating system.
- 3.1.13 Fire Department will participate in the training of the Panel members.
- 3.1.14 Provide one LAFD representative to serve on the Initial Panel and two different people to serve on the Final Panel for the same candidate.
- 3.1.15 Although it is recognized that LAFD members in general are approached by potential Firefighter candidates who inquire about the position of firefighter, LAFD representatives participating in the Firefighter selection process, including the validation study, civil service interview process, or panel review, may not (1) be involved in organized recruitment and/or

mentorship efforts of Firefighter candidates; and/or (2) be related to, or have a significant relationship with, a Firefighter candidate currently in the selection process whereby an unfair advantage can be gained by said candidate.

3.2 The Personnel Department shall:

- 3.2.1 Conduct an updated Firefighter validation study and develop tests for Firefighter based on job-related criteria.
- 3.2.2 Administer the entry-level Firefighter written test at various locations (including pocket tests).
- 3.2.3 Coordinate and administer the civil service interview for Firefighter.
- 3.2.4 Provide Interview Specialists to serve on the Firefighter interview boards.
- 3.2.5 Train all LAFD staff participating in the civil service interview process for Firefighter.
- 3.2.6 Determine rating criteria and passing score for Firefighter written test and interview.
- 3.2.7 Train all test proctors, including uniformed officers and Interview Specialists.
- 3.2.8 Ensure timely scoring of tests and processing of applicants throughout the testing process.
- 3.2.9 Schedule, coordinate and provide a sufficient number of personnel to serve on the Initial Panel to review and evaluate candidates for Firefighter in a timely manner.
- 3.2.10 Provide one Personnel Department representative to serve on the Initial Panel and a different person to serve on the Final Panel of the same candidate.
- 3.2.11 The Initial Panel shall consist of one sworn Fire Department representative and one Personnel Department representative.
- 3.2.12 In the event of a rating discrepancy, as defined in 3.2.17, among the Initial Panel members resulting in the non-selection of a candidate, the LAFD shall provide an assigned Battalion Chief to meet with the Initial Panel members to review the Panel Review of Candidate Qualifications worksheets and discuss the rating discrepancy in an effort to resolve it. In the event the discrepancy is not resolved by the Initial Panel members, the Battalion Chief will evaluate the candidate's qualifications and determine whether the non-selected candidate should move forward in the process; this determination will be documented and based on the criteria delineated in the Panel Review of Candidate Qualifications worksheet.
- 3.2.13 The Final Panel shall consist of two sworn Fire Department representatives and one Personnel Department representative.
- 3.2.14 Schedule, coordinate and provide a sufficient number of personnel to serve on the Final Panel at the level of Senior Personnel Analyst or above to review and evaluate candidates for Firefighter in a timely manner.
- 3.2.15 In the event of a rating discrepancy, as defined in 3.1.11, among the Final Panel members resulting in the non-selection of a candidate, the LAFD shall provide an assigned Assistant Chief to meet with the Final Panel members to review the Panel Review of Candidate Qualifications

- worksheets and discuss the rating discrepancy in an effort to resolve it. In the event the discrepancy is not resolved by the Final Panel members, the Assistant Chief will evaluate the candidate's qualifications and determine whether the non-selected candidate should move forward in the process; this determination will be documented and based on the criteria delineated in the Panel Review of Candidate Qualifications worksheet.
- 3.2.16 Conduct any additional investigation requested by the Final Panel that is necessary to determine if a candidate meets the background standards.
 - 3.2.17 If a candidate receives overall ratings in either the Initial or Final Panel review that are more than one rating category apart (i.e., a "rating discrepancy"), all panel members will meet and discuss their ratings to ensure a thorough evaluation and full consideration of the candidate's qualifications.
 - 3.2.18 Develop/maintain a Panel Review of Candidate Qualifications worksheet and consult with the Fire Department regarding the development of or revisions to its content.
 - 3.2.19 Administer the medical and psychological evaluations for entry-level Firefighter.
 - 3.2.20 Maintain a systematic method to schedule candidates for each test part and maintain related test scores.
 - 3.2.21 Meet with the Fire Department at regular intervals (at least semi-annually) to evaluate the efficiency of the Initial and Final Review rating system.
 - 3.2.22 On a weekly basis, provide LAFD mentors with tracking reports on all candidates at each stage of the selection process.
 - 3.2.23 Prepare and maintain monthly statistical reports to summarize overall candidate progress in every test part of the selection process.
 - 3.2.24 Conduct training of the Panel Review members on the civil service selection process and the proper use of the Panel Review of Candidate Qualifications worksheet.
 - 3.2.25 Prepare and maintain statistical reports summarizing the overall productivity of initial and final panel review members.

4. Background Investigation

The Background Investigation for an LAFD Firefighter requires a very thorough process. Furthermore, the background investigation is one of the most important risk management processes that the City can undertake. This particular part of the selection process requires considerable coordination and cooperation between the LAFD and the Personnel Department's Background Investigation Division (BID). Both departments must be uniform and consistent in their interpretation of the "Background Standards and Guidelines" as they relate to the past behavior of Firefighter candidates. Additionally, candidates must be processed in a timely manner and should receive clear information and direction as to their status in the Background phase of the examination.

The background investigation is one of several test parts in the Firefighter examination process. All information contained in background investigation files is confidential testing material and is not subject to disclosure.

4.1 The Los Angeles Fire Department

The LAFD shall:

- 4.1.1 Deploy a Background Liaison Officer (BLO) whose duties are to:
 - Assist the Personnel Department's Background Investigator by contacting candidates who are not responding to telephone calls or electronic messages from the Background Investigator.
 - Review list of non-compliant candidates provided by the Personnel Department
 - Assist the Background Investigator by contacting candidates who are not providing required documents or otherwise failing to comply with the background investigation process.
 - Contact the Personnel Department's Background Manager if the BLO has questions regarding the status of a candidate's background investigation.
 - Depending on available funding and staff, conduct orientation sessions with candidates to discuss the Firefighter testing process, including the background investigation.
 - Establish a liaison with the Recruitment and Selection Division regarding candidate status in the testing process.
- 4.1.2 Deploy Mentors to contact candidates to encourage them to comply with Background Investigators' requests, subject to availability of mentors.
- 4.1.3 Brief the Fire Chief, or his designee, providing an analysis of open and completed Firefighter cases, related to the length of time cases are in the background process based on statistics provided by the Personnel Department.
- 4.1.4 Maintain liaison with the Personnel Department and all LAFD entities involved in the training, testing, and selection of Firefighters.

4.2 The Personnel Department

The Personnel Department shall:

- 4.2.1 Conduct background investigations pursuant to the standards and guidelines established by the Civil Service Commission.
- 4.2.2 For those candidates selected by the Initial Panel to continue in the selection process, complete a thorough background investigation in a timely manner. The background investigation may include interviewing spouses, relatives, past employers, friends; reviewing the financial history and driving records of a candidate; investigating any encounters with law enforcement; assessing a candidate's respect for the rights of others and investigating any drug and/or alcohol use.

- 4.2.3 Provide a Firefighter Candidate Summary Form reflecting a written analysis of the pro's and con's of each candidate presented for hiring consideration.
- 4.2.4 At the monthly Fire Coordinating Committee (FCC) Meetings, provide the Fire Department with the names of those Firefighter candidates who are not cooperating in the background investigation process in order for the BLO and/or Fire Department Mentors to contact such candidates to encourage them to comply with the Background Investigators' requests.
- 4.2.5 Maintain statistics regarding the length of time to process the open/completed cases under investigation in the prior month, including the ethnic and gender breakdown for such cases.
- 4.2.6 Administer the preliminary investigative questionnaire.
- 4.2.7 Review the preliminary investigative questionnaires to determine if candidates meet the background standards to continue processing.
- 4.2.8 Provide Panel members with investigative findings.
- 4.2.9 Conduct polygraph examinations of candidates to resolve potential background issues identified by Final Panel members in accordance with Personnel Department Policy 1.13b.
- 4.2.10 Review the results of the requested polygraph tests for candidates that are found deceptive, or who admit to potentially disqualifying behavior during the testing process, and subsequently determine if the candidate meets the background standards.
- 4.2.11 Act as the Custodian of Records for all background packages for candidates hired and not hired after **July 1, 1999**.
- 4.2.12 Continue to use the agreed upon Preliminary History Form (PHF) and Pre-Investigative Questionnaire Form (PIQ). No changes shall be made to these forms unless mutually agreed to by the LAFD and Personnel Department unless legally mandated. Requests from the Personnel Department shall be submitted to LAFD; requests from LAFD shall be submitted to Personnel Department's Background Investigation Division (BID). LAFD and BID shall each have 30 days to respond to any requests for changes to the forms. Failure to respond within 30 days shall constitute agreement to the requested changes.
- 4.2.13 Include all documentation, notes, supervisorial directions, and discussions in the background package submitted for hire.
- 4.2.14 Maintain and store all background investigative packages.
- 4.2.15 Administer "Live Scan" fingerprints for Firefighter candidates.

5. Certification

At minimum, 30-days prior to an LAFD Family Orientation, the Personnel Department shall provide the LAFD with a list of certified eligible Firefighter Candidates. The LAFD shall hire eligible candidates from the certified lists provided by the Personnel Department in number order (order that they passed all test parts) and in accordance with the Rule of Three Whole Scores. The list of eligible candidates shall be in sufficient numbers to fill the academy class to capacity, plus 20 additional candidates. For example, for an LAFD Training

Academy class of 60 candidates, the Personnel Department shall provide the LAFD with a total of 80 candidates. Those candidates not appointed will be placed in the next scheduled LAFD Training Academy, subject to their maintaining all appropriate certifications. The provision of eligible candidates on the certification as stated above is contingent upon a sufficient number of candidates completing all necessary test parts in a timely manner and on timely processing by both the LAFD and Personnel Department.

The LAFD will report to the Personnel Department those eligible candidates appointed to the LAFD Drill Tower.

The Personnel Department shall provide to the LAFD certified lists of eligible candidates for hiring consideration into the LAFD.

6. Communication

Effective communication between the LAFD and the Personnel Department is essential to ensuring a successful recruitment effort and to hiring qualified candidates for the LAFD Training Academy. Existing meetings such as the monthly Fire Coordinating Committee (FCC) and weekly Recruitment Coordinating Committee (RCC) should be used for this communication.

There is a broad spectrum of communication between departments, including confidential and non-confidential communication. Appropriate consideration must be given to the importance and type of communication in determining the method(s) of communication. Where appropriate, communication can be conducted via email, telephone, memo and/or face-to-face communication; telephonic and/or face-to-face communication can be confirmed via memo and/or email as appropriate. Routine business shall be conducted through weekly meetings, telephone and email. Matters of importance, such as personnel and policy issues, shall be addressed in writing and in face-to-face or telephonic meetings as necessary.

6.1 Los Angeles Fire Department

The LAFD shall provide to the Personnel Department on a monthly basis:

- 6.1.1 A calendar of scheduled recruitment events, with updates as necessary.
- 6.1.2 Recruitment data for each event to determine cost effectiveness of each event (i.e., Event Request forms and After Action reports (two days after scheduled events) to determine the viability of each event.
- 6.1.3 A calendar of scheduled LAFD sponsored events including media appearances, community events and station activities, for the purpose of providing sufficient advanced notice to maximize recruitment opportunities at such events.

6.2 Personnel Department

The Personnel Department shall provide to the LAFD on a monthly basis:

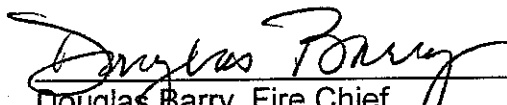
6.2.1 A calendar of media events.

6.2.2 A status report of the recruitment budget.

6.2.3 The number of candidates tested including demographic information.

This Agreement is entered into by the Los Angeles Fire Department and the Personnel Department, and becomes effective when both the Fire Chief and the General Manager have affixed their signatures to this document.

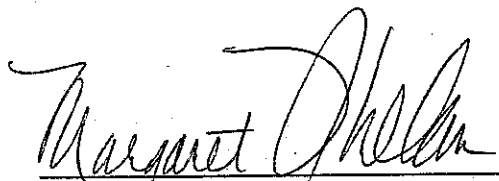
The Agreement shall guide subordinate management and supervising personnel in budgeting and tasking, and shall remain in effect until modified by both Department Heads or abrogated by either Department Head.



Douglas Barry, Fire Chief
Los Angeles Fire Department
City of Los Angeles

11-21-08

Date Signed



Margaret Whelan, General Manager
Personnel Department
City of Los Angeles

November 20, 2008

Date Signed