



OFFICE OF
CONTROLLER

LAURA N. CHICK
CONTROLLER

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LOS ANGELES 90012
(213) 978-7200

January 26, 2006

The Honorable Antonio Villaraigosa, Mayor
The Honorable Rockard J. Delgadillo, City Attorney
The Honorable Members of the Los Angeles City Council
City Hall
Los Angeles, California 90012

Dear Mayor Villaraigosa, City Attorney Delgadillo and Members of the City Council:

Last year, disturbing information regarding discrimination and harassment in the Fire Department came to light through whistleblower information and reports in the press. In July, I began a performance audit of the Los Angeles Fire Department's management practices, which I release to you today.

My audit found a Fire Department which lacked strong and decisive leadership, and a clear and understandable vision. An organization that needs to respond rapidly to public safety emergencies must rely on clear, consistent and complete dissemination of information and uniform enforcement of policies and procedures throughout the Department. However, the overwhelming majority of employees surveyed did not believe good communication existed between the Fire Chief and the firefighters in the field.

Most troubling is the prevalent perception of a hostile workplace which has resulted in employees not reporting incidents of harassment and hazing due to fear of retaliation. While these problems within the Fire Department are not new, it is shocking that they still exist. The safeguards that were put in place over a decade ago are simply not working. The Fire Commission must take expedient action to put in place an investigatory and disciplinary system that is confidential, independent, effective and fair.

The Fire Department must maintain the highest standards for new firefighters. My audit found that half of the recruits who failed the academy's drill tower exercises were reinstated by upper management. These decisions were apparently made to boost the Department's ranks among women and minorities. However, those who were reinstated had a much higher rate of failing probation than those who had actually passed the drill tower.

We do not have to sacrifice quality for diversity... other cities have shown that both can be achieved. It is time that we had a Fire Department that not only serves our diverse communities, but reflects that diversity within its ranks. Our hiring goals must be achieved without reducing standards.

We have a duty to provide a work environment free of harassment, free of prejudice and free of spiteful retaliation. The Department must give equal protection to all its employees regardless of race, gender or sexual orientation. The Fire Commission and top management must lead the way.

Sincerely,

A handwritten signature in blue ink that reads "Laura N. Chick". The signature is written in a cursive, flowing style.

LAURA N. CHICK
City Controller



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January 26, 2006

William R. Bamattre, Fire Chief
Los Angeles Fire Department
200 N. Main St., Room 1800
Los Angeles, CA 90012

Dear Chief Bamattre:

Enclosed is the final report of the Review of the Los Angeles Fire Department Management Practices conducted by Sjoberg Evashenk Consulting, Inc. A draft of this report was provided to you on January 10, 2006. Comments provided by you at the January 24, 2006, exit conference were evaluated and considered prior to finalizing the report.

Please review the final audit report and advise the Controller's Office by February 28, 2006, on planned actions you will take to implement the recommendations. If you have any questions or comments, please contact me (213) 978-7392.

Sincerely,

FARID SAFFAR, CPA
Director of Auditing

Enclosure

cc: Honorable Antonio R. Villaraigosa, Mayor
Honorable Members of the City Council
Honorable Rockard J. Delgadillo, City Attorney
Robin Kramer, Chief of Staff, Office of the Mayor
Jimmy Blackman, Deputy Chief of Staff, Office of the Mayor
Maurice Suh, Deputy Mayor
Dalila T. Sotelo, President, Board of Fire Commissioners

Chief William R. Bamattre
January 26, 2006
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Jill Furillo, Commissioner, Board of Fire Commissioners
Andrew Friedman, Commissioner, Board of Fire Commissioners
Genethia Hudley-Hayes, Commissioner, Board of Fire Commissioners
Casimiro U. Tolentino, Commissioner, Board of Fire Commissioners
William T Fujioka, City Administrative Officer
Gerry F. Miller, Chief Legislative Analyst
Frank Martinez, City Clerk
Independent City Auditors



January 26, 2006

The Honorable Laura N. Chick, Controller
Office of the Controller, City of Los Angeles
200 N. Main Street, Room 300
Los Angeles, CA 90012

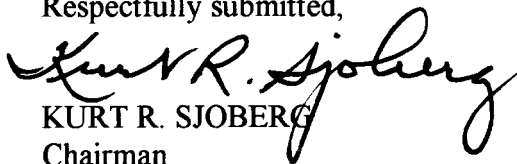
Dear Ms. Chick:

We respectfully submit our report entitled, "Review of the Los Angeles Fire Department Management Practices." This report was prepared on behalf of the Los Angeles City Controller by Sjoberg Evashenk Consulting, Inc., and includes our findings and recommendations.

Our report addresses the Los Angeles Fire Department's leadership, communication efforts, complaint and disciplinary practices, and human relations issues. We found that the Department can improve its management activities in several of these areas.

Sjoberg Evashenk Consulting was pleased to work with the City Controller's Office on this audit, and appreciate the assistance of your staff.

Respectfully submitted,


KURT R. SJOBERG
Chairman

H E Q U A T I O N F O R E X E N

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Los Angeles City Controller

Review of the Los Angeles Fire Department Management Practices

January 26, 2006



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Review of the Los Angeles Fire Department Management Practices

Executive Summary

Sjoberg Evashenk Consulting has completed an audit of the management practices at the Los Angeles Fire Department (LAFD), under contract with the Office of the City Controller's Internal Audit Division. The objectives of the audit were to evaluate and assess LAFD's:

- Management structure
- Leadership and accountability
- Compliance with established policies and procedures
- Communication and interrelations among its sworn staff
- Comparability with other large fire departments

The audit did not assess the LAFD's operational activities or readiness, such as its fire suppression or emergency medical transportation operations. The scope of the audit primarily focuses on the LAFD's activities beginning with fiscal year 2003 and ending at the close of audit fieldwork.

Background

The LAFD is a full-spectrum life safety agency providing services such as fire suppression and prevention, search and rescue, air operations, emergency medical transportation, and public education. Governed by a five-member civilian board of Fire Commissioners, the LAFD is headed by a Chief Engineer and General Manager (Fire Chief), who directs nearly 3,600 firefighters and more than 300 non-sworn personnel. LAFD provides services through 103 neighborhood fire stations across the department's 471 square-mile jurisdiction, which covers a diverse topography including rocky chaparral and remote wild lands, dense urban and suburban areas, busy freeway and subway systems, airports, and a large ocean port. About 96 percent of the LAFD's \$445.5 million budget in fiscal year 2004-05 was spent on salaries and benefits for its employees.

LAFD operates through five major bureaus, four headed by a Bureau Commander and one headed by a civilian Fire Administrator:

- Bureau of Emergency Services: LAFD's largest bureau with approximately 3,100 uniformed members providing first line fire suppression and paramedic services from 103 neighborhood fire stations, as well as arson investigators and disaster preparedness activities.
- Bureau of Fire Prevention and Public Safety: Provides safety inspections to reduce fire hazards in industrial and commercial occupancies and lecture on fire prevention

in schools, motion picture studios, department stores, and other business establishments.

- Bureau of Support Services: Provides operations control dispatch, supply and maintenance services, and coordinates development of fire facilities.
- Bureau of Training and Risk Management: Provides and develops in-service training programs to current employees, manages recruit services, including the training academy, and oversees risk management.
- Bureau of Administrative Services: Provides administrative services such as accounting, payroll, budgeting and management information systems.

Annually, LAFD dispatches nearly 350,000 emergency calls, which include approximately 40,500 fire calls, 20,000 rescue calls, 3,700 hazardous materials calls, and nearly 285,000 emergency medical calls. Moreover, the Department investigates more than 5,700 arson cases. Although we did not review these activities, LAFD provides a wide range of fire and emergency services to the City's residents.

Overview

The LAFD, like other similar paramilitary organizations, relies on a command and rank structure to manage its operations. Regulations, policies, procedures, directives and guidance are typically communicated through the "chain of command" from the Fire Chief or Bureau Chiefs down through division and battalion levels, and then ultimately through a Captain to firefighters at a neighborhood fire station. Similarly, perspectives and input from individuals at all levels of the fire department generally must traverse this same path in reverse to reach the Fire Chief. To be effective, the command structure at the LAFD requires strong leadership from the top, transparency and consistency, reliable dissemination of information, open communication, honest feedback, and equal treatment and practices. What we found at LAFD reveals that they are not meeting these standards in several areas related to managing human resources.

Although the policies, procedures and directives that LAFD employs related to personnel management, human resources and employment activities are generally complete and comprehensive, we found that many are not being followed nor enforced in actual practice. For example, we found evidence of workplace harassment and low morale, fear of retaliation for reporting problems through the chain of command, subjective disciplinary decisions, inconsistent training and safety directives, and a genuine concern regarding the preparedness of graduates of the department's recruit academy. Yet, LAFD has only recently undertaken efforts to address a few of these areas, while others are not being adequately attended to.

From our observations, fire station visits, data analyses, interviews with interested stakeholders, union representatives, association leaders and firefighters from rank and file through chiefs, and through a survey sent to all minority, women and probationary firefighters, we found the following:

- The Fire Chief’s vision and goals for the department are poorly communicated through his chain of command, resulting in doubt and uncertainty among rank and file firefighters.
- Complaint handling and disciplinary practices are poorly documented, untracked, inconsistent, and perceived by firefighters of all ranks to be unfair.
- Formal investigations are poorly documented, lack independence and are undertaken by untrained and inexperienced personnel. Whereas LAFD temporarily assigns captains to conduct investigations, many other major fire departments use independently organized internal affairs units, with specifically dedicated, better-trained investigators.
- Workplace harassment and hazing incidents are more prevalent than indicated by the number of investigations LAFD has undertaken.
- During the past five years, the Fire Chief overrode the Drill Tower (training academy) instructors’ recommendations to fail underperforming recruits in 45 instances, directing that they be graduated and hired as probationary firefighters. The practice of graduating recruits not meeting Drill Tower standards has effectively transferred the responsibility for failing ill-prepared recruits to field supervisors during the probation period. This has contributed to a widespread perception among firefighters of a “no-fail” Drill Tower, and other undesirable qualitative and quantitative impacts. While other major fire departments have lower academy passage rates, their probationary retention rates are higher than those experienced by the LAFD.

During 2005, the Fire Chief instituted several initiatives that address some of these issues. Unfortunately, since these changes have only recently been implemented, it is still too early to assess their relative success at meeting the LAFD’s needs. The initiatives include:

- Revamping the Drill Tower curriculum – effective for the class that commenced in August 2005, the changes include having applicants pass the Candidate Physical Ability Test (CPAT), a test widely used by other fire departments, prior to entrance. Recent changes also include scheduled recuperation time off, proactive recruit feedback and performance reports, more “hands-on” sequenced training and the inclusion of several 24-hour fire station stayovers with “ride alongs” to allow candidates to experience the type of field duty they will face after the academy.
- A two-year Human Relations training program, including executive symposiums with chief officers, and additional targeted diversity, harassment and hostile work environment training for all firefighter levels.
- In June 2005, the Fire Chief met with all firefighters hired since 1998 without the presence of management or supervisors to gain insights on recruit training programs and revamping the Drill Tower.
- In August 2005, the Fire Chief spoke to two in-service classes of approximately 300 firefighters who are potential officers in which he discussed the department’s need for strong leaders as LAFD retirements increase.

Findings and Recommendations

We organized the report into four major chapters under which specific findings and recommendations are described. They are:

- Chapter I – LAFD’s Leadership and Communications
- Chapter II – Complaint and Disciplinary Process
- Chapter III – Human Relations Issues Within the LAFD Workplace
- Chapter IV – Drill Tower Recruit Training Academy

Specifically, our review reveals the following issues:

Chapter I – LAFD’s Leadership and Communication

The command and rank structure of the LAFD, as with any paramilitary organization, is a necessity to address its public safety and emergency response mission quickly and effectively. Extensive dialog, debate, and deliberation must give way to immediate command assessments, giving and receiving orders, and rapidly responding in a prescribed, competently-trained manner when confronting fires and other life threatening emergencies. On more day-to-day management and human relations issues, the command and rank system must rely on clear, consistent, and complete dissemination of information and uniform enforcement of policies and procedures throughout the organization.

The City of Los Angeles Executive Directive 2000-2 states that General Managers – such as the Executive Director (Fire Chief) – must “have vision, demonstrate leadership, and be accountable for everything that happens in the department.” The Fire Chief of the Los Angeles Fire Department (LAFD), must provide the leadership, direction and guidance to assure that the department’s vision, mission and core values are achieved. For reasons both within and outside of his control, the Fire Chief has not successfully delivered on several key values related to managing LAFD’s human resources.

Our review identified the following issues related to the Fire Chief’s leadership and communications. Specifically:

- The Fire Chief’s vision for the LAFD is unclear and not well understood by its members.
- Members of the Fire Chief’s management team do not fully support and deliver the Fire Chief’s initiatives.
- Gaps in communicating with members at the fire station level exist.
- Enforcement of LAFD policies, procedures, rules and regulations is inconsistent.

These issues have led to uncertainty among rank and file firefighters regarding the vision and future direction of the LAFD, a perception among firefighters that the Fire Chief is detached regarding what is occurring at the fire station level, and an overall lack of attention towards certain administrative processes.

Recommendations

Among our recommendations, we believe that the Fire Commission should direct the LAFD to:

- Develop and communicate a formal overall “Vision” for the LAFD.
- 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.
- 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.
- 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.

Chapter II –Complaint and Disciplinary Process

Complaints from firefighters associated with harassment, hazing or a hostile work environment, and the formal investigative and disciplinary actions taken on these and other transgressions are inconsistently handled, poorly tracked and subjective. During numerous firefighter interviews and from responses to our survey of all minority, women and probationary firefighters, we identified a greater prevalence of harassment, hazing and hostile work environment than the number of investigations conducted by LAFD would indicate. Clearly, more instances occur than are either reported through channels or reach the level of a formal investigation. In part, this situation is the result of a fear to report complaints, the inability of the LAFD’s Equal Employment Opportunity officer to investigate such complaints, and the fact that LAFD does not have a system to track complaints made.

Furthermore, the process to investigate and ultimately discipline persons who have violated LAFD rules and policies, whether the violations relate to workplace harassment, hazing or other transgressions, is poorly done. Formal investigations are conducted by inexperienced and untrained investigators, who are fire captains on a two-year rotational special duty assignment to the Operations command. They are charged with conducting investigations against firefighters primarily from the Bureau of Emergency Services – the same division to which most will return upon completing their investigative assignment. This places them in the untenable position of investigating a member with whom they may work in the future – causing the appearance of a conflict to their independence. Of the eight fire departments we contacted as part of this audit, six had formal internal

affairs division with a mix of civilian and sworn employees that were either specially trained or former law enforcement officers.

Moreover, the entire disciplinary process – from initial identification of an event through the chain of command leading up to the Operations command level – is poorly documented, poorly tracked, inconsistent, subjective, and viewed by many firefighters as unfair. The Fire Chief and his bureau chiefs are unable to identify the number of disciplinary actions taken against firefighters at the fire station level, nor whether the same offense receives the same level of discipline (e.g. verbal reprimand, letter to personnel file, or recommendation to Operations command for a formal investigation).

Recommendations

Among our recommendations, we believe that the Fire Commission should direct the LAFD to:

- Reinstigate a separate EEO investigative 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.
- Establish a centralized mandatory tracking and reporting system for disciplinary and corrective actions that includes 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.
- Develop, with input from the firefighters’ and chiefs’ unions, a set of disciplinary standard disciplinary penalty guidelines for sworn firefighters that reflect the unique accountability resulting from their public safety responsibilities; and, once developed assure that they are consistently applied and fairly administered.
- 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.
- 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 office on EEO-related complaints. This unit’s mission should be to hold all LAFD members accountable to comply with policies and standards

Chapter III – Human Relations Issues Within the LAFD Workplace

In the mid-1990s, the Fire Commission’s Human Relations Development Committee addressed issues within the LAFD identified by an LA City Personnel Department audit related to workplace complaints, discipline and recruit training, among others. An

implementation plan was prepared in 1995 that incorporated recommendations by the City Council's Personnel Committee as well as the City's Personnel Department.

In 2005, several cases involving workplace harassment came to light publicly that once again placed a spotlight on harassment and hazing events within the LAFD. To gain an understanding of the extent of workplace harassment, we sent a confidential survey to 1,811 of LAFD's sworn minority, women and probationary members and officers and solicited candid answers to 34 questions. From the 430 responses (24%) received, we found that workplace harassment continues to exist within the LAFD. Specific results suggest that among this group, issues remain relating to low morale, workplace harassment, and differential treatment. Moreover, the consistency of the responses among and between the various sub-groups strongly suggests that these results may be indicative of issues prevalent across the entire department. Importantly, we also heard similar comments during fire station focus group meetings we held with rank and file firefighters.

Survey respondents included firefighters of all levels ranging from chiefs to individuals on probation and their answers convey recognition of instances of unreported transgressions, fears of retaliation, perceptions of inconsistent treatment, and a lack of clear and consistent communication from the top. Specifically, 87 percent of African Americans experienced or had direct knowledge of racial discrimination. Nearly 80 percent of women report that they are personally aware of, or have been a victim in at least one instance of sexual harassment, whereas 29 percent of men report such instances. Workplace hazing was also prevalent, with 38 percent of respondents new to the job (less than two years) reporting either being a willing or unwilling participant of at least one instance of hazing, while 65 percent of more senior respondents (10 years or more) had witnessed or participated in hazing. It is important to note that these behaviors exist despite the fact that the respondents indicate that the LAFD has taken "reasonable steps" to safeguard against these behaviors.

Lastly, results of our survey also indicate significant issues related to fairness and uniformity of disciplinary actions. Overwhelmingly, respondents at all levels and within all ethnic groups report perceptions of unfair and disparate treatment of instances of harassment or behaviors creating a hostile working environment. Seventy-five percent of respondents believe that violations will not be treated consistently or fairly no matter the rank, personal connection, race or gender.

Recommendations

Among our recommendations, we believe the Fire Commission should direct the LAFD to:

- Undertake a department-wide initiative to address 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.

- 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.
- 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.
- Continue to provide the recent department-wide Human Relations training initiatives and, through a rigorous feedback system, expand or strengthen them as opportunities arise.

Chapter IV – Drill Tower Recruit Training Academy

LAFD conducts a 17-week training Drill Tower Recruit Training Academy (Drill Tower) for firefighter recruits at two locations in Los Angeles – Drill Tower 40 and Frank Hotchkins. However, the Drill Tower was shut down from September 2004 through August 2005 to reassess its effectiveness and revamp its curriculum. A new class of 51 recruits started training under the newly designed Drill Tower curriculum and approach on August 22, 2005. This class completed its training on December 12, 2005.

We reviewed Drill Tower recruit training data from 1998 through 2004. Over this period, LAFD trained 1,092 recruits and assigned those graduating as probationary firefighters within the Bureau of Emergency Services' fire stations to serve one-year probations. Recruits are trained on manipulative (skill application) and academic subjects, and must achieve acceptable scores of 70 percent on most exercises to graduate from the academy. A Drill Master and instructors evaluate recruits throughout the 17-week academy and ultimately recommend to the Fire Chief which recruits should pass the academy and those recommended for failure.

We found circumstances when the Fire Chief overruled the Drill Master's recommendations to fail recruits, particularly for women and African Americans. In 75 cases where the Drill Master recommended a recruit fail the academy for not meeting performance standards, the Fire Chief overruled 45 cases and graduated the recruit. We tracked these persons through the probationary period and found that 77.8 percent of the women and 40 percent of the African Americans ultimately did not pass probation. According to the Deputy Chief over Training and Risk Management, one reason these recommendations for termination were overruled was to improve diversity and hiring statistics among certain groups that are currently underrepresented in LAFD's overall workforce. When we spoke to the Fire Chief, he stated that several cases were overruled

because the recruit's score was "borderline" in meeting Drill Tower standards and providing the extra time and training during the probationary period was warranted.

As previously discussed, the current Drill Tower has been revamped; however, because this class only recently completed its training, it is too soon to tell if the new graduates will successfully meet the Fire Chief's objectives.

Recommendations

Among our recommendations, we believe the Fire Commission should direct the LAFD to:

- Assure that only recruits who have achieved passing scores for each performance standard during the Drill Tower academy are hired as probationary firefighters.
- 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.
- Review the Drill Tower statistics for the 2005 graduates and those that come later to assure that retention rates, manipulative and academic test scores and other performance measures fulfills 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.

SUMMARY OF RECOMMENDATIONS

RECOMMENDATIONS	PAGE REFERENCE
<p>Chapter I – LAFD’s Leadership and Communication</p> <p>We recommend that the Fire Commission direct the LAFD to:</p> <ul style="list-style-type: none"> ▪ Develop and communicate a formal overall “Vision” for the LAFD. ▪ 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. ▪ 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. ▪ 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. 	28
<p>Chapter II – Complaint and Disciplinary Process</p> <p>We recommend that the Fire Commission direct the LAFD to:</p> <ul style="list-style-type: none"> ▪ Reinstigate a separate EEO investigative 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. ▪ Establish a centralized mandatory tracking and reporting system for disciplinary and corrective actions that includes 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. 	45

RECOMMENDATIONS	PAGE REFERENCE
<ul style="list-style-type: none"> ▪ 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. 	45
<ul style="list-style-type: none"> ▪ 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. ▪ Develop, with input from the firefighters’ and chiefs’ unions, a set of disciplinary standard disciplinary penalty guidelines for sworn firefighters that reflect the unique 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. ▪ 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. ▪ 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. ▪ 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. ▪ 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 ▪ 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. 	46

RECOMMENDATIONS	PAGE REFERENCE
<p>Chapter III – Human Relations Issues Within the LAFD Workplace</p> <p>We recommend that the Fire Commission direct the LAFD to:</p> <ul style="list-style-type: none"> ▪ Undertake a department-wide initiative to address 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. ▪ 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. ▪ 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. ▪ Continue to provide the recent department-wide Human Relations training initiatives and, through a rigorous feedback system, expand or strengthen them as opportunities arise. 	<p>55</p> <p>56</p>
<p>Chapter IV – Drill Tower Recruit Training Academy</p> <p>We recommend that the Fire Commission direct the LAFD to:</p> <ul style="list-style-type: none"> ▪ Assure that only recruits who have achieved passing scores for each performance standard during the Drill Tower academy are hired as probationary firefighters. 	<p>67</p>

RECOMMENDATIONS	PAGE REFERENCE
<ul style="list-style-type: none"> <li data-bbox="204 279 1243 604">▪ 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. <li data-bbox="204 625 1276 804">▪ Review the Drill Tower statistics for the 2005 graduates and those that come later to assure that retention rates, manipulative and academic test scores and other performance measures fulfills 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. 	<p data-bbox="1312 317 1414 348">67</p>

Introduction

The Los Angeles Fire Department (LAFD) is a full-spectrum life safety agency providing services such as fire suppression and prevention, search and rescue, air operations, emergency medical transportation, and public education. Governed by a five-member civilian board of Fire Commissioners, the LAFD is headed by a Chief Engineer and General Manager, who directs nearly 3,400 firefighters and more than 300 non-sworn personnel. LAFD provides services through 103 neighborhood fire stations across the department's 471 square-mile jurisdiction, which covers a diverse topography including rocky chaparral and remote wild lands, dense urban and suburban areas, busy freeway and subway systems, airports, and a large ocean port. Ninety-six percent of the LAFD's \$445.5 million budget in fiscal year 2004-05 was spent on salaries and benefits for its employees.

LAFD MISSION: It is the mission of the Los Angeles Fire Department to preserve life and property, promote public safety and foster economic growth through leadership, management and actions, as an all risk life safety response provider.

LAFD carries out its public safety responsibilities and its mission as an "all risk life safety response provider" through the operations of five major bureaus, four headed by a Bureau Commander and one headed by a civilian Fire Administrator:

- **Bureau of Emergency Services:** LAFD's largest bureau with more than 3,100 uniformed members provide front line fire-fighting services of controlling and extinguishing dangerous fires from 103 neighborhood fire stations. This bureau also provides emergency medical services to victims of trauma or sudden illness. The Fire Department's arson section is also part of the Bureau and handles investigations of major and suspicious fires.
- **Bureau of Fire Prevention and Public Safety:** Headed by a Fire Marshal, this bureau is comprised of fire inspectors and fire prevention engineers who have the responsibility for the elimination of fire and life safety hazards in buildings, marine vessels, aircraft, and vehicles; the maintenance of fire protection equipment and systems; the regulation of storage, use, and handling of hazardous materials and hazardous substances; and enforcement of the basic building regulations of the State Fire Marshal. The bureau averages 600 construction plan checks per month and completes 400 new construction final inspections. The Bureau also lectures on fire prevention in schools, motion picture studios, department stores, and other business establishments.
- **Bureau of Support Services:** Provides the Department's general support functions, including logistics, maintenance, administration of the Fire Station Building Program, and communications. The Supply and Maintenance Division is responsible for procurement of supplies and maintenance of all apparatus and equipment. LAFD's fleet consists of 1,092 motorized vehicles, helicopters, and boats valued at more than \$246 million. The Dispatch Section is staffed by Firefighters around-the-clock and is responsible for processing and prioritizing calls from the public. The Operations Control Division is responsible for tracking the status and location of approximately 600 emergency vehicles at all times and

provide on-scene incident commanders with the logistical support needed to mitigate emergencies.

- **Bureau of Training and Risk Management:** This Bureau is responsible for most human resource functions. Specifically, it provides and develops in-service tactical operations and human resource training programs to current employees, monitors quality assurance of training programs, manages recruit services, including the Drill Tower training academy, and oversees risk management.
- **Bureau of Administrative Services:** Headed by the Fire Administrator, this Bureau is responsible for providing the administrative staff functions for the entire LAFD. These are accomplished through five Bureau sections: Management Services, Accounting Services, Employee Relations, Management Information Systems, and Personnel Services. Management Services is responsible for the preparation of the Department’s annual operating budget – the second largest non-proprietary department budget in the City.

During fiscal year 2004-2005, LAFD dispatched nearly 350,000 emergency calls, which include approximately 40,500 fire calls, 20,000 rescue calls, 3,700 hazardous materials calls, and nearly 285,000 emergency medical calls – up from almost 339,000 in fiscal year 2001-2002. In addition, the LAFD investigates more than 5,700 arson cases a year. Average response times city-wide for the first unit on scene has decreased for most response types over the last few years, as shown on Table 1 below:

Table 1. LAFD Average Response Times from 2002 through 2005¹

Response Type	2002/2003 Response Times (Minutes)	2003/2004 Response Times (Minutes)	2004/2005 Response Times (Minutes)
Structure Fire	5.1	4.8	4.5
Advanced Life Support (ALS)	5.6	5.5	5.4
Basic Life Support (BLS)	7.0	7.0	7.0
Other Fire Incidents	6.2	6.2	6.1

As the City of Los Angeles’ population continues to grow and become more diverse each year, it is critical to reflect the community’s diversity in all types of workplaces – including the LAFD. The 2000 census revealed that the City of Los Angeles has one of the largest and most diverse workforce populations of any municipality in the U.S.:

- African American—10%
- Hispanic—41%
- Caucasian—37%
- Asian/American Indian—12%

¹ Source: LAFD Quarterly Statistical Information, August 3, 2005.

In 1974, the City of Los Angeles entered into an Affirmative Action Consent Decree to improve the recruiting and hiring of diverse employees so that the department would become more representative of the racial and ethnic composition of the local community. Goals were established, and in 2002 the Consent Decree was lifted as a Federal Judge ruled that the City had accomplished all of the goals.

Table 2. 1995 and 2005 Overall LAFD Diversity Distribution Comparison

Categories of LAFD Personnel	1995 Overall LAFD Representation	2005 Overall LAFD Representation
African American	11.3%	12.0%
Hispanic	23.6%	29.3%
Caucasian	60.5%	52.6%
Asian	3.6%	4.6%
Other Race or Multi-racial	1%	1.5%
Female	2.9%	2.7%

Table 3. 2005 LAFD Command versus Overall LAFD Diversity Distribution

Categories of LAFD Personnel	2005 Overall LAFD Representation	2005 Representation of LAFD's 88 Chiefs
African American	12.0%	18.2%
Hispanic	29.3%	22.7%
Caucasian	52.6%	55.7%
Asian	4.6%	3.4%
Other Race or Multi-racial	1.5%	0.0%
Female	2.7%	1.1%

Consistent with the Consent Decree's goals, the overall LAFD population including the executive level is becoming increasingly more racially diverse. However, the Consent Decree did not set goals with respect to increasing the number of female employees to ensure fair representation, even though as late as 1980 there were no sworn female employees at LAFD. According to the 2000 census, the percentage of women in the City of Los Angeles was 50 percent, but the number of women represented on the LAFD workforce in 2005 was under 3 percent, as shown on Table 2 above. In fact, since 1995 the percentage of women represented on the LAFD workforce has declined – almost 2.9 percent in 1995 to only 2.7 percent in 2005. And there is only one female Chief at LAFD – a 1.1 percent representation of women among the executive ranks, shown on Table 3 above. Women are better-represented at other major fire departments, including 15 percent in San Francisco (including a female Fire Chief), 16 percent in Minneapolis, and 13 percent in Miami. However, the overall problem of under-representation of women in fire service appears to be a problem throughout the country. Specifically, women

represent only about 6,500 of the nearly 296,000 professional firefighters (2.5%) working nationwide.

Scope and Methodology

The Los Angeles City Controller contracted with Sjoberg Evashenk Consulting, Inc. to conduct a management audit of LAFD – focusing on management structure, leadership and accountability, compliance with established policies and procedures, communication and interrelations among its sworn staff, and comparability with other large fire departments. The audit did not assess the LAFD’s operational activities or readiness, such as its fire suppression, emergency medical transportation operations. The scope of the audit primarily focuses on the LAFD’s activities beginning with fiscal year 2003 and ending at the close of audit fieldwork.

As part of our work during this audit, we specifically reviewed the following:

- Various LAFD organizational publications including EMS Strategic Plan, Rules and Regulations Book, Operations Manual, selected “Books” (including Book #90: EEO Policies), communication materials, and other policy documents and bulletins.
- Board of Fire Commission agendas, meeting summaries, and directives.
- Role of the Board of Commissioner’s Equal Employment Office and brief review of exit interviews performed by Board staff with separated LAFD employees.
- Firefighter Consent Decree (terminated 2002) and LAFD-prepared ethnic identification reports and statistics (2005).
- Corrective Action Discipline Summaries covering the last ten years. Also, Operations’ investigative files as well as Advocate and Board of Rights procedural materials.
- Audits of the LAFD conducted by the Human Resources Development Committee (HRDC), Los Angeles City Personnel Department, LAFD Commission’s Equal Employment Office, and various internal reports.
- Plans for the newly designed department-wide Human Relations and Educational Training Programs, Drill Tower Training for Instructors, and various New Recruit Training Plans.
- Training Academy (Drill Tower) Curriculum and Policy and Procedure Manual, Recruit Informational Handbook, the Training Academy Retention Report and Statistics, as well as recruit graduation and probation pass/fail rates.

We performed numerous interviews with key stakeholders and interested parties, including the following:

- LAFD Fire Chief and each Bureau Commander as well as numerous Fire Department employees from varying levels.
- Former LAFD Commissioners and Commission EEO Staff.
- Los Angeles City Attorney’s Office.

- Los Angeles City Personnel Department Director and staff.
- Representatives from employee groups, including SIRENS, Stentorians, Los Bomberos, United Firefighters of Los Angeles City, and Chiefs' Union.
- LAFD's Training Academy Management and Instructors.

We conducted a benchmarking survey to determine prevailing practices in comparable fire departments. To conduct the survey, we selected eleven comparable fire departments to contact based on metropolitan area population, geographic area, number of fire department employees, and diversity of services offered. The eleven fire departments we selected to benchmark were:

1. The California Department of Forestry and Fire Protection
2. Chicago Fire Department
3. Dallas Fire Department
4. Houston Fire Department
5. Los Angeles County Fire Department
6. New York Fire Department
7. Philadelphia Fire Department
8. Phoenix Fire Department
9. Sacramento City Fire Department
10. San Antonio Fire Department
11. San Diego Fire Department

We requested responses to more than sixty questions related to each comparable department's dispatch operations, discipline/internal affairs processes, as well as training/probationary programs and communication structure. We were able to gather different amounts of data for the different departments due to varying levels of responsiveness to our inquiries. The California Department of Forestry and Fire Protection, Los Angeles County and New York fire departments were not included in our results because of an insufficient response to our numerous inquiries.

To gain an understanding of the culture and environment of the workplace from the perspective of all sworn minority, women, and probationary fire department members, we conducted a confidential survey polling all 1,811 individuals within these groups. The 34-item survey solicited candid answers to questions covering such areas as morale, communication, department vision, policies and procedures, workplace behaviors, complaints, and discipline. Twenty-four percent (430 members) responded to our survey.

We conducted this management audit in accordance with generally accepted government auditing standards. We limited our review to those areas described in this Scope and Methodology Section.

Chapter I – LAFD’s Leadership and Communications

The command and rank structure of the LAFD, as with any paramilitary organization, is a necessity to address its public safety and emergency response mission quickly and effectively. Extensive dialog, debate, and deliberation must give way to immediate command assessments, giving and receiving orders, and rapidly responding in a prescribed, competently-trained manner when confronting fires and other life threatening emergencies. On more day-to-day management and human relations issues, the command and rank system must rely on clear, consistent, and complete dissemination of information and uniform enforcement of policies and procedures throughout the organization.

The City of Los Angeles Executive Directive 2000-2 states that General Managers – such as the Executive Director (Fire Chief) – must “have vision, demonstrate leadership, and be accountable for everything that happens in the department.” The Fire Chief of the Los Angeles Fire Department (LAFD), must provide the leadership, direction and guidance to assure that the department’s vision, mission and core values are achieved. For reasons both within and outside of his control, the Fire Chief has not successfully delivered on several key values related to managing LAFD’s human resources. Our review indicates a lack of organizational understanding of the vision and future the Fire Chief has for the department. Further, key members of the Fire Chief’s management team may be disenfranchised and not fully supporting and delivering the Fire Chief’s initiatives.

The Fire Chief’s Vision Is Unclear and Not Well Understood Among Members

Within an organization, the “tone” is set at the top. The leader must set a clear, understandable vision and use that vision to deliver the organization’s mission and goals. Thus, communicating the core messages to every level of the organization is essential. Effective communication requires adequate and timely dissemination of the comprehensive information needed by staff to fulfill the leader’s vision. The Fire Chief is therefore responsible for continually communicating a consistent message to management and fire station members. However, our review indicates that the Fire Chief lacks a formal, well-developed vision that is widely published or communicated. The vision statement most often published in LAFD material is drawn from the 5-year Emergency Medical Services (EMS) Strategic Plan published in May 2003. This vision emphasizes the LAFD’s commitment to response time, intervention/survival time, and community education. The overview letter in the 5-year EMS Strategic Plan includes another version of the Fire Chief’s vision for the LAFD:

“My vision...is to provide the residents of the City of Los Angeles with optimum-level emergency services through efficiency and leadership.”

During our visits with crewmembers at several fire stations and special duty employees working in the administrative offices, we found that overwhelmingly, the employees had no idea of the Fire Chief’s vision for the LAFD or its future. Those who believed they knew the Fire Chief’s departmental vision generally pointed out his desire to increase EMS resources at all fire stations; this goal is outlined in the 2003 EMS Strategic Plan.

This lack of fully understanding the Fire Chief's departmental vision is reiterated by the results of our confidential survey. The 430 minority, women, and probationary firefighters who responded to our survey regarding various issues including communication and departmental vision responded with general consistency no matter the group they represented. When asked about whether they have a clear view of the Fire Chief's vision for the department, approximately 31 percent answered that they did have a clear understanding. As chiefs and captains are key links in communicating the Fire Chief's initiatives and directives, it is imperative that members in these ranks solidly understand and convey these messages to the other members. However, our survey results convey that fewer than 26 percent of captains, slightly more than 18 percent of rated members below captain, and 47 percent of chiefs clearly understand the Fire Chief's vision.

In addition, the Fire Commission adopted the LAFD's mission, focus, values, and goals which are widely published throughout the LAFD, including its website. These statements of values, goals and objectives appear to appropriately address the public safety issues challenging officers on a daily basis and are consistent with statements of other major fire departments we contacted. While not directly reflecting the Fire Chief and LAFD's concern and sensitivity to diversity, for the most part, the written statements convey appropriate messages. However, like the Fire Chief's vision, they were not fully communicated to the members. When asked if "there is good communication between the Fire Chief and the firefighters in the field regarding LAFD's goals, objectives, and standards of operation", only 28 percent of survey respondents answered positively.

Throughout the course of our fieldwork, we found that communications regarding technical operations issues appeared to be adequate and timely. Survey respondents overwhelmingly stated that they have access to the materials and information needed to do their jobs well and thoroughly. Yet, despite the multiple lines of communication between fire stations and upper management, we found a lack of communication from the Fire Chief regarding department-wide goals and values. Further, over half of the respondents believe that communication from the Fire Chief to the field **is not** good.

None of the *Letters from the Fire Chief* we reviewed, covering December 2004 through May 2005, addressed department-wide goals or values aimed at building morale or giving employees a vision of the LAFD's future. In addition, none of these letters had a positive tone with an inward focus on the organization itself; all were either concerned with responsibilities to other organizations (i.e. Day of Dialogue Program, Bank Overtime, and Employee Contacts with Outside Organizations letters), or were reproachful in nature (i.e. Public Expectation – Professionalism and the Work Environment letter).

During our visits with fire station staff, we found that morale was not high among LAFD firefighters and it was clear that many employees did not have a firm grasp of the Fire Chief's vision for the LAFD. Although several crewmembers spoke in support of the Fire Chief, many seemed to consider him a political figure out of touch with what was really happening at the fire station level. One case illustrates this point. We found a general suspicion regarding information related to the Fallen Firefighter's Memorial,

which is not affiliated with the LAFD, being included in the Fire Chief's recent DVD message. Specifically, many stated they felt like the message was sent to obligate them to support the program because the wife of the Fire Chief was involved in it. In fact, many crewmembers indicated once they saw that the program was part of the message, they were immediately disinterested in the rest of the DVD's message.

Issues related to dissemination of the LAFD's mission, goals, and objectives are further exacerbated by span of control issues. Specifically, we identified this issue within the Bureau of Emergency Services (BES), where according to the Deputy Chief (BES Commander), he and his small staff are responsible for approximately 3,100 individuals – the vast majority of LAFD's employees, including all fire station staff. We found that the

Bureau of Emergency Services (BES)

- LAFD's largest bureau
- 103 neighborhood fire stations
- Provides front line fire-fighting services
- Provides emergency medical services (EMS)

BES Commander does not delegate some authority that may be more efficiently handled by lower level managers and would also support the Fire Chief's desire to push down decision-making to the lowest level possible. For example, the BES Commander reviews every disciplinary action that is sent up through channels from fire stations to determine whether the action warrants progression to Operations command rather than rely on the judgment of lower level managers, yet

he relies totally on the judgment of the same managers during life threatening tactical situations. While the BES Commander would need to be informed of significant disciplinary issues, his level of involvement appears to be redundant. Relieving the Bureau Commander of the responsibility of personally reviewing numerous disciplinary issues, and instead, delegating to the immediate supervisor the responsibility for assessing the situation and determining the appropriate action may ease the span of control issue and allow the BES commander more time to provide leadership guidance such as reinforcing the Fire Chief's mission, goals and objectives. Additionally, to build future leaders and afford greater management competency, the LAFD should provide the necessary support, guidance, and training to these immediate supervisors to ensure effective and appropriate disciplinary actions.

An imbalance between command and control staff and mission-focused personnel relegates the reinforcement of positive shared values secondary to the daily challenge of maintaining appropriate oversight. Leadership experts point out that doubt among employees concerning the direction the organization is heading, or the executive's vision² for the future, can lead to an executive's loss of credibility among his or her constituents. Furthermore, if employees are constantly battling doubts, then they are not focusing on their tasks or projects at work but are performing their jobs out of professional obligation and for job security. In such an environment, employees are not reaching their full potential, and the organization itself suffers from the lack of motivation, productivity, and ambition.

² Frances Hesselein, Marshall Goldsmith, and Richard Beckhard. *The Leader of the Future: New Visions, Strategies, and Practices for the Next Era*.

Support is Lacking from Some Command Staff

In comparison to similar paramilitary organizations, LAFD's rank-structure that utilizes various levels (Deputy Chief's, Assistant Chiefs, Division Chiefs, Battalion Chiefs, and Captains) to disseminate information department-wide appears standard and is intended to enhance the ability of leaders to control participants through a "chain of command". This is particularly important when working in an emergency situation and giving orders must require the least amount of dialogue possible. While this structure may work well within an emergency setting, it also inherently restricts and compartmentalizes non-emergency communication. This may create a communication weakness if a perception exists that the Fire Chief's executive level management (Deputy Chiefs) do not share the Chief's mission, goals, and objectives.

We found a common perception among fire department employees that the Fire Chief does not have the full support of all of his Deputy Chiefs. One reason consistently provided relates to the fact that some individuals at the deputy chief level feel resentment due to the fact that the Fire Chief was promoted from Battalion Chief directly to Fire Chief – thus skipping three traditional promotions – Division, Assistant, and Deputy Chief levels. Another reason involves the perception that the Fire Chief is not a strong leader and attempts to be everyone's "friend" – which appears to differ from the previous Fire Chief's style. We noted that during a recent Fire Chief-led Executive Symposium for Chief Officers, one Deputy Chief physically distanced himself from the Fire Chief and appeared disinterested and uninvolved in the message the Chief was attempting to impart. Such lack of involvement or interest sends a message to other attendees that the Deputy Chief does not support the Fire Chief's message and suggests that they need not either. Further, this lack of support likely carries down to subordinates and into the field.

In conversations with others in attendance, they indicated that they also noticed this behavior and stated that it was not unusual but viewed as unacceptable. Although the Fire Chief promoted each of the Deputies into their current position, he indicated that one of his biggest challenges with some of his Deputies involves his belief that they may be "losing steam" in that they lose initiative or demonstrate a "short-timer's" attitude as they wait to retire.

Leadership experts also point out several negative implications for the well-being of an organization when the organization's chief executive does not have the full support and backing of the organization's constituents.³ Often, such a lack of support for a leader arises when the expectations held by the leader concerning situations and relationships within the context of the work environment are not congruent with those held by others within the organization. Negative emotions (e.g. hurt, anger) may result because the expectations of neither side are being met, and the chief executive may ultimately be perceived as a destructive force within the organization. These factors can make it difficult for even good plans aimed at improving the Department's performance to work.

³ Leo Giglio, Thomas Diamante, and Julie M. Urban. *Coaching and Leader: Leveraging Change at the Top*.

Most Communication at the Fire Station Level Appears Adequate but Some Gaps Exist

The LAFD uses several sources to convey information from the Fire Chief down to the stations. As previously stated, the Deputies are responsible for disseminating information they receive from the Fire Chief. The primary source of conveying information to the firefighters in the field is the station's first level supervisor (Captain). The supervisor is responsible for reviewing documents sent electronically to the station's computer (designated as the "Department Information" folder), that stores communications from management to the fire station, such as departmental bulletins, administrative bulletins, and information notices – all such communications are stored and available to every station employee via fire station computers. The supervisor will also check for new teletype documents received from management. After checking the various communication resources, the supervisor will call all employees together for the morning line-up to share the information. In addition, teletype documents can be received throughout the day, and if any are received, the supervisor will call all crew members together to disseminate the information. Day-to-day types of communication from the Fire Chief are received via "Letters from the Chief" or "Messages from the Chief" that are mailed to all fire stations to be delivered by supervisors to crew members. Other information from the Fire Chief will occasionally be sent out in hard copy to the fire stations, such as a recent DVD message.

Survey results and conversations at the fire station level suggest that the field level employees believe they are appropriately informed by their station supervisors. However, communication directly from the Fire Chief to field members seems to be less successful. During the past year, the Fire Chief issued four letters related to the "Day of Dialogue Program," "Bank Overtime 2004/2005," "Public Expectation – Professionalism and the Work Environment," and "Employee Contacts with Outside Organizations." To determine whether these letters from the Chief sent to the fire stations were effectively received by employees, our survey solicited responses. While nearly all Chiefs and 85 percent of Captains who responded to our question remember receiving the letters and recalled at least some of the content, only a little more than half of other members (i.e. rated members below captain, firefighter/paramedics) recollect such letters.

Moreover, the Fire Chief sent a DVD message (September 9, 2005) that contained information on the current state of the LAFD, the work environment, fire fighter safety issues, and the Fallen Firefighter's Memorial. Approximately half of the employees we spoke to during fire station visits indicated that they had either never heard of the DVD, felt that watching the message was not a station priority, or they did not have the ability to play the message because the station's DVD player was broken or the department-issued computer did not have the capability to play DVDs. In fact, everyone we spoke with stated that the fire department did not provide equipment to watch DVD's; rather, those stations that had a DVD player had one because the crewmembers pooled their money to purchase one or the community bought one for the local fire station. Consequently, delivering the Fire Chief's message in the DVD media was not effective.

All of the fire departments that responded to our benchmark questions regarding inter-departmental communications responded that the office of the Chief/Commissioner communicated regularly with the department regarding department-wide directives and initiatives. These departments also reported that this type of communication was done electronically via email to all members, and all of the departments but one reported that communications of this type were also done via hard copy documents. Three of the fire departments (Houston, Philadelphia and Sacramento) responded that more important or urgent matters were communicated in-person to upper and mid-level fire department management, which is similar to approach used by the LAFD.

Communication within an organization should not always be top down. Members should have non-threatening avenues to ask questions, obtain additional information, or to voice concerns. Our conversations with members in the field suggest that LAFD management has not addressed some key issues and concerns of members in the field. For example, we found several LAFD members who wanted to know the Fire Chief's plans for dealing with the planned retirement of over 200 employees, many of whom were officers, within the next 20 months under the Deferred Retirement Option Plan. Crews wanted to know the plan to replace those who were retiring, especially considering that the LAFD was already low on staffing resources. These concerns and the lack of information at the fire station level concerning subjects of this type could contribute to the morale problems we found among LAFD's employees (further discussed in Chapter III).

Deferred Retirement Option Plan (DROP)

A form of retirement benefit in which participants have their pension benefits fixed upon enrollment in the plan. Upon retirement, participants collect their pension at the fixed rate in a lump sum or annuity payment.

Another issue commonly discussed relates to a perceived generational gap between newly hired employees and those that had been with the LAFD for many years, or even decades. We heard from older managers that it is their perception the new generation of workers, particularly the well-educated "Generation X", do not have the same commitment and dedication to the LAFD as employees have previously demonstrated. Specifically, these managers felt the new generation does not take orders without questioning the reasoning behind the order. We believe that in order to be effective in today's environment, supervisors at all levels will have to be willing to include information in their message to address the questions of today's employees who do not submit to authority as workers have in the past. This should be part of the LAFD's vision for the future, and should be communicated from the top of the organization.

Lack of Consistent Enforcement of Policies, Procedures, Rules and Regulations

Effective leadership requires comprehensive yet manageable policies, procedures, rules, and regulations so that employees understand the parameters and expectations of behavior and the criteria by which their performance will be judged. Timely and focused vision and mission statements are also required so that staff members understand where the LAFD is heading, how the leader will guide them there, and in order to better understand the overall purpose of their employment within the organization. As part of

our fieldwork, we reviewed the policies and procedures of other major fire departments in order to have a comparable basis for those procedures promulgated by the LAFD. Overall, we found the LAFD policies and procedures are adequate and comprehensive when compared to similar fire departments; however, we did find areas that can be improved such as clarifying and expanding certain performance standards and disciplinary rules and enforcement, as well as a need to focus on the LAFD's guiding values. We also found that the written standards are not always being enforced at all levels within the LAFD.

Effective leadership requires consistent enforcement of policies and rules, or employees will learn over time to discount or ignore the policies and rules with little fear of accountability or negative consequences. The axiom that "the tone is set at the top" is true of any organization, including the LAFD. While the Fire Chief and Chief Deputies stated to us during our review that they saw the need to hold employees at all levels accountable to the organization's rules and policies, we found a lack of conviction among LAFD's leaders over certain issues and lax enforcement of several rules and policies.

If employees and/or their immediate supervisors believe that upper management either does not fully embrace or does not intend to enforce the requirements, staff may implicitly believe that compliance is unnecessary. For example, we observed during a recent Executive Symposium of Chief Officers, that when the Fire Chief was questioned by his chiefs charged with carrying out his objectives about a new policy that prohibits speeding while driving an emergency vehicle, the Fire Chief effectively undermined his new policy. Instead of taking a firm stance regarding enforcing the policy, he said that hopefully having the new policy in place will make fire station members more careful when the need arises to speed. This response suggests that violating his new policy would be acceptable when the subjective "need to speed" arose. To assure that directives, rules and policies are followed, supervisors and management must be consistent in holding their employees accountable when deviations from these standards are observed.

Another example of vague directives, inconsistent application or enforcement concerns the LAFD's policy regarding handling 35-foot extension ladders mandating that three people must work the ladder, including during ladder training, in order to reduce employee injuries. An exception to the rule allows two person teams to work the ladder during "life threatening" emergency situations when a third person is unavailable. We were told that in actual field emergency situations, only two firefighters routinely raise and position the ladder because it is not unusual for only two people to be available in many emergency circumstances; however, what is unclear to members is what type of emergency would be considered "life threatening". Moreover, as training should reflect real-time situations, we were told that many fire stations practice ladder maneuvers with only two people – an activity in direct conflict with department policy. In response to the inconsistent application of its policy, LAFD management issued a Departmental Bulletin clarifying the longstanding policy that "...the 35-foot extension ladder shall be raised and lowered by three members during *all emergencies and routine training*. The only exception to this policy is when an immediate threat to public and/or firefighter safety

exists” (emphasis added). The policy goes on to permit 35-foot ladder practice with two people under direct supervision, and with assistant firefighters on either side to help if needed. This policy clarification is vague in that it does not define or describe the distinction between emergencies and life threatening situations. Since the current source of confusion in the field regarding raising 35-foot ladders relates to this vague policy, it could undermine the authority of upper management, ultimately affecting employee understanding of what is expected of them and what would constitute a policy violation.

In another example of unclear and inconsistent directives, LAFD accepted an informal practice of not utilizing the safety strap while on the tail board of a fire engine. In August 2004, a firefighter was killed as a result of falling from the tailboard of a fire engine and being run over by the engine as it backed up. Department policy at the time required that a safety harness be used while riding on the back of an apparatus; however, it was determined that the probationary firefighter was not utilizing the safety harness at the time of the accident. However, LAFD revised its “Heavy Apparatus Backing Policy” on June 23, 2005, to direct, among other things, that: “No member shall ride on the tailboard of any running board of an apparatus when the apparatus is in motion.” Because of the outcry from the field that this policy created safety hazards for members, the Department requested input from the field. Commanders responded to the request by providing some of the following information related to the new policy:

- Backing members on the ground may trip or lose their footing while attempting to maintain visual contact with the apparatus driver.
- It is nearly impossible for the apparatus drivers to keep a constant visual of the backing member on the ground as the driver must continually look elsewhere, including monitoring both the 360-degree area around the apparatus and the approaching traffic.
- It is difficult for apparatus drivers to see the backing members who are on foot, particularly at night.
- There is no way for a backing member on the ground to alert the driver to stop backing when hazards are identified.

The commanders’ recommended that until mechanisms, such as remote pushbutton switches and rear-cameras, can be installed to mitigate the hazards noted above, the Department should revert back to the policy in place prior to June 23, 2005 and allow members to ride on the tailboard when properly secured in a safety harness to the apparatus. However, as of October 20, 2005, the LAFD had not modified the June 23, 2005, policy despite the issues raised. According to the Operations Commander, the BES Commander is in the process of gathering benchmark data related to this policy before making any changes. Further, while the Fire Chief was quoted in a Los Angeles newspaper as saying, “The primary responsibility of an officer, a supervisor, is the safety and welfare of the members they supervise,” no officers were disciplined or otherwise held accountable for the probationary firefighter’s failure to properly secure herself to the tailboard via the safety harness as required by the Department policy then in force. According to the Operations Commander, it has long been the informal, accepted practice of not utilizing the safety strap while on the tailboard – thus, Department management

felt they could not hold the supervisors accountable to the formal written policy requiring the use of the safety strap.

Research has shown that if a leader has conflicting goals, then inconsistent policies will result⁴. A potential outcome of inconsistent policies could be that the leader inadvertently creates a “neurotic” organization, which exists with various degrees of conflict and “exhibits uneven patterns of strengths and weaknesses.” During our field visits, numerous interviews with employees, we heard from many firefighters that they believe the Fire Chief issues new policies in a “knee-jerk” fashion in order to respond to what is viewed as the latest political or public relations crisis rather than issuing policies solely aimed at the safety of the LAFD’s members. The revamped 35-foot ladder and tail board policies discussed previously were continually pointed out to us by LAFD employees as examples of inconsistent policies formed as a result of external pressures. Inconsistent patterns can become embedded in the culture of the organization and cannot be easily changed. When such ad hoc policies become associated with an organization’s operational norms, they become accepted as the best way to accomplish activity – reducing the reliance in and acceptance of the organization’s formal policies and procedures.

Steps taken by the Fire Chief to Improve Communication

In addition to the day-to-day communication and regular staff and All Chief meetings, the Fire Chief is taking steps to improve communication within the Department. For example:

- As part of a new two-year Human Relations Training Program, the Fire Chief is leading Executive Symposiums for Chief Officers to provide their insight directly to the Chief on any management issue and assist with communication challenges the department faces as well as provide executive level human relations training. These symposiums were held in small groups of no more than 15 people and were running through six series ending in the Spring of 2006.
- In August 2005, the Fire Chief also spoke at two in-service classes of approximately 300 potential officers. These classes were a study program for future officers where the Chief discussed expectations of the future of LAFD leaders. One aspect of the discussion included the Department’s need for strong leaders especially in light of the retirement of numerous captains and chiefs as a result of the Deferred Retirement Option Plan.

While these are important and commendable improvements in Department operations, and perhaps could lead to further improvements in communications between fire station staff and their leader, it is too early to measure success.

Additionally, the Fire Chief told us that certain civil service rules regarding promoting command-level staff tend to inhibit his ability to create a team of senior officers to help

⁴ Frances Hesselbein, Marshall Goldsmith, and Richard Beckhard. *The Leader of the Future: New Visions, Strategies, and Practices for the Next Era*.

him carry out his vision for the Department. The Los Angeles City Charter requires the Civil Service exam for all positions at LAFD except the Fire Chief, thereby rendering the Fire Chief unable to remove executive management who are not effectively carrying out his mission. In comparison, he cited that at the Los Angeles Police Department top positions are exempt from civil service thereby allowing that organization's Chief Executive to remove those employees who are hindering the organization's growth and progress. The Fire Chief indicated that he would like to see a Charter change for the LAFD that is similar to the LAPD. He believed all public safety agencies should be using the same exemption process for top level employees. He also indicated that he would be open to re-classifying all Chief ranks to just one "Assistant Chief" rank (still civil servant) so that he could select or remove any one of them as a Deputy. Moreover, the Fire Chief understood that achieving such a change would require not only a City-wide charter referendum, but also support of union, association and other stakeholder groups that would likely oppose modifying a long-standing fire department tradition.

CONCLUSION AND RECOMMENDATIONS

Poor administrative leadership and communication of policies and expectations by the Fire Chief and his command has led to inattention towards administrative processes and the perception of inequitable and disparate treatment within the LAFD. Moreover, effective leadership requires comprehensive yet manageable policies, procedures and rules, timely and focused vision and mission statements, consistent enforcement of policies and standards, and adequate dissemination of this information to staff – especially in an environment where emergencies and crises are normal occurrences. Because the LAFD is a large paramilitary, rank-structured organization, change and flexibility required to adequately respond to these issues may be difficult. Nonetheless, the LAFD must face the current issues with resolve to improve its operations so that employees will have clear direction of the vision and future of the Department.

Recommendations

We recommend that the Fire Commission direct the LAFD to:

- Develop and communicate a formal overall "Vision" for the LAFD.
- 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.
- 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.
- 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.

Chapter II – Complaint and Disciplinary Process

Complaints from firefighters associated with harassment, hazing or a hostile work environment, and the formal investigative and disciplinary actions taken on these and other transgressions are inconsistently handled, poorly tracked and subjective. During numerous firefighter interviews and from responses to our survey of all minority, women and probationary firefighters, we identified a greater prevalence of harassment, hazing and hostile work environment than the number of investigations conducted by LAFD would indicate. Clearly, more instances occur than are either reported through channels or reach the level of a formal investigation. In part, this situation is the result of a fear to report complaints, the inability of the LAFD's Equal Employment Opportunity officer to investigate such complaints, and the fact that LAFD does not have a system to track complaints made.

Furthermore, the process to investigate and ultimately discipline persons who have violated LAFD rules and policies, whether the violations relate to workplace harassment, hazing or other transgressions, is poorly done. Formal investigations are conducted by inexperienced and untrained investigators, who are generally fire captains on a two-year rotational special duty assignment to the Operations command (Operations). They are charged with conducting investigations against firefighters primarily from the Bureau of Emergency Services – the same division to which most will return upon completing their investigative assignment. This places them in the untenable position of investigating a member with whom they may work in the future – causing the appearance of a conflict to their independence.

Moreover, the entire disciplinary process—from initial identification of an event through the chain of command leading up to the Operations level – is untracked, subjective and viewed by many firefighters as unfair. The Fire Chief and his bureau chiefs are unable to identify the number of disciplinary actions taken against firefighters at the fire station level, nor whether the same offense receives the same level of discipline (e.g. verbal reprimand, counseling, letter to personnel file, or recommendation to the Operations for a formal investigation).

1995 Human Relations Development Committee

In November 1994, the LA City Personnel Department completed a Human Resources Audit of the LAFD. That same month, the Board of Fire Commissioners formed the Human Relations Development Committee (HRDC) Oversight Committee to address the Personnel Department's recommendations. The overriding objective of HRDC was to develop the implementation strategies for enacting the Personnel Department's recommendations. Chaired by a member of the Board of Fire Commissioners, the HRDC consisted of employee organization members, chief officer and firefighter unions, and normally a member representing the LAFD was present.

The HRDC's 1995 Plan incorporated both the recommendations of the City's Personnel Department and the City Council's Personnel Committee, and also expanded on these

original recommendations, bringing the total to 180 implementation recommendations. The HRDC Plan includes ten chapters, which identify the different areas targeted for change or improvement (e.g. Equal Employment Opportunity Coordinator). The HRDC plan also includes several recommendations incorporated within individual chapters and provides multiple detailed steps for implementation. These chapters emphasize the following areas:

- Equal Employment Opportunity Coordinator (EEOC)
- Work Environment
- Recruitment, Promotional Processes, and Career Development
- Entry Level Process, Training Academy, and Probationary Retention
- Discipline
- Transfers

For the first few years after it was formed, the HRDC was very active and engaged in meetings on a monthly basis. Beginning in 2001, the HRDC became much less active, with the Commission setting fewer and less frequent meetings. According to a former member of the HRDC and a policy analyst for the Mayor's Office, interest waned as the years passed.

Initially, the HRDC functioned as a "working group" with input on a \$1 million dollar budget which was used to fund several projects, including diversity and sexual harassment training for the LAFD. The HRDC budget was replenished each year through the Department's budget, and the HRDC as a whole monitored the funds, according to an LAFD official.

Status of HRDC Recommendations

The Recommendation Status matrices for each chapter of the HRDC Plan, which the LAFD provides to the Board of Fire Commissioners when requested, indicates the status of recommendation implementation which were last modified in 2001. It appeared the LAFD had addressed some of the issues, but others remain incomplete, such as:

- Requiring the EEOC to track and investigate EEO-related claims and grievances. Currently, the EEO Director is unable to fulfill either of these functions.
- Establishing a comprehensive tracking system of disciplinary activities to help ensure equitable and consistent application of discipline based upon historical data. Despite being labeled as "complete" by the LAFD, no department-wide comprehensive tracking system for discipline cases below formal investigations conducted by the Operations command exists.
- Addressing the LAFD's commitment to career development and upward mobility within the Fire Chief's mission statement. The current mission statement makes no mention of career development or upward mobility.

EEO Coordinator Does Not Track or Investigate Complaints

Under the HRDC recommendations, the EEOC was to report directly to the President of the Commission in an effort to give the position an amount of objectivity and independence in handling sensitive matters within the LAFD. In addition, this structure would allow separating LAFD employees to feel more comfortable sharing personal observations and issues with an individual outside the chain of command. However, the EEOC office is located on the same floor as the LAFD's administration, potentially deterring intimidated employees seeking out the assistance of this office. The EEOC's original responsibilities were to perform investigations, track complaints, and follow up on EEOC cases within the LAFD.

According to the Fire Commission's EEO Director, her role shifted from its original intent as described above to her current role, which involves approximately 25 percent EEO-related activities; the remainder of her time is spent working on various tasks assigned by the President of the Commission. Her EEO-related activities include:

- Acting as a consultant to supervisors and employees that seek EEO information;
- Advising and training staff on EEO laws, with regard to their individual responsibilities, rights, and options;
- Updating LAFD's EEO policies; and
- Providing EEO orientation to new recruits at the Drill Tower.

The EEO Director stated that her current role does not allow her to become personally involved with EEO investigations and indicated that this shift from her original EEOC role to the current diminished role is a result of the City Attorney's Office advising the Fire Commissioners to not allow EEO staff to conduct investigations due to concern over subjecting the Board to litigation. Consequently, the EEO office does not conduct EEO-related investigations nor do they track EEO complaints.

Currently, EEO complaints are handled in the same manner within the LAFD as general disciplinary actions, and EEO-related complaints are not tracked separately by Operations. Because EEO claims are being handled by Operation's staff who lack specific EEO sensitivity, training, and experience to investigate and process such allegations, employees may be reluctant to file EEO complaints. As discussed more fully in Chapter III of the report, respondents to our survey of minority, women, and probationary firefighters indicate a greater number of workplace, sexual, racial discrimination, harassment, and hazing incidents than is evident by the number of cases investigated by the LAFD.

In addition, the City's Personnel Director indicated that Operations is not forwarding EEO-related information to the City personnel department as required based on her department's experience with the LAFD. The City Personnel Department maintains an EEO database of all complaints filed throughout the City, and its Office of Discrimination Complaint Resolution is the entity charged with assessing citywide EEO-related risk.

The original intent of the LAFD's EEOC was to make it easier for employees to file complaints independent of the chain of command. However, in practice, the EEOC plays a diminished and passive role of "consultant" to members who actively seek assistance rather than one of a department-wide advocate. Thus, this reduced effectiveness fails to create a comfortable, supportive, and safe environment for victimized employees to come forward. This ineffective function may potentially influence the negative perception of LAFD's handling of EEO issues and decreases the likelihood of employees filing justified complaints for fear of retaliation. Further, exit interviews with firefighters leaving LAFD employment suggest that treatment in the workplace, Drill Tower and harassment from co-workers has led to individuals separating from the department or failing to report EEO-related complaints. For example, the majority of entry-level firefighters who voluntarily left LAFD identified poor treatment at the Drill Tower and during probation as overriding contributing factors to their leaving. The failure of an organization to make potentially victimized employees feel secure in coming forward breeds an environment conducive to creating more victims. Further, a lack of an appropriate avenue for disclosure could mask pervasive issues that ultimately tend to come to the attention of those higher in the chain of command only when an instance becomes public and results in an explosion of accusations.

Members Perceive Disciplinary Processes are Unfair

LAFD is empowered to be a self-disciplining body.⁵ The primary goal behind administering discipline is to safeguard public trust which must be preserved to accomplish the LAFD's Mission: "Preserve life and property, promote public safety and foster economic growth through leadership, management and actions, as an all risk life safety response provider." According to the LAFD, the objectives of administering discipline are to:

- Correct members behavior;
- Impose a penalty for committing an infraction; and,
- Send an appropriate message to continually clarify the Department's expectations.

LAFD's Operations command is headed by the Operations Commander and administers disciplinary actions that rise through the chain of command for all levels of both sworn and civilian employees. The Fire Chief has the ultimate responsibility of administering discipline, with the exception of more serious matters that require either Board of Rights hearings (sworn personnel) or civil service hearings (civilian employees). Based on our interviews and survey responses, there is a common perception among firefighters we spoke with or who responded to our survey that the LAFD's system of progressive discipline is unfair, discretionary, and arbitrary, and lacks accountability – allowing negative perceptions, attitudes, and behaviors to build. It is important to point out that several individuals have held the position of Operations Commander in recent years – the

⁵ Source: Los Angeles City Charter.

current Commander being in the position for just over one year. The Operations Commander's staff is relatively small and comprised of officers in rotating positions – including an Executive Officer, who acts as the assistant to the Operations Commander, and investigative advocates.

The Undocumented Disciplinary Process is Difficult to Decipher

We found LAFD's disciplinary process very difficult to decipher, largely due to a lack of comprehensive written guidelines, procedures, or protocols. Consequently, few standards exist by which to judge performance of the LAFD in exercising its disciplinary activities. We were provided a Disciplinary Process Overview Manual; however, this document was not widely distributed and the department was unsure of its use or timeframe in which it was created. This manual's limited information included the civil service guidelines for punishing non-sworn City staff as well as a copy of the LAFD's rules and regulations. While these rules and regulations are provided to each member of LAFD, the disciplinary process is described in very high-level and general terms.

The one area we found to be clearly lacking – in both the rules and regulations and the Manual of Operations – relates to the disciplinary process itself. Specifically, these documents lacked detailed explanations of what constitutes a rule violation (including EEO policies), the process for handling rule violations through the disciplinary processes, and the level of discipline to be applied for each rule infraction. We found that the absence of guidelines for rule violations and punishment resulted in the LAFD relying upon civilian sentencing guidelines for determining the appropriate punishment for sworn officers, which may be unsuitable considering the unique responsibilities and circumstances facing these officers.

In contrast to civilian city workers, sworn officers are faced daily with significant public safety responsibilities where an individual's action or inaction can directly affect the public and LAFD coworkers. In addition, unlike civilian employees, firefighters live and work together, so their actions are felt by coworkers within a family-style fraternal context; thus, placing additional demands on codes of behavior. An action that might simply be inappropriate behavior within a civilian setting could within the fire station context lead to extremely poor relations, dysfunctional teamwork, and low morale among coworkers. Overall, disciplinary standards for sworn firefighters should reflect the complexities and realities firefighters incur as a result of their unique positions and work environment.

Illustrating the lack of comprehensive written guidelines, procedures, or protocols, our interviews and survey revealed that employees do not fully understand the disciplinary process or possible punitive penalties resulting from various acts, nor do they feel that punishment is meted out fairly and consistently. Further, the guidelines relied upon by the LAFD to punish rule violators are loosely based on those created for the civil service commission that are very broad and have not been updated since 1995. In fact, some guidelines are so broad that they provide a range of punishment from a simple reprimand on the low-end to termination on the high-end for the same offense. Also, because of their important public safety roles, sworn fire department employees should be held to a

standard (and punishment) commensurate with their unique responsibilities, rather than for the City’s general civil service employees.

To ascertain whether employees of LAFD understand the disciplinary process, we questioned our survey group. Of those minority, women, and probationary members responding, approximately 32 percent indicated that they would not know what to expect in terms of the disciplinary process if they violated a rule or policy. Moreover, nearly 48 percent report that they do not have a clear understanding of the punitive penalties of violations of LAFD rules and policies.

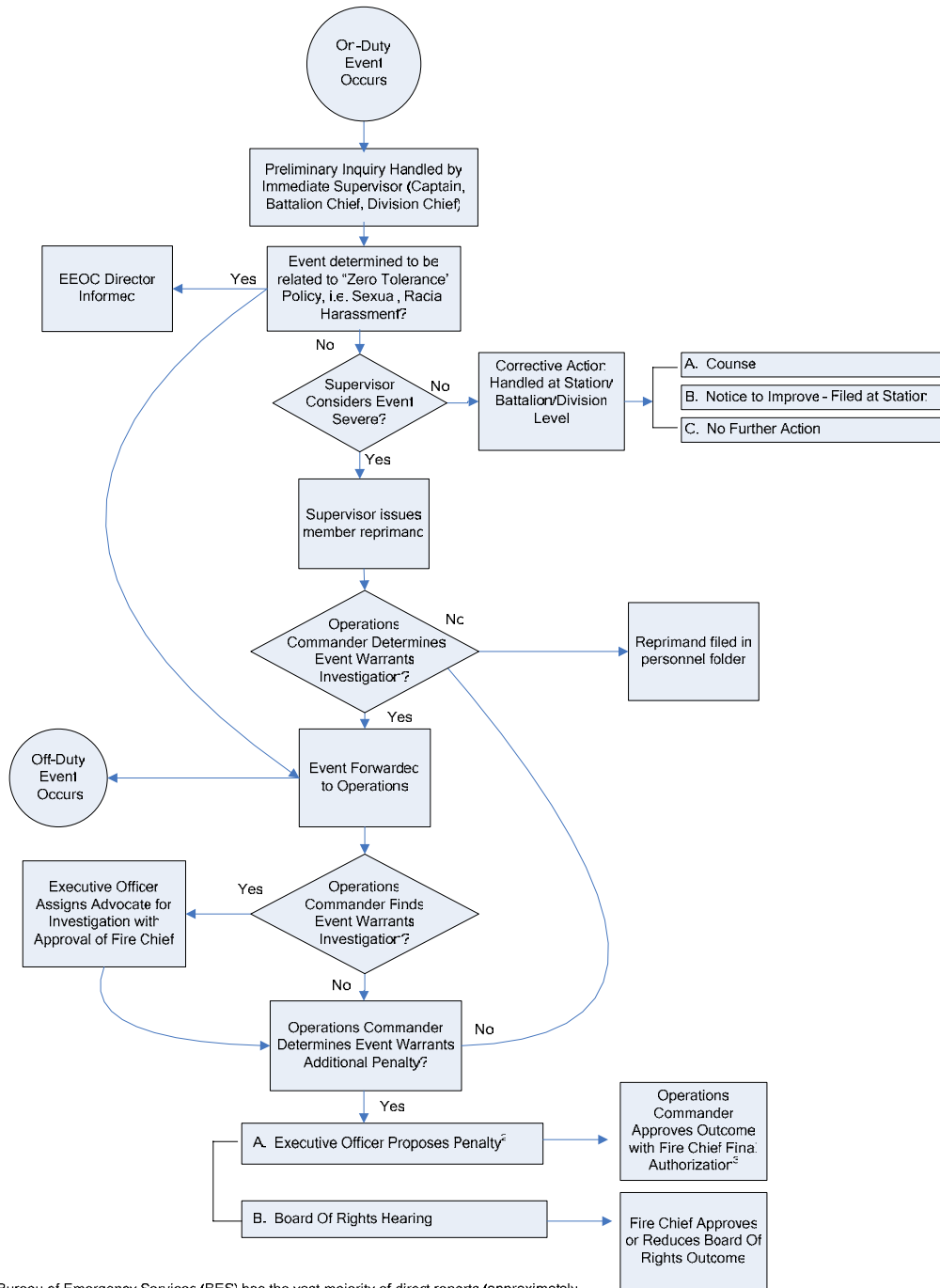
In the past, the LAFD developed punishment guidelines specifically for sworn employees but according to the Operations Commander, the employee union refused to accept the guidelines. Because discipline is necessary and organizational support for corrective action is essential for good discipline, the detailed disciplinary process should be formally written in a way as to remove as much subjectivity as possible, and then be formally incorporated into LAFD’s policies and procedures. Once specific discipline guidelines have been developed, it is incumbent upon all supervisors to administer them in accordance with the policy.

According to the Operations Commander, a certain amount of leeway in administering punishment is necessary to accommodate any mitigating circumstances or employee employment histories. While it may be understandable that a department should have a range of options available and some discretion in exercising disciplinary actions, mitigation on a case-by-case basis can leave the impression that individuals are treated differently based on factors other than those mentioned above. This can lead to a perception of favoritism based on race, gender, or personal connections – regardless of the specifics of each case.

LAFD’s Discipline Process Model is Subjective

LAFD’s lack of comprehensive written disciplinary guidelines, procedures, or protocols creates an environment where accountability is not required and considerable latitude and subjectivity controls the decision making processes. Due to the lack of a documented process, we created a disciplinary flow chart reflecting the stated process as described by the Operations Commander and documents we reviewed. As illustrated in Figure 1 on the next page entitled “Los Angeles City Fire Department Disciplinary Process Model,” LAFD’s disciplinary process begins when an “on-duty” event occurs out in the field.

Figure 1. Los Angeles City Fire Department Disciplinary Process Model⁶



1 = The Bureau of Emergency Services (BES) has the vast majority of direct reports (approximately 92%), thus would review most disciplinary events that flow through the chain of command.

2 = Based largely on Civil Service Guidelines and personnel history.

3 = "Skelly" or pre-disciplinary hearing, if applicable, will be held before the Operations Commander makes final determination.

⁶ Information Source: LAFD Operations Commander

There are two major event types – a disciplinary issue related to an employee breaking an LAFD rule or a discrimination or harassment-related complaint. Although a 1994 HRDC report on designing a complaint process model found that disciplinary and complaint processes should be separated, LAFD does not separate these two event types; rather, the practice is to have all event types flow through the same discipline process model.

Under existing practices, a preliminary inquiry into an event is handled at the lowest level (e.g. fire station, bureau, etc.) by the immediate supervisor (e.g. Captain, Battalion Chief, Division Chief, etc.). The immediate supervisor determines if the event is of a nature warranting progression “through channels” of the LAFD’s chain of command or whether it may be appropriately handled locally. This determination is subjective in nature as the LAFD has established no set guidelines for supervisors to employ in making these determinations. This lack of direction creates an environment where direct supervisors across 103 fire stations and three platoons may view similar circumstances differently, not uniformly employ their broad disciplinary discretion, and where consistency during this phase of the disciplinary process is improbable.

One cited exception relates to the LAFD’s “Zero Tolerance Policy”, which states that *discrimination* complaints must progress “through channels” and be reported to the Fire Commission’s EEOC. EEO complaints can also be reported internally to any of the following: Fire Chief, Fire Commission, or any Chief Officer. The Zero Tolerance policy also provides employees with specific information related to the options of reporting discrimination complaints – to external agencies, such as the Board of Civil Service Commissioners, City’s Personnel Department, State of California Department of Fair Employment and Housing, and the Federal Equal Employment Opportunity Commission, as well as to the LAFD.

When considering a breach of rules or regulations, if the immediate supervisor believes the event is appropriate for handling at the local level, corrective measures may include a counseling session, written notice to improve, or no further action. If deemed appropriate for progression “through channels,” the supervisor issues a reprimand and the preliminary inquiry information is forwarded up through the chain of command channels and ultimately to the appropriate Bureau Commander. Once received, the Bureau Commander offers input as to the validity of the complaint, and subjectively determines whether the event warrants progression up to the Operations Commander. If not, the current process typically has the reprimand filed in the employees official personnel file in the LAFD’s Personnel Services unit. If the Bureau Commander believes the event warrants further progression to the Operations Commander, the reprimand and preliminary inquiry information are forwarded to the Operations Commander. In the meantime, reprimands are not tracked at the Bureau level which eliminates the formal opportunity to identify behavioral trends that may require training, or intervention when taken as a whole. Also lacking is the opportunity for LAFD to identify department-wide measures that may need to be taken to correct overall poor behavior.

According to the Fire Chief, the discipline process is designed so that actions are handled at the lowest possible level – however, there is no clear criteria regarding which type of

situations require advancement “through channels” (other than the Zero Tolerance issues). Thus, in two identical inquiries, one may be managed or suppressed at the fire station level and the other may be advanced “through channels”. Discipline options that aren't clearly defined create inconsistency and confusion in selecting the appropriate action for the rule violation and create the perception of unfair treatment of employees.

For disciplinary cases that rise to the level of Operations, the Operations Commander reviews the case and subjectively determines if the event warrants additional penalties and/or investigation. If the Operations Commander determines the event does not warrant additional penalties and/or investigation, the matter is closed and the reprimand stands. If the Operations Commander determines the event warrants additional penalties and/or investigation, the case is given to the Operations Executive Officer who is responsible for managing the disciplinary process for cases forwarded to the Bureau of Operations. This officer provides direct supervision of advocate investigators who rotate on two-year cycles through the unit. If the investigation is deemed warranted by the Operations Commander and has the approval of the Fire Chief, the Executive Officer assigns the case to an advocate investigator.

Currently, the Operations command has two full-time special duty captain advocate investigators and approximately 66 field captain advocate investigators. A special duty department captain advocate is assigned to Operations on a full-time basis for two or three years and the field captain advocates are utilized when the department advocate workload is too great. In addition, when the accused is an LAFD officer, 18 Chief advocates are available to act as the advocate investigator (in addition to their current assignment). However, the Operations Commander indicated the need for Chief advocates is rare since Chief Officers make up a small percentage of LAFD workforce. The responsibility of an advocate is to act as fact finders; however, a process that requires an officer's close associates to provide an objective assessment presents inherent conflict.

Once an investigation is complete, the advocate provides the Operations Executive Officer the findings detailing which rules and regulations were violated, if any. If an additional penalty is deemed appropriate, according to the Operations Executive Officer and Operations Commander, several resources are relied upon to arrive at the appropriate punishment. The Executive Officer may also render penalties, with approval of the Operations Commander, without additional investigation if the facts of the case are not in dispute and additional penalties are determined by the Operations Commander to be warranted. Resources relied upon to determine penalties include the Los Angeles Civil Service Guideline to Disciplinary Standards, draft “Los Angeles Fire Department Guideline to Discipline”, and the employee's personnel history with the LAFD. Before the penalty may be finalized, a pre-disciplinary hearing, or “Skelly”⁷ hearing, must be held, and the subject has the right to have a United Firefighters of Los Angeles City (UFLAC) union representation. The Skelly hearing typically includes the Operation

⁷ The Skelly hearing process is the result of a Supreme Court ruling that public employees are entitled to a “pre-disciplinary hearing” and that employees must be given a written notice of proposed disciplinary action and be given an opportunity to respond to the charges and to request a reduction or elimination of the discipline.

Commander, Operations Executive Officer (to take notes), the advocate (when assigned), the subject and the union representative when requested to attend. According to documentation in the files reviewed, this hearing takes into account the defendant's "side of things," which can include new information, and the proposed penalty may be reduced based on the defendant's "testimony" rather than also getting input from the supervisor who initiated the discipline. The Operations Commander stated that he thought it would be a good idea to recommend that the Skelly hearings be continued in the event there is new information provided by the accused member in order to mitigate their case so that the supervisor can be re-interviewed for a more balanced view.

If the penalty proposed is a suspension of 30 days or greater, a Board of Rights hearing is mandatory. Additionally, if an employee disagrees with any penalty, they have the right to request a Board of Rights hearing and have another on-duty LAFD personnel act as their defense representation at the expense of the City. A Board of Rights hearing consists of three LAFD Chief Officers selected through a process guided by the City Charter. The board determines whether the accused is guilty of the offense, then sets a punishment. The Fire Chief may intervene and reduce the board's punishment but may not increase it – thereby minimizing the Fire Chief's involvement in the case.

As a result of the disciplinary model the LAFD uses, numerous key steps in evaluating, conducting and concluding disciplinary issues and determining levels of punishment are subjective in nature at various command levels, and are left untracked and unsupervised.

Process to Impose Penalties Results in Inconsistencies

According to the Operations Commander, the draft "Los Angeles Fire Department Guideline to Discipline" was prepared but has never been adopted by the LAFD or the union representing firefighters. As a result, LAFD Operations relies more heavily on the Civil Service guidelines in determining punishment to be assessed. In addition, Civil Service guidelines are most relevant to non-sworn City employees as they are intended to manage issues involving employees with a wide variety of jobs and responsibilities. As such, these guidelines also suggest very broad ranges of punishment, which generates a large degree of subjectivity when determining punishment on a case-by-case basis. A certain degree of flexibility may be beneficial in discipline guidelines so that the level of punishment can fit the violation; however, in dealing with an organization such as the LAFD applying guidelines without criteria and allowing punishment ranging from reprimand to discharge for the same violation (e.g. first offense inexcusable absence from duty), wide discrepancies in penalties could be viewed as unfair or improper by employees.

To test whether penalties are consistently imposed and similar offenses receive similar penalties, we reviewed the actions taken on insubordination cases – we chose cases with single violations to minimize the potential complexity of cases and chose only those that did not have complicated multiple violations. Civil Service guidelines indicate that for "flagrant refusal to perform reasonable work assignments or to cooperate with supervisors or management in the performance of duties (insubordination)," the first offense should result in discipline ranging from six-day suspension to discharge while the

second offense should result in discharge. In contrast, the unofficial draft department guidelines that have not been accepted by the department and union, state that a first offense of refusal to follow a direct order warrants a Board of Rights hearing and refusal to follow instructions of a supervisor results in a reprimand to 15-day suspension. A second offense warrants a Board of Rights hearing and a 6 to 30-day suspension.

Of the 9 cases we reviewed, 6 cases involved discipline proposed by an Operations Executive Officer; in all 6 cases an Operations Commander (not the current Commander) reduced the penalty as a result of the Skelly hearing. Specifically:

- 3 cases reflecting proposed discipline by an Executive Officer ranging from 2-day suspensions to 12-day suspensions were reduced by the Operations Commander to a reprimand.
- 3 cases reflecting proposed discipline by an Executive Officer of 10 to 12-day suspensions were reduced by the Operations Commander to 5, 4, and 2 day suspensions, respectively.

The case files did not contain nor could we find any documentation to support these reductions.

The remaining 3 of the 9 cases we reviewed did not propose disciplinary action beyond the original reprimand, although the Civil Service guidelines indicate that for insubordination, the first offense penalty should range from a six-day suspension to discharge and the second offense penalty is discharge. In summary, the final disposition of all 9 cases resulted in less than the minimum required for a first offense under the City's Civil Service guidelines. According to the Fire Chief, it has long been a tradition of Operation Commanders to propose excessive discipline to increase the LAFD's negotiating position with the employee union during the Skelly hearing process – resulting in the appearance of less discipline while satisfying both the member and the union. The Fire Chief also indicated that he does not agree with this strategy and would like to see it stopped.

Insufficient Training for those Involved in Discipline

The Department heavily relies on rotating sworn positions (positions below the rank of Bureau Commander on a two-year cycle) for many critical administrative functions, including the Operations Executive Officer and Department Advocate Investigators. Although some employees view the opportunity to rotate job assignments as positive to a career and a way to learn new skills, accomplish new tasks, and open up promotion opportunities, others view these types of positions as highly undesirable because of the additional required working days, missed overtime opportunities, and the simple disruption of leaving the field. Further, some Advocate Investigators are stationed at LAFD Headquarters on two-year rotating positions while other Advocate Investigators and all Board of Rights Captains are expected to handle cases while working their regular field assignment. Among other issues described below relating to using staff from the field either on a rotation basis or on temporary case assignment, these positions also have the potential for conflict of interest as these individuals work with the same people they are investigating.

Members rotated into the advocate role are provided an Advocate Manual and Chiefs' participating on Board of Rights are provided a Board of Rights Manual. Both manuals are very technical in nature with excerpts from the City Charter and examples of forms and reports. While this is certainly useful information, it is not sufficient to provide complete understanding of circumstances and to prepare individuals investigating cases and assessing penalties. In an attempt to address this issue, an informal "Overview & Mechanics of an Advocate Investigation" procedures guide was developed by a Department Advocate, but it still falls short in providing a guidance and basic understanding on how to perform a professional investigation.

According to the Operations Commander and Executive Officer, LAFD understands the importance of advocate and Board of Rights training and appreciate the issues raised by this audit. Specifically, the Operations Commander indicated that he feels like his Advocates sometimes do not fully or adequately analyze facts of investigations properly and that he must perform additional analysis of his own. The Operations Commander and Executive Officer indicated that they conducted an advocate training class in June 2005 and plan to conduct a Board of Rights training class later in 2005. Both classes, presented by Chief Officers with investigative and Board of Rights experience, call for refresher courses every other year. However, the current materials provided in the advocate training only include the brief technical "Advocate Manual" that is provided to new investigators rather than providing additional training materials that would assist in providing advocates with knowledge, understanding, and the processes to follow. To date, training materials have not been developed for the Board of Rights class other than the technical "Board of Rights Manual" which largely consists of sections of the City Charter that describe procedural requirements. As part of a new Human Resources training plan, the Bureau of Training and Risk Management is considering developing human relations training for investigators in the future.

We believe that rotating positions related to sensitive disciplinary processes are problematic within the LAFD. Investigations require in-depth training, knowledge, and experience – at level usually taking more than two years to attain. Further, even the on-the-job experience and learning curve attained under the current model is lost to the Advocate Unit and not directly applicable to a member's traditional duties once the advocate's two-year commitment is completed. If the Operations Commander, Fire Chief, and Board of Rights members are to rely on investigative reports and recommendations made by advocate investigators, the personnel conducting the investigations must be experienced and trained officers. The LAFD Operations recently assigned each of the field captain advocate investigators an experience-level ranking. Currently, 34 are ranked as "Newly trained (as of June 2005 class) or limited experience" and 32 are ranked as "Experienced Advocate". In reality, those that are designated as "experienced" have acted as an advocate in the past but do not have formal investigative training. Utilizing only professionally trained and experienced staff, as described more fully later in this chapter, would result in better conducted investigations, garner the respect of members within the LAFD and in the community, and better withstand external scrutiny.

In addition, captains and chiefs that act as supervisors in the field also lack the necessary training to conduct preliminary inquiries when events occur with their direct reports. Currently, the only training that supervisors receive is either the Chief Officer Continuing Education Program (COCEP) or Officer Continuing Education Program (OCEP) which consists mainly of tactical fire fighting operations and regulations but does not involve any type of investigative training. The Bureau of Training and Risk Management has recently begun implementing a new Human Resources Training plan which will include training for supervisors. Specifically, they are developing a “Skills for Supervisors” class that is aimed at captains and above, and includes developing leadership skills, following department and city policy, and recognizing potential workplace problems; however, it does not appear to include instruction on conducting preliminary inquiries.

Poor Investigative Practices Exist

Because of limited training and guidance, we found that LAFD’s current investigation practices have led to inconsistencies in the application of discipline between cases conducted by different advocates. During our review of investigative files, we found several cases that suggest a different motivation of the subject than was concluded or in which the punishment is questionable given the acts. For example, one case that was investigated and adjudicated under the category of “horseplay” appeared to be “harassment”. When discussed with the Operations Commander, he agreed that the classification was inaccurate, which points back to the lack of training on complicated, sensitive issues, or the desire of LAFD to downplay certain offenses.

Moreover, investigative files lacked check lists of required and included documents; a formalized order of key records, including underlying evidence such as contemporaneous notes, interview notes, dates, times and places where investigative activities occurred; and, any description of the basis for investigative conclusions and recommendations reached. Further, none of the files included evidence of supervisory review, such as a “sign off” by Operations Commander upon completion of the investigation. According to the Operations Commander, to address this issue he has recently implemented a new system to ensure that investigative files are better managed and organized.

Furthermore, throughout the chain of command disciplinary process, there is no system in place to provide feedback or timelines to either the supervisor issuing a reprimand and requesting further action be taken or to the accused member as to where in the process the action resides. Both the supervisor and the accused are left to wonder for extended periods about the status of the action. Our testing of investigative files found that the length of time from the start of an event to the final disposition could take from to 1 ½ months to 9 months. The average was 5 ½ months in duration.

Finally, responses to our survey of all minority, women and probationary firefighters indicate that less than 26 percent of respondents think that if one violated an LAFD rule or policy that the offending parties would receive appropriate and timely corrective action. Also, nearly 48 percent believe that a complaint reported would **not be** investigated timely, professionally, and objectively.

Many Large Fire Departments Operate an Independent Internal Affairs Unit

Of the fire departments we contacted as part of this audit, six had formal internal affairs divisions. San Antonio and San Diego did not have formal internal affairs type divisions within their organizational structure, whereas the following fire departments have established such units:

- Houston
- Philadelphia
- Phoenix
- Chicago
- Sacramento City
- Dallas

In San Antonio, internal affairs were handled at the station level, except in for high profile cases, where the Arson Division took over investigations. In San Diego, the human resources division was relied upon to deal internal affairs type matters.

Of the six fire departments with internal affairs divisions, two of the internal affairs divisions were directly under the Fire Chief/Commissioner's office and three were four levels below the Fire Chief/Commissioner's office. The internal affairs function for the Houston Fire Department is handled by a unit of the Office of the Inspector General, a city-wide organization separate from the fire department that conducts internal affairs investigations for others city organizations as well. A specific unit within the Office of the Inspector General is dedicated solely to the Houston Fire Department, and all of the unit's staff is funded by the fire department's budget.

The six internal affairs departments ranged in size from two employees to seven, usually with a mix of civilian and sworn employees. Philadelphia's internal affairs division (Special Investigations Office) is staffed with retired fire fighters, whereas Phoenix's internal affairs division (located in the Performance Auditor's Department) is staffed by one full time employee and one part-time employee, both formerly from law enforcement. Chicago utilizes a combination of both civilian and sworn employees and Sacramento City Fire Department is in the process of developing an internal affairs division (Internal Affairs and Professional Standards Unit) as a result of recent high profile scandals. Sacramento is employing the help of a city police captain and is also occasionally contracting a retired police detective for investigative work. Two of the Texas departments we contacted (Dallas and Houston) use sworn arson investigators to conduct internal affairs investigations.

Of the four fire departments that primarily deploy sworn officers to conduct formal internal affairs investigations (Dallas, Houston, Philadelphia and Sacramento), all four have investigators moving in and out of the division on a rotating basis. However, Dallas, Houston, and Sacramento fire departments will allow investigators to become permanent members of the division. The length of time that investigators stay with Philadelphia's Special Investigations Office has ranged between six months and four and a half years over the last two decades.

Of the four fire departments that use primarily sworn officers to conduct formal internal affairs investigations, three require a captain rank or higher for internal affairs investigators (Dallas, Houston and Sacramento) and one requires a deputy chief or higher rank (Philadelphia). Houston and Dallas require that investigators also be arson investigators because of their peace officer status and investigative skills. Sacramento also requires that investigators have no current or pending discipline. We inquired of each department the types of training and certifications required for conducting internal affairs investigations. The four departments using sworn officers employ the following:

- Dallas – Requires that all investigators become Certified Breath Alcohol Technicians.
- Houston – Requires that investigators complete courses related to discrimination and legal issues offered by the city, as well as to meet continuing education requirements for peace officers.
- Philadelphia – Has no requirements of investigators but offers to send investigators to a seminar on arbitrator’s decision making process.
- Sacramento – Investigators will be required to complete POST-certified college level/vocational courses, including Internal Affairs Basic (three-day course) and Interview and Interrogation Techniques (five-day course). Investigators are also required to take a class related to harassment/hostile work environments.

All of the responding fire departments we spoke with reported significantly different processes from the initial transgression to resolution. For example, Houston and Sacramento do not handle discrimination or harassment cases any differently than other case types. Dallas followed special guidelines as described in Citywide Administrative Directives. Philadelphia managed these case types with extra precautions in terms of confidentiality, and also frequently consults with the Equal Employment and Opportunity Office of the city.

In all four of the fire departments utilizing sworn employees, investigators must abide by written policies, rules, regulations and/or guidelines. Houston, Philadelphia and Sacramento maintain hard copies of only key relevant investigation documents, while Dallas maintains both hard copy and electronic records of all relevant documents. The Sacramento internal affairs division plans on migrating to a commercially available internal affairs software platform and will rely primarily on electronic documentation in its investigations. At all four of these departments, the only information that is communicated back through the chain of command to the accused and accuser are the charge, findings and punishment – if information is communicated at all. All other details remain confidential. In Dallas, information is also submitted to the accused transgressor’s superiors, and in Philadelphia, that information is also communicated to the member’s union. (See Appendix B – Comparative Data from Other Fire Departments, for more information on the fire departments contacted during the audit.)

CONCLUSION AND RECOMMENDATIONS

The LAFD's current handling of Equal Employment Opportunity complaints has not fulfilled the direction envisioned by the City Council and Human Relations Development Committee in a report issued more than ten years ago. Originally intended to act as LAFD's expert in the handling of EEO complaints and investigations (among other related activities such as training and policy development), it appears that the Fire Commission's EEO office has become ineffective in mission critical areas such as investigating and tracking EEO complaints and functioning as the department-wide EEO advocate. This breakdown may also have caused fewer members to report instances of workplace harassment, hazing or discrimination.

The lack of a comprehensive tracking system for complaints and disciplinary actions, coupled with the fact that LAFD does not have written guidelines, procedures, or protocols related to the disciplinary process, creates an environment where subjectivity reigns over the application of penalties as well as the discretionary determination of what constitutes a severe enough event that requires further action, if any, can lead to employee claims of unequal treatment based on race, gender, or simple favoritism. Employees expect superiors to enact disciplinary action for rule and policy violations, but also expect the punishment to fit the offense and be consistent with previous disciplinary decisions on the same infractions.

Unlike other fire departments we contacted, LAFD's current approach to undertake investigations with advocates on temporary assignment to the Operations command does not assure that consistent, comprehensive and independent investigation of possible policy and rule violations occurs. A separate internal investigation unit staffed with permanent, specifically trained investigators provides a more effective alternative.

Recommendations

- Reinstigate a separate EEO investigative 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.
- Establish a centralized mandatory tracking and reporting system for disciplinary and corrective actions that includes 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.
- 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.

- 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.
- Develop, with input from the firefighters' and chiefs' unions, a set of disciplinary standard disciplinary penalty guidelines for sworn firefighters that reflect the unique 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.
- 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.
- 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.
- 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.
- 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
- 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.

Chapter III—Human Relations Issues Within the LAFD Workplace

In the mid-1990s, the Fire Commission’s Human Relations Development Committee addressed issues within the LAFD identified by an LA City Personnel Department audit related to such matters as workplace complaints, discipline and recruit training. An implementation plan was prepared in 1995 that incorporated recommendations by the City Council’s Personnel Committee as well as the City’s Personnel Department.

One of LAFD’s core values is that all employees owe each other a working environment characterized by trust and respect for the individual, fostering open and honest communication at all levels. In workplaces that were historically dominated by a certain gender or race, increases in diversity often creates opportunities for harassment, bullying,

LAFD CORE VALUES

1. To Residents: We owe the residents of Los Angeles the highest quality of service possible, characterized by responsiveness, integrity and professionalism. We will continually strive for quality improvement.
2. To Fire Department: We owe the Los Angeles Fire Department our full commitment and dedication. We will always look beyond the traditional scope of our individual positions to promote teamwork and organizational effectiveness.
3. To Each Other: We owe each other a working environment characterized by trust and respect for the individual, fostering open and honest communication at all levels.
4. To Ourselves: We owe ourselves personal and professional growth. We will seek new knowledge and greater challenges, and strive to remain at the leading edge of our profession.

and exclusion when the necessary support systems are not in place. Leadership is the best starting point to clearly communicate and enforce the importance to the entire organization the value of and commitment to diversity initiatives. Those values should be reflected in the mission, vision, and goals of the department. While LAFD’s organizational statements do not reflect a diversity component, the LAFD has created human

relations policies, including a “Zero Tolerance” policy, intended to provide a work environment free from discrimination, harassment, or retaliation. However, these policies are not always being followed and the LAFD needs to focus more attention to changing the culture in terms of these relations and creating accountability and consistency of treatment related to workplace behaviors.

In 2005, several cases involving workplace harassment publicly highlighted issues relating to hostile workplace behaviors and hazing within the LAFD. To gain an understanding of the culture and environment of the workplace from the perspective of minority, women, and probationary fire department members, we conducted a confidential survey polling all 1,811 individuals within these groups. Approximately, twenty-four percent (430 members) responded to our survey. The 34-item survey solicited candid answers to questions covering such areas as morale, communication, department vision, policies and procedures, workplace behaviors, complaints, and discipline. Specific results suggest that among this selected group issues remain relating to low morale, workplace harassment, and differential treatment. However, the consistency of the responses among and between the various sub-groups strongly

suggests that these results may be indicative of issues prevalent across the entire department. Survey respondents included firefighters of all levels ranging from those on probation to chiefs and their answers convey recognition of instances of unreported transgressions, fears of retaliation, perceptions of inconsistent treatment, and a lack of clear and consistent communication from the top. By and large, respondents provided consistent feedback without regard to ethnicity with only a few disparities between genders.

More than 38 percent of respondents report their personal morale as an employee of LAFD as “somewhat low” or “very low”. Nearly 48 percent of women and nearly 38 percent of the men responding to this question report their morale low or somewhat low. Among the five major ethnic groups of survey respondents, African Americans report the lowest morale (51 percent with “somewhat” or “very low” ratings) with 43 percent of Caucasians, 35 percent of Hispanics, 26 percent of Asians, and 20 percent of Native Americans reporting low or somewhat low morale. While our survey cannot directly attribute this low morale to particular issues, other responses provide insight into pertinent matters that typically affect workplace morale and environmental issues. In particular, our survey respondents selected the following three areas as having the most negative impact on workplace morale:

- 29% - Fair and consistent guidelines regarding expected job requirements and performance standards;
- 41% - Relations between employees and supervisors/managers;
- 14% - Relations among coworkers.

Communication is a key component in developing and maintaining good relations and high morale within an organization. Our survey included questions related to members’ perceptions of the effectiveness of communication and management. While the respondents indicate good communication and directives from their immediate supervisors, only slightly more than 25 percent believe that there is good communication between the Fire Chief and firefighters in the field. Additionally, only 31 percent report a clear understanding of the Fire Chief’s vision for the LAFD. Nonetheless, 71 percent indicate they have access to the information they need to do their job in terms of policies, procedures, and other written materials.

Almost 66 percent of our survey group responding indicate that the Fire Chief has sent strong messages against all types of harassment – but when answering specific questions, members report high numbers of observations and experiences regarding harassment, hazing, discrimination, and unfair treatment. While the vast majority of respondents “agree” or “strongly agree” that personally they understand and also their “coworkers” understand what words and actions constitute harassment in the workplace, responses to our questions relating to harassment and hostile workplace behaviors demonstrate that these issues remain prevalent among LAFD members.

Sexual Harassment May Be Underreported

Responses to our survey and information from the LAFD indicate that gender issues remain troublesome. For example, during a recent Executive Symposium (Chief level meetings), it was discussed that the LAFD continues to struggle with the acceptance at all fire stations of following the “Separate Facilities Policy”, which states that assigned toilet facilities shall not be used by persons not of that gender; however, the problem also includes stations utilizing female facilities as storage areas and other unrelated uses. Furthermore, nearly 80 percent of women report that they are personally aware or had been a victim in at least one instance of sexual harassment in the LAFD workplace, whereas 23 percent of men report such instances. Interestingly, responses to this issue were uniform between each rank of firefighter – approximately 29 percent of each rank (with the exception of probationary members) reported knowing of or being involved in instances of sexual harassment. The Caucasian ethnic group reported the highest percentage of instances of sexual harassment – over 49 percent. This group included the highest concentration of women respondents to our survey, approximately 51 percent of this group being female. Twelve percent of male Caucasian respondents reported direct knowledge or being a victim with instances of sexual harassment. Members of each of the other ethnic groups also reported direct knowledge or experience with sexual harassment: 39 percent of all African American respondents (37 percent if only male responses are counted); 22 percent of Hispanics (the percentage remains the same removing female respondents); and 14 percent of Asians (12 percent when only males are counted).

Survey Respondents Indicate Discrimination and Hazing Exists Within LAFD

The issue of discrimination within the LAFD is also illuminated by the survey. The statistics emanating from each ethnic group are significant. In response to our question related to having direct knowledge of someone being the victim of racial discrimination while on the job, the following percentage of members answered either that they had personal knowledge or personal experience of at least one instance of discrimination from a co-worker or supervisor:

- 87% of African Americans
- 43% of Caucasians
- 40% of Hispanics
- 37% of Asians
- 45% Other ethnicities

What is telling, however, is that the longer individuals were with the department the more frequently they reported having knowledge or being a victim of discrimination—more than 54 percent of those with more than 10 years with the department know or are victims of instances of discrimination and the statistics are similar (more than 46 percent) among the firefighter, rated member below captain, and captain ranks.

Furthermore, workplace hazing appears prevalent. Specifically, about 60 percent of respondents to our survey report either being a willing or unwilling participant of at least

one instance of hazing; while 38 percent of members with less than 2 years with the LAFD indicate this knowledge, over 65 percent of those with 10 years or more report such behaviors. Additionally, 61 percent of respondents suggest there are instances of other behaviors creating a hostile environment. It is important to note that these behaviors exist despite the fact that the respondents indicate that the LAFD has taken “reasonable steps” to safeguard against these activities. Specifically, respondents answered as follows:

LAFD has taken all reasonable steps in terms of adequate training, written guidelines, and other safeguards to:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
• Prevent sexual harassment occurrences	32%	45%	10%	8%	5%
• Prevent occurrences of racial discrimination	27%	37%	13%	15%	8%
• Prevent behaviors creating a hostile environment	22%	33%	13%	18%	14%
• Prevent incidents of hazing	24%	35%	15%	15%	10%

The answers to other survey questions, however, may provide some insight as to why hostile workplace behaviors remain prevalent at the LAFD. Respondents overwhelmingly report (only 15 percent disagree) that supervisors discourage all forms of harassment or hostile behaviors and take immediate and effective action when required to prevent future occurrences. Further, they believe that supervisors would take “my concerns seriously and take appropriate actions on my behalf” if instances were personally reported (only 13 percent disagree). However, more than 38 percent of respondents indicated concerns about retaliatory actions if instances were reported. Importantly, concerns regarding retaliation for reporting harassment incidents are consistent among all ranks – ranging from captains (36 percent indicating concerns), rated employees (40 percent indicating concerns), and probationary members (48 percent were concerned). Additionally, more than 43 percent of individuals responding indicate that they have either personally not reported or have personal knowledge of instances of harassment going unreported for fear of retaliation. These results suggest that the LAFD has not created a safe environment to report such divisive behavior and, since a large number of instances remain unreported, many members of the department may have a false sense that a more positive environment and culture exists than what is actually the case.

Concerns Exist Regarding Retaliation and Consistency of Discipline

Further, while the majority of respondents seem to understand the LAFD’s discipline procedures and processes and believe that these are fully and clearly explained, nearly 48 percent report that they do not have a clear understanding of the punitive penalties of violations of LAFD rule and policy. In fact, less than 25 percent of respondents think that if one violated an LAFD rule or policy that the offending parties would receive appropriate and timely corrective action addition. Additionally, nearly 48 percent believe

that a complaint reported would **not be** investigated timely, professionally, and objectively.

Other results of our survey indicate significant issues related to fairness and uniformity of disciplinary actions. Overwhelmingly, respondents at all levels and within all ethnic groups report perceptions of unfair and disparate treatment of instances of harassment or behaviors creating a hostile working environment. Specifically, respondents answered:

I believe that LAFD's process to handle rule and policy violations is employed consistently and fairly no matter the rank, personal connections, race, or gender of the accused.

- 7 percent strongly agree
- 9 percent agree
- 8 percent are neutral
- 27 percent disagree
- 49 percent strongly disagree.

What is even more telling is that among the entire group of respondents, more than 88 percent of captains, 80 percent of chiefs, and nearly 84 percent of rated members below captain believe that violations will **not be** treated consistently or fairly no matter the rank, personal connection, race or gender. Moreover, this perception increases with the years of experience with the Department – 33 percent of those with less than 2 years report these concerns whereas 82 percent of those with 10 years or more experience believe that inconsistent and unfair treatment occurs. Further, similar perceptions are reported in response to questions of whether members think that similar rule violations/offenses will receive similar penalties no matter the rank, personal connection, race, or gender.

While our survey was intended to obtain feedback, observations, and perceptions from and related to specific groups of LAFD members, the consistent and widespread responses to the matters detailed in this chapter suggest that these issues are more widespread than just these groups of individuals. As indicated by the various statistics presented, the results of questions relating to matters concerning morale, communication, harassment, discrimination, hazing, and inconsistent and unfair disciplinary practices are not isolated to certain ethnic groups, gender, or rank. The fact that in nearly every area, responses tend to be more critical from experienced and higher-ranked members, and that similar perceptions exist regardless of race (Caucasians within our survey group generally provided responses similar to those of other ethnic groups) suggest widespread issues within the Department. What is even more troubling is the prevalence of responses indicating that unacceptable behaviors remain unreported and that fear of retaliation and unfair treatment exists.

We heard similar observations and feedback during focus group sessions we conducted at various fire stations with rank and file firefighters throughout the City.

Recent Actions to Address Human Relations Matters

While the LAFD has conducted training to address hostile workplace behavior issues, according to the Deputy Chief of Training and Risk Management, as well as many others that we interviewed, the Human Relations training provided in the past was inadequate, too broad, and outdated. This training, characterized as a “one size fits all” corporate approach, was conducted by external consultants unfamiliar with the unique culture within a fire department. The lack of adequate training and commitment to human relations issues sends a message that harassment is not taken seriously and will be tolerated. Illustrating that extreme behavior will develop when subtle behavior is condoned are the serious claims against LAFD members that were publicized in March 2005 via an anonymous letter mailed to LAFD, the Fire Commission, City Officials, and the news media outlining 10 specific instances of abuse. To address recent concerns, LAFD’s Bureau of Training and Risk Management began to work with Los Angeles’ Human Relations Commission in an effort to update its human relations training – in particular, a Human Relations Commission staff member who was responsible for bringing cultural diversity training to the Los Angeles Police Department was hired.

The result of the collaboration was the development of a two-year Human Relations training plan, designed to be “stratified, multi-tiered, sequential, and targeted” for various levels; implementation of this plan began in early 2005. Specifically, this plan includes topics such as:

- Communication
- Conflict Management
- Discrimination, Harassment, Hostile Work Environment, Retaliation
- Group Dynamics

According to the Manager of Human Relations Training, these topics will be provided over the next two years to every LAFD employee via several different educational series and the approach to each topic is targeted for the intended audience taking into consideration daily interactions experienced and levels of influence exerted by difference members. The educational series include:

- Human Relations Skills for Drill Tower Instructors – aimed at providing Human Relations Training to Drill Tower Instructors prior to receiving recruits into the academy.
- Millennial Challenge Series for Recruits – aimed at recruits and discusses topics such as diversity, integrity, and team membership.
- Training New Firefighters – aimed at fire station crews receiving new recruits.
- Transitional Leadership – aimed at probationary recruits transitioning to tenured firefighters, providing training on how to help new, upcoming recruits.
- Skills for Supervisors – aimed at captains and above, including developing leadership skills, following department and city policy, and recognizing potential workplace problems.

- Executive Officer Symposiums – aimed at Battalion Chiefs and above and includes discussions of management best practices, assists with communication challenges the Department faces as well as provides executive level human relations training.
- Crew Training – aimed at the crew level below captain and includes Human Relations training for crew members that did not receive training through the educational series noted above. For example, first station crews that have not received new recruits would not have participated in the Training New Firefighters series.

It is too early to tell whether the new training plan will adequately address the human relations issues and hostile workplace behaviors reported within the LAFD. Throughout our initial interviews with various stakeholders, including LAFD executive leadership, employee groups, and the firefighter’s union, there is was a general consensus that the new training plan is exactly what the LAFD needs. The Bureau also has additional types of training under consideration and includes areas such as advocate training on diversity issues and a Regional Leadership Training Academy.

Improving Environments and Changing Behaviors Requires Commitment, Accountability, and Follow-through

Obtaining feedback on training and monitoring behaviors at the workplace is essential to changing cultures and creating a fair and safe environment. According to the former President of the American Society for Training and Development⁸, a successful and meaningful training program includes four levels:

- Reaction – Measures how participants felt about the training or learning experience through feedback forms or post training surveys.
- Learning – Measures the increase in knowledge through assessments given before and after training.
- Behavior – Measures application of learning (changed behavior) on the job through various evaluations and assessments.
- Results – Measures the impact of learning through organizational goals.

The Manager of Human Relations Training incorporates feedback forms in each training session to garner information so the training program can be adjusted and tailored to meet the needs of those attending. However, LAFD needs to go further by making diversity and inclusion efforts real, at a personal level – which can be accomplished by incorporating adherence to training and diversity goals in performance appraisals, compensation mechanisms, and promotional opportunities. Employees who are evaluated and compensated in part on the basis of diversity objectives will have a vested interest in accepting responsibility for specific diversity outcomes. This also compels managers to discuss specific objectives and provides another avenue for emphasizing to

⁸ Donald Kirkpatrick, former President of the American Society for Training and Development, in “*Evaluating Training Programs: The Four Levels.*”

their subordinates that diversity is a priority. However, currently, adequate feedback and monitoring mechanisms are not in place as LAFD does not yet incorporate adherence to human relations training in its performance appraisals. According to the Bureau Chief responsible for Training and Risk Management, he plans to redesign the evaluation system to incorporate adherence to human relations training and he also indicated plans to develop criteria to measure the success of the new training plan by analyzing factors such as the number of EEO related complaints before and after the implementation of the two-year plan.

Under the existing performance appraisal program, employees that we spoke with share similar thoughts that performance evaluations in general are based on inconsistent and unexplained standards. They feel performance evaluations are not directly tied to their critical job responsibilities or the written LAFD policies and procedures, but rather are based on subjective criteria that may and will change depending upon the individual supervisor. Further, the Department does not appear to have specified a certain division to be responsible for monitoring and evaluating the employee assessment process; rather, we are told that the personnel division employees simply “stick” evaluations submitted from supervisors into employee files.

Moreover, since the core values provided in training appear to not be tied to employee performance evaluations, the achievement and adherence to these core values are not tied to promotional opportunities within LAFD; rather, employees are promoted based on position-specific test results, but not on information included in their personnel file. In fact, many captains that we have talked to, particularly those promoted recently, indicated that the various exams administered as part of the process for promotion to captain – the first line supervisor at LAFD – test knowledge related to tactical operations and procedures almost exclusively, with only a few questions related to the ability to handle human relations issues. For example, according to individuals that have taken the most recent “Three Whole Score” test (the final test in the promotional process administered by LAFD Chiefs to persons ranked by the civil service commission), the exam tested the candidate’s computer abilities and readiness for promotion. Captain candidates are tested based on the Officer Continuing Education Program (OCEP) that focuses on assisting test takers with passing the promotional exams rather than providing management training related to human relations.

Not only are promotional examinations limited in assessing the behaviors of candidates, the civil service panel that administers the promotional exam and determines the candidate ranking order is comprised of representatives from the Los Angeles City Personnel Department and volunteer members of external fire departments. The fact that no one from LAFD participates on this panel is the result of City’s desire to eradicate nepotism and cronyism. However, an unintended result of this policy creates a situation whereby those determining who may be LAFD’s first line supervisors have no knowledge of the candidate’s personal history or interpersonal ability – thus, those in line for promotion have no personal accountability to meet LAFD’s human relations policies or standards and any inappropriate behaviors or attitudes do not inhibit promotions.

Cultural changes within an organization are difficult especially in established organizations. LAFD must continue working towards motivating human relations change and an environment of inclusiveness before the Fire Chief and the LAFD are faced with additional harassment and hostile workplace accusations that prove detrimental and expensive, not only to the LAFD but also to the City. The necessary change in culture to improve the work environment will require strong commitment at each level of the organization, beginning with the Fire Chief. The Fire Chief, with full support of each and every manager, must set the expectation and provide strong and consistent direction and leadership for each initiative deemed appropriate to address the issues discussed in this chapter. New programs and directives must be instituted to afford the necessary improvements in personal relations, ensuring a safe and fair work environment, establishing consistency in discipline, and tying core values related to interpersonal relations and personal accountability to promotions and success within the Department. The LAFD has begun to address some of these concerns, but must ensure that such programs are uniformly embraced, fully executed, and become a foundation to the culture and environment of the LAFD.

CONCLUSION AND RECOMMENDATIONS

Responses from the 430 minority, women, and probationary LAFD members participating in our confidential survey indicate that morale is low, workplace harassment is greater than the number of complaints forwarded through the chain of command indicate, and most respondents believe the LAFD treats its employees differentially when discipline is meted out. While many of these complaints are similar regardless of the ethnicity or rank of the respondents, women firefighters report more instances of workplace harassment than their male counterparts, regardless of ethnicity. Many of these observations were also shared with us during numerous focus group meetings with rank and file firefighters at fire stations we visited. The underlying causes of these results may partially be addressed by implementing recommendations presented throughout the report. However, a concerted, specifically focused effort by the Fire Chief and his command is needed to address many of these pervasive issues.

Recommendations

- Undertake a department-wide initiative to address 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.
- 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.

- 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.
- Continue to provide the recent department-wide Human Relations training initiatives and, through a rigorous feedback system, expand or strengthen them as opportunities arise.

Chapter IV – Drill Tower Recruit Training Academy

LAFD conducts a 17-week training Drill Tower Recruit Training Academy (Drill Tower) for firefighter recruits at two locations in Los Angeles—Drill Tower 40 and Frank Hotchkins. However, the Drill Tower was shut down from September 2004 through August 2005 to reassess its effectiveness and revamp its curriculum. A new class of 51 recruits started training under the newly designed Drill Tower curriculum and approach on August 22, 2005. This class completed its training on December 12, 2005.

We reviewed Drill Tower recruit training data from 1998 through 2004. Over this period, LAFD trained 1,092 recruits and assigned those who graduated as probationary firefighters within the Bureau of Emergency Services' fire stations to serve one-year probations. Recruits are trained on manipulative (skill application) and academic subjects, and must achieve acceptable scores of 70 percent on most exercises to graduate from the academy. A Drill Master and instructors evaluate recruits throughout the 17-week academy and ultimately recommend to the Fire Chief which recruits should pass the academy and be hired as probationary firefighters, and those recommended for termination from the Drill Tower and LAFD.

During our review, we found circumstances when the Fire Chief overruled the Drill Master's recommendations to fail recruits, particularly for women and African Americans. In 75 cases where the Drill Master recommended a recruit fail the academy, the Fire Chief overruled 45 cases and graduated the recruit. This group includes:

- 9 of 30 female recruits (30%)
- 10 of 110 African American recruits (9.1%)
- 11 of 380 Hispanic recruits (2.9%)
- 13 of 486 Caucasian recruits (2.7%)
- 2 of 54 Asian recruits (3.7%)

In total, of the 45 recruits allowed to graduate and forwarded on to probationary status, only 25 (55.6%) ultimately passed probation (2 of 9 women, 6 of 10 African Americans, 7 of 11 Hispanics, 9 of 13 Caucasians, and 1 of 2 Asians passed) – representing a significantly smaller number when compared to the LAFD's 88 percent overall probationary pass rate of traditional Drill Tower graduates.

The practice of graduating recruits that do not meet Drill Tower standards appears to have transferred the responsibility for failing unqualified recruits to field supervisors during the probation period. This practice may also have contributed to a widespread perception among firefighters of a “no-fail” Drill Tower. In contrast, the Fire Chief believes the widespread perception of a no-fail Drill Tower is a “misperception”. He states that the number of terminations from the Drill Tower over the past six years is equal to the number of probationary terminations for the same period, suggesting to him that the Drill Tower does fail underperforming trainees. However, when compared to

other major fire departments, LAFD has higher academy passage rates. We found that other fire departments graduate a lower proportion of candidates, but overall their probationary retention rates are higher than those experienced by the LAFD.

According to the Deputy Chief over Training and Risk Management, one reason these recommendations for termination were overruled was to improve diversity and hiring statistics among certain groups that are currently underrepresented in LAFD's overall workforce. When we spoke to the Fire Chief, he stated that several cases were overruled because the recruit's score was "borderline" in meeting Drill Tower standards and providing the extra time and training during the probationary period was warranted.

Overview of the Drill Tower Recruit Training

As mentioned above, the LAFD oversees the operations of two Drill Tower Recruit Training Academy locations in Los Angeles—Drill Tower 40 and Frank Hotchkins. The stated mission of the Recruit Training Academy (commonly referred to as Drill Tower) is to "train and develop recruit firefighters and provide them with the basic knowledge, skills and abilities to safely and effectively perform the tasks of an entry-level all risk fire and life safety provider."

According to the Commander for Recruit Services, LAFD actively recruited new applicants for its 17-week training program utilizing various methods, including job fairs, athletic programs at universities, cultural events, and a high school fire academy on a budget of only about \$100,000. The LAFD also provides detailed information sheets and other information regarding employment for applicants on its website. Interested parties must meet or fulfill several requirements in applying as a new recruit. In particular, applicants needed to be at least 18 years of age at the time of application, and earned at least a high school education or General Educational Development (GED) diploma. A preliminary background check is conducted and recruits are required to hold a valid California driver's license. The LAFD sets vision standards, as well as physical abilities requirements (height, weight, fitness level) and applicants must also be non-smokers throughout their employment with LAFD.

We polled six other fire departments to obtain comparative information regarding requirements for admittance in their respective training academies. Three required applicants to be 18 years old while the other apply an age requirement of at least 21 years old. Three of the fire departments require prospective recruits to pass physical fitness examinations and five required the prospective recruits to pass some kind of writing proficiency examinations administered by either the fire department or another public agency. Like LAFD, two of the departments specify holding either a high school diploma or a GED, while two others require some level of college experience or military service. Three of the fire departments specify previous EMT or paramedic experience prior to acceptance into their training academies.

Being a firefighter is a physically challenging job, thus candidates must be in peak physical form to be able to perform tasks such as rescuing victims, carrying equipment, raising heavy ladders, and performing automobile extractions. To test the physical ability

of applicants, the LAFD implemented the Candidate Physical Ability Test (CPAT) as part of a new entrance screening that began in August 2005 for all recruits applying for the position of firefighter with LAFD. The CPAT replaces the Los Angeles City Personnel Department's "physical agility test" and the regional college administered "Biddle" test. The CPAT is a standardized pass/fail physical abilities test utilized by approximately 90 fire agencies across the nation and is administered by an independent testing company. The physical abilities tests include: stair climb, hose drag, equipment carry, ladder raise and extension, forcible entry, search, rescue, and ceiling reach and pull. The LAFD require recruits admitted to the August 2005 class and thereafter to provide proof of passing the CPAT at the time of application. According to the CPAT Director, his organization only recently began keeping statistics related to gender ethnicity and passage rates. Since they began tracking this information, 23 percent of those that failed the CPAT were women, although women comprise only 5 percent of those taking the CPAT test.

The initial phases of the LAFD examination process are administered by the Los Angeles Personnel Department and have remained relatively unchanged over the years. The requirements include a written exam, review of qualifications, initial interview background investigation, a medical/psychological evaluation, and a panel review. Candidates are ranked (in bands) on an eligibility list according to their initial interview score, these lists expire after one year. Participants on the panel include members of LAFD, in addition to City Personnel Department staff. For each test component, only those candidates with the highest scores progress to the next testing level. The final level of testing (oral examination) organizes the candidates within predefined "bands" for the Fire Chief to approve for hire into the Drill Tower.

Drill Tower Academy Improvements Resulted in a "New Drill Tower" in 1998

During the early 90s, LAFD was embroiled in an incident, widely known as the "Female Follies", where filming of female rookies struggling at the Drill Tower was shown at fire stations for entertainment purposes. One result of this incident was the City Council's Personnel Committee Human Resources Audit of the LA City Fire Department. To address recommendations for improvements to the Drill Tower, in November 1997, Landy Jacobs Associates, Inc., conducted a review of the Drill Tower Recruit Training Academy and recommended several changes to Drill Tower operations. The review appeared to focus on the adequacy of training materials, feedback given to recruits, and the overall effectiveness of preparing recruits for their probationary year upon graduating from the Academy. Recommended changes included:

- Using Full-time academy instructors, with the utilization of field personnel to teach specific (technical) classes.
- Training recruits only 8 hours per day
- Making "capital investments" for the academy (e.g. purchase computers)
- Increasing recruit hands-on training
- Including diversity training for recruits in the curriculum

- Improving lines of communication between Field Supervisors and academy staff, and increasing feedback to recruits

According to our discussions with past instructors who helped implement Drill Tower changes in 1998, LAFD implemented several of the Landy Jacobs recommendations. Specifically, the Department worked for six months to incorporate the recommendations prior to opening the new drill tower class in September 1998, which included:

- Implementing a new computer database for the recruit services section in order to track recruit statistics and performance.
- Revamping written materials into academic and manipulative lesson plans. Previously, lectures were given but no lesson plans were prepared or maintained.
- Standardizing the performance criteria for ladder and hose lay maneuvers.
- Requiring instructors to pass the instructor “1a” and “1b” classes provided by in-service training.
- Decreasing student/instructor ratio during grading periods by including additional graders for manipulative tests at each station rather than have one instructor grading all students. The Drill Master also monitored each station to assure consistent grading.
- Increasing the opportunities for passing manipulative tests rather than allowing a single failure to end the exam. However, because skills during this time were taught in segments (i.e. hose lays first, then ladder, etc.), the recruit eventually had to pass one segment before moving on to the next.

Drill Tower Performance Standards and Recruit Preparation

While the Drill Tower’s performance standards are widely accepted by firefighters at all levels of the LAFD, the actual recruit preparation and readiness is questioned by many. Specifically, despite the acceptance of the Drill Tower’s performance standards, widespread opinions from firefighters and officers of all ranks suggest that the overall Drill Tower experience may not adequately prepare recruits for the field. We were told that, in part, this is because the Drill Tower is such an insulated, predictable, and controlled environment. But many firefighters also believe recruits were ill-prepared or unqualified for the field because the Drill Tower’s standards were not being enforced – leading some to call it a “no-fail Drill Tower.” Responses to our confidential survey from 430 minority, women, and probationary fire department members revealed that most members (52%), regardless of ethnicity, rank, or tenure, feel that the Drill Tower does not adequately prepare recruits, and most respondents believe Drill Tower training can be improved by making it resemble actual situations. Specifically within this group, 73 percent of Chiefs, 77.6 percent of captains, 74.8 percent of rated members below captain, 82.6 percent of firefighters, and 84 percent of probationary members feel training should be improved.

Since at least 1998, the average passing requirement for most stand-alone manipulative (skill application) and academic elements at the Drill Tower has been 70 percent. Certain

exercises, such as the “Self Contained Breathing Apparatus” require a 100 percent passing rate. One major change made in 1998, which continues today, allows recruits to be retested until they have successfully passed manipulative events. Further, instructors provide recruits feedback and remedial assistance to help them achieve the Drill Tower’s performance standards. Prior to 1998, recruits would have two chances to pass an event plus a final test administered by the Drill Master – failing meant they were immediately recommended for termination from the program. Drill Tower instructors we spoke to indicate recruits are retested until they either successfully pass an event or the instructors, Drill Master, and Commander for Recruit Services deem that the recruit “failed to demonstrate the skills necessary to be a safe and effective entry-level firefighter”. At that point, the recruit would be recommended for termination from the Drill Tower, with the Fire Chief charged with making the final decision.

Drill Tower Graduation and Probationary Passage Rates Vary by Groups

Between 1998 and 2004, the percentage breakdown of recruits that did not graduate compared to the percentage breakdown of all new recruits hired into the drill tower reflect significant variations. Specifically women accounted for only 2.8 percent of those hired, but accounted for 9.3 percent of those that did not graduate. Similarly, African American and Other Race or Multi-racial men only accounted for 10.1 percent and 2.9 percent of those hired, but accounted for nearly 15 percent and 6 percent of those that did not graduate, respectively. When comparing the race/gender categories of those that did not graduate to all new recruits hired into the drill tower, there were even larger discrepancies. The overall rate for not graduating from the Drill Tower was 9.9 percent; however, women failed at a much higher rate—33 percent, African American men at a rate of 14.5 percent, and Other race or Multi-racial at a rate of 18.7 percent. (Refer to Table C-4 in Appendix C titled “Comparison of the Breakdown of New Recruits Hired into the Drill Tower and Did not Graduate between 1998 and 2004.”)

During this same period, the percentage breakdown of graduates from the Drill Tower generally tracked with the overall percentage breakdown of all new recruits hired into the Drill Tower, with a slight disadvantage for African American, Other Race or Multi-racial Men, all women (ranging from 2.8% to 10.1% hired into Drill Tower compared with graduation rates ranging from 2.0% to 9.5%). (Refer to Table C-3 in Appendix C titled “Comparison of the Breakdown of New Recruits Hired into the Drill Tower and Graduated between 1998 and 2004.”)

Of the 108 recruits that did not graduate from the Drill Tower between 1998 and 2004, 30 left involuntarily (i.e. termination and resignation in lieu of termination) and the remainder did not graduate due to injury, voluntary resignation, or were transferred to another class. Of the 30 that did not graduate for involuntary reasons, only 6.7 percent were women while African American, Hispanic, and Caucasian males represented 23.3 percent, 30 percent, and 26.7 percent, respectively. When women did not graduate, only 20 percent of the time the reason cited was involuntary compared to 28.6 percent of the time for all men. While the overall involuntary rate was 28.6 percent for men, African American and Other race/multi racial men did not graduate for involuntary reasons 43.8

percent and 50 percent of time. (Refer to Table 11 in Appendix C titled “Comparison of the Breakdown of all New Recruits that did not Graduate from the Drill Tower and Recruits that Did not Graduate for Involuntary Reasons between 1998 and 2004.”)

Probation Success Rates

Between 1998 and 2004, the percentage breakdown of recruits that passed probation also generally tracked with the percentage breakdown of all new recruits hired into the Drill Tower, with the exception of women. Specifically, 2.8 percent of recruits hired into Drill Tower were women but women recruits were only 1.6 percent of those that passed probation. In addition, the overall success rate for women passing probation (46.7%) was significantly lower than the overall probation success rate of 79.4 percent. Further, the success rate of women who graduated from the Drill Tower and passing probation was only 70 percent compared to the overall 88 percent success rate of male Drill Tower graduates. Lastly, as previously described, while African-American men had a higher than expected rate of not graduating from the Drill Tower (84.5% graduated), this group was very successful passing probation after graduating the program (95.7%). (Refer to Table C-6 in Appendix C titled “Breakdown of New Recruits that passed probation between 1998 and 2004.”)

The Fire Chief has Overruled Drill Tower Recommendations to Fail Recruits

When a recruit is unable to successfully meet the manipulative or academic standards of the Drill Tower after the retesting process described above, the instructors, Drill Master and Commander of Recruit Services will recommend the recruit for termination. We found that between 1998 and 2004, the Fire Chief overruled the Drill Master’s recommendations in 45 of the 75 cases (60 %) – only 30 recruits were terminated as recommended. Rather than accept the recommendation for termination, the Fire Chief passed these recruits forward to become probationary firefighters. Responses to our survey of minority, women and probationary firefighters revealed that equal numbers believe that there are and are not different performance standards based on race. Conversely, 60 percent of women and 78 percent of men (evenly distributed along race and tenure lines) perceive that there are different performance standards based on gender. Table 4 on the following page depicts the ethnicity and gender of the 45 recruits who were advanced by the Fire Chief into probationary firefighter status over the Drill Tower’s recommendations.

As reflected in Table 4 on the following page, women make up a significantly larger proportion of individuals recommended for termination but not terminated (20%) by the Fire Chief than their group represents among the entire recruit population hired into the Drill Tower between 1998 and 2004 (2.8%). Conversely, Caucasian men make up the smaller proportions of this group of 45 employees than their ethnic group represents among the entire population of recruits hired into the Drill Tower during that period. Overall, the rate for being recommended for termination but not terminated by the Fire Chief was 4.1 percent of all new recruits hired into the Drill Tower.

According to the Deputy Chief for Training and Risk Management, one reason these recommendations for termination were overruled was to improve diversity and hiring

statistics among certain groups that are currently underrepresented in LAFD’s overall workforce. When we spoke to the Fire Chief, he stated that several cases were overruled because the recruit’s scores were “borderline” in meeting Drill Tower standards and providing the extra time and training during the probationary period was warranted.

Table 4. Comparison of the Breakdown of all New Recruits hired into Drill Tower and Breakdown of Recruits recommended for termination but not terminated between 1998 and 2004

Categories of New Recruits between 1998 and 2004	# of All New Recruits Hired into the Drill Tower	% breakdown of All New Recruits Hired into the Drill Tower	Number of New Recruits Recommended For Termination but not terminated	% breakdown of New Recruits Recommended for Termination but not terminated	Race/Gender Category Rate Compared to all New Recruits Hired into Drill Tower
Men					
Caucasian	486	44.5%	13	28.9%	2.7%
Minorities	576	52.7%	23	51.1%	3.9%
Women (All ethnicities)	30	2.8%	9	20.0%	30.0%
Total	1092		45		4.1%

Assignment of Recruits after Drill Tower Graduation

Upon graduating from the Drill Tower training academy, a member is required to complete a one-year probationary period serving in the Bureau of Emergency Services (BES). During this one-year period, each recruit is assigned to three fire stations and given three types of assignments: a truck company, an engine company, and an engine company with an 800 ambulance. The Quality Assurance section of Recruit Services is responsible for overseeing the policies and procedures related to the 12-month field probationary training period and recommending changes to the training process. A Quality Assurance Captain follows-up on each new recruit in the field at specified intervals (4th, 7th, and 10th month) to assess their level of performance as well as evaluate the training instruction in order to ensure that LAFD standards are maintained. If deficiencies are identified in a probationer’s performance, it is mandatory that Quality Assurance is notified so that meetings are arranged to develop specific plans for remediation or review recommendations for termination. Quality Assurance also assigns each new recruit a “preceptor”. A preceptor is an experienced peer that has been trained to mentor probationary firefighters as well as prepare the new firefighters for performance evaluations. The preceptor assists the station commander (captain) in formally assessing a probationary firefighter’s performance. Through our interviews with captains at several fire stations, we were informed that the required daily evaluations involve excessive amounts of very time-consuming paperwork that takes away from time

available to teach and help recruits improve. It also negatively impacts the attitude of fire station employees when receiving these rookies into their ranks.

Since the advancement to probationary firefighter status of those 45 recruits over the recommendation of the Drill Tower was more than one year ago, we tracked the success of these individuals at completing the one-year probation period. As reflected in Table 5, of the 45 recruits, only 25 went on to successfully pass probation. The overall rate for being recommended for termination but not terminated by the Fire Chief *and* passing probation was only 55.6 percent – representing a significantly smaller number when compared to the overall LAFD probation pass rate of 79.4 percent as well as the probationary pass rate of Drill Tower graduates of 88 percent. Further, women within this group passed probation only 22.2 percent (2 of 9 recruits) of the time after being recommended for termination by the Drill Tower but retained under the discretion of the Fire Chief.

Table 5. Comparison of the Breakdown of Recruits recommended for termination but not terminated and those that Passed Probation between 1998 and 2004

Categories of New Recruits between 1998 and 2004	# of New Recruits Recommended For Termination but did not terminate	% breakdown of New Recruits Recommended for Termination that did not terminate	# of New Recruits Recommended for Termination that did not terminate & Passed probation	% breakdown of New Recruits Recommended for Termination that did not terminate & passed probation	Race/Gender Category Rate Compared to all New Recommended for Term but did not term
Men					
Caucasian	13	28.9%	9	36.0%	69.2%
Minorities	23	51.1%	14	56.0%	60.9%
Women (All ethnicities)	9	20.0%	2	8.0%	22.2%
Total	45		25		55.6%

Although it can be argued that the Fire Chief’s actions eventually produced a desirable result – adding 25 additional competent, highly-trained, and physically able firefighters, there are a number of negative qualitative and quantitative impacts associated with the Fire Chief’s actions that also must be considered, including:

- Personal and emotional toll on the lives of the individuals who fail probation. For example, only 22.2 percent of women probationary firefighters advanced by the Fire Chief over the recommendation of the Drill Tower staff ultimately pass probation after enduring 16 months of rigorous training and work and potentially passing up other employment opportunities.
- Impact on LAFD’s preceptors and probationary supervisors who believe their roles have changed to “weeding-out” unqualified probationary firefighters rather than training staff for firefighting careers.

- Lowering of fire station morale and increasing the potential for increased workplace hostilities resulting from the perception that certain probationary firefighters are there due to special treatment.
- Potential of increased risks to the probationary firefighter, public and coworkers because of a lack of preparedness, ability or skill.
- Increased personnel costs to the LAFD as a result of paying a probationary firefighter a salary and incurring on-the-job training costs for someone with a reduced likelihood of ultimately becoming a fully competent firefighter.

In contrast to LAFD, we found that training academy pass rates tended to be lower for the other major fire departments we contacted; conversely, other department's retention rates during the probation period were higher than LAFD. As shown in Appendix B, Dallas, Philadelphia, Sacramento and San Diego had academy pass rates lower than LAFD's 90 percent; however, all reflect probationary period retention rates higher than LAFD's 88 percent. We observed that the lower the training academy graduation rate tended to be, the higher the probation period retention rate – indicating that the more selective a fire department is in terms of who it graduates from the training academy, the more successful the profile of the average firefighter during the probationary period. See Appendix B for a comparison of selected benchmark data gathered from other major Fire Departments throughout the country.

No doubt, the Fire Chief's actions regarding the passing of selected Caucasian, minority, and women recruits who were recommended for failure has been perceived by some to be a reduction of Drill Tower standards. In fact, some of the tenured fire station employees we spoke with perceive that women and minority probationary recruits were not required to pass certain standards, and may not be either physically or mentally prepared to succeed. As mentioned previously, the Fire Chief believes these perceptions regarding the Drill Tower are wrong.

Recent Drill Tower Academy Improvements

According to the Bureau of Training and Risk Management, the LAFD shut down the Drill Tower from September 2004 through August 2005 to reassess the academy's effectiveness and to incorporate input from the field. When the Drill Tower re-opened, several changes were made to its programs including changes to improve the work environment, recruit well-being and retention; require more "hands-on" sequenced training; and, the addition of several 24-hour fire station duty "ride alongs" to help with the transition after the drill tower. The first class under this newly designed Drill Tower commenced training on August 22, 2005, and graduated on December 12, 2006.

According to representatives from the firefighter's union – the United Firefighters of Los Angeles City – the union requested to be involved in any changes made to the Drill Tower training academy. However, according to the union, they were not allowed to participate and were unhappy that changes were made to the program, even if the changes appear positive, without any input from the employees' labor organization.

Work environment improvements included the updating and expansion of human relations training and the use of a subject-matter expert – a drill instructor who demonstrates the maneuver to recruits and graders and answers questions prior to evaluation. Also a human relations training program is aimed at recruits and discusses topics such as diversity, integrity, and team membership has been added.

Additionally, LAFD implemented other changes aimed at improving recruit wellness such as employing a new work week schedule and including stress management training. These changes stemmed in part from meetings the Fire Chief had with recent Drill Tower graduates where the recruits shared information that the Drill Tower is physically and mentally exhausting as a result of training five days per week, as well the unspoken requirement to attend remedial classes on Saturday. In order to address these concerns, the Fire Chief worked with the Deputy Chief for Training and Risk Management to reduce the new Drill Tower to four 10-hour days, with Wednesdays off, from the previous five 8-hour day schedule. The new Drill Tower incorporated remedial practice into normal work hours rather than conducting them on Saturdays. However, for recruits that felt they were significantly behind and required additional remedial training, a “paid” remedial was offered twice a week for one hour at the end of the normal work day.

Recruit retention program changes included teaching classes of smaller groups, increased feedback, and weekly evaluations by the Drill Master with each recruit to target remedial assistance. (In the past, the Drill Master only met with recruits when there was a problem.) Also, the current average class size is approximately 50 recruits, who are now split up in three “platoons” in order to have 17 recruits, two officer instructors, and two peer instructors per platoon. The three platoons rotate every four weeks so each recruit has exposure to all instructors.

Furthermore, the Drill Tower revamped the delivery of training. Specifically, the Drill Tower has begun to teach skills so they overlap and are interspersed as opposed to training in segments (i.e. only hose lays for several weeks, then ladders only for next several weeks, etc.). In the past, the training was segmented and a recruit may have been terminated after only exhibiting one aspect of their abilities; now the instructors have a more complete picture when they make recommendations. According to the Deputy Chief for Training and Risk Management, while the recruit may not be immediately terminated for failing to achieve a standard pass rate on a maneuver, the recruit must ultimately achieve the standard on every exercise and maneuver prior to graduation or they will be recommended for termination. Additionally, more hands-on training is offered by having EMS training throughout the entire academy schedule, providing scenario-based exercises, and requiring that 40 percent of Drill Tower training be focused on the application of learned skills.

According to the Deputy Chief for Training and Risk Management, the manner in which drill tower instructors are selected has changed as well. Previously, members viewed as the best firefighters were selected to be instructors. According to the Deputy Chief, the LAFD has realized that the best firefighters may not make the best teachers and now he selects instructors that are well-rounded in terms of firefighting abilities, interpersonal

skills and desire to teach new recruits. As in the past, all instructors continue to be required to pass the instructor “1a” and “1b” classes provided by in-service training and also are provided Human Relations Skills for Drill Tower Instructors course.

Unfortunately, the results of the 2005 Drill Tower changes cannot yet be measured since the first recruits completing this training on recently graduated on December 12, 2005. Ultimately, the true success of the revised curriculum will not be visible until the after its first graduates complete their probationary periods. Close attention by the Bureau of Training and Risk Management to the current classes’ retention rates, grades on manipulative and academic events, and other performance measures is needed to fully assess the new approach to academy training and compare to those earlier programs. In the future, the curriculum should continually be evaluated to assure that it fulfills the needs of the LAFD to train and advance fully-competent firefighters.

CONCLUSION AND RECOMMENDATIONS

The Fire Chief’s actions to overrule instructor recommendations to terminate recruits who have failed Drill Tower standards has led to a perception among members that LAFD operates a “no-fail Drill Tower”, and has generated other negative qualitative and quantitative impacts. Currently, the efforts to revamp the Drill Tower curriculum – effective for the class that recently graduated – provide changes to make the academy training experience more contemporary and relevant. However, it is imperative that only those recruits who demonstrate the capability to undertake the demands of probationary firefighters (as evidenced by passing manipulative and academic tests) be graduated from the Drill Tower and hired as probationary firefighters.

Recommendations

- Assure that only recruits who have achieved passing scores for each performance standard during the Drill Tower academy are hired as probationary firefighters.
- 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.
- Review the Drill Tower statistics for the 2005 graduates and those that come later to assure that retention rates, manipulative and academic test scores and other performance measures fulfills 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.

Appendix A – Survey and Results

We sent the following questionnaire to 1,811 minority, women and probationary members and officers of the LAFD. Approximately twenty-four percent (430 sworn employees) of those surveyed responded to the 34-item questionnaire. Following are the questions asked and the percentage responses from all respondents.

1. Please indicate your gender:
 - 90% Male
 - 10% Female

2. Please indicate the ethnicity/race that best describes you:
 - 15% African American
 - 1% American Indian
 - 9% Asian/ Pacific Islander
 - 17% Caucasian
 - 48% Hispanic
 - 9% Other: _____

3. I have been employed by the LA City Fire Department:
 - 4% Less than 1 year (probationary status).
 - 3% 1 to 2 years
 - 13% 2 to 5 years
 - 7% 5 to 10 years
 - 74% 10 years or more

4. Please indicate your current position with the LA City Fire Department.
 - 5% Probationary Firefighter
 - 45% Firefighter/Paramedic
 - 27% Rated Member below Captain
 - 19% Captain
 - 4% Chief

5. How would you rate your overall morale as an employee of the LA City Fire Department?

14% Excellent	12% Neutral	17% Very low
36% Good	22% Somewhat low	

6. How would you rate the overall morale of coworkers in your work environment?

8% Excellent	21% Neutral	10% Very low
37% Good	24% Somewhat low	

7. What is the biggest factor that has an impact on **good** employee morale at the LA Fire Department in your opinion? Please select one answer.
 - 25% Relations among coworkers
 - 30% Relations between employees and supervisors/managers
 - 4% Training provided at the Drill Tower, and ongoing skills training
 - 34% Fair and consistent guidelines regarding expected job requirements and performance standards

7% Other _____

8. What is the biggest factor that would create **poor** or **low** employee morale at the LA City Fire Department in your opinion? Please select one answer.

14% Relations among coworkers

41% Relations between employees and supervisors/managers

3% Training provided at the Drill Tower, and ongoing skills training

29% Fair and consistent guidelines regarding expected job requirements and performance standards

13% Other _____

9. I feel confident that I understand what words and actions constitute harassment in the workplace. (Please check box most closely matching your view.)

51%-----38%-----6%-----3%-----2%
Strongly Agree Agree Neutral Disagree Strongly Disagree

10. I feel confident that my coworkers and supervisors understand what certain words and actions constitute harassment in the workplace. (Please check box most closely matching your view.)

25%-----44%-----14%-----10%-----7%
Strongly Agree Agree Neutral Disagree Strongly Disagree

11. Have you, or within your direct knowledge another LAFD employee, ever been:

11a. The victim of sexual harassment by a coworker or supervisor while on the job?⁹

16% Yes, I am personally aware of many instances involving myself, or another LAFD employee(s).

13% Yes, there has been at least one occasion involving myself, or another LAFD employee.

5% I don't know.

40% I have not witnessed such an occurrence.

26% Absolutely not.

11b. The victim of racial discrimination by a coworker or supervisor while on the job?¹⁰

26% Yes, I am personally aware of many instances involving myself, or another LAFD employee(s).

22% Yes, there has been at least one occasion involving myself, or another LAFD employee.

3% I don't know.

29% I have not witnessed such an occurrence.

20% Absolutely not.

11c. The willing or unwilling participant of hazing while on the job?¹¹

36% Yes, I am personally aware of many instances involving myself, or another LAFD employee(s).

⁹ (Ex. Sexually inappropriate comments or physical touching.)

¹⁰ (Ex. Inappropriate racial comments or slurs, or physical violence due to race.)

¹¹ (Ex. Being initiated into a fire station by coworkers through inappropriate activities, such as excessive drills.)

- 24% Yes, there has been at least one occasion involving myself, or another LAFD employee.
- 4% I don't know.
- 21% I have not witnessed such an occurrence.
- 15% Absolutely not.

- 11d. The victim of other behaviors that create a hostile workplace environment?
- 39% Yes, I am personally aware of many instances involving myself, or another LAFD employee(s).
 - 22% Yes, there has been at least one occasion involving myself, or another LAFD employee.
 - 6% I don't know.
 - 19% I have not witnessed such an occurrence.
 - 15% Absolutely not.

12. The LA City Fire Department has taken all reasonable steps in terms of adequate training, written guidelines, and other safeguards to (Please select the response that most closely reflects your opinion.):

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
12a. Prevent sexual harassment occurrences	32%	45%	10%	8%	5%
12b. Prevent occurrences of racial discrimination	27%	37%	13%	15%	8%
12c. Prevent behaviors creating a hostile work environment	22%	33%	13%	18%	14%
12d. Prevent incidents of hazing	24%	35%	15%	15%	10%

13. During my tenure with the Department, I have received the following human relations training. (Check all that apply and indicate the number of sessions/hours attended.)

- Sexual Harassment - _____ sessions _____ hours
- Hostile Workplace - _____ sessions _____ hours
- Diversity Training - _____ sessions _____ hours
- Supervisory Training (if applicable) - _____ sessions _____ hours
- Other, Please Specify: _____

14. Please provide your views relative to managing situations that involve instances of harassment or behaviors that may create a hostile working environment. (Please select the response that most closely reflects your opinion.)

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
14a. My supervisor discourages all forms of harassment or hostile behaviors and takes immediate and effective action when required to prevent future occurrences among my coworkers.	36%	39%	10%	8%	6%
14b. I believe that, if I reported an incidence of harassment, discrimination, hazing or other hostile behaviors, my supervisor would take my concerns seriously and take appropriate action on my behalf.	45%	32%	10%	7%	6%
14c. I feel comfortable that I know how to file a complaint with the LA City Fire Department, if needed.	38%	38%	11%	10%	4%
14d. I feel comfortable that I would not suffer any retaliatory actions from my supervisor for filing a complaint with the LA City Fire Department.	24%	26%	12%	14%	24%
14e. I believe that if I had a complaint to report, the investigation would be timely, professional, and objective.	19%	20%	19%	18%	24%

15. Have you, or within your knowledge another LAFD employee, ever failed to report an instance of harassment to an immediate supervisor for fear of retaliation?

- 27% Yes, I am personally aware of many instances.
 17% Yes, there has been at least one occasion.
 9% I don't know.
 25% I do not believe I have witnessed such an occurrence
 22% Absolutely not.

16. Have you, or within your knowledge another LAFD employee, been involved in a situation where a harassment complaint went unreported through Chain of Command, stopping at the level indicated below. (Please select the response that most closely reflects your opinion.)

	No	Yes	If Yes, How Many Times?
16a. Fire Station Level (i.e. Captain)	69%	31%	_____
16b. Battalion Level (i.e. Battalion Chief)	72%	28%	_____
16c. Division Level (i.e. Division Chief)	85%	15%	_____
16d. Bureau Level (i.e. Bureau Commander)	85%	15%	_____
16e. Other, Please Specify Level: _____	88%	12%	_____

17. Please provide your perception of the LAFD’s policies, procedures, and actions in terms of instances of reported harassment or behaviors creating a hostile work environment. (Please select the response that most closely reflects your opinion.)

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
17a. I believe the LAFD’s discipline procedures and processes are clearly and fully explained in the Department’s policies and procedures.	20%	36%	14%	16%	13%
17b. I have a clear understanding of what the punitive penalties are for each violation of a LAFD rule and policy.	13%	21%	18%	24%	23%
17c. I believe that parties who violate an LAFD rule or policy will receive appropriate and timely corrective action for justified complaints reported against them.	8%	16%	16%	32%	27%
17d. If I violated a LAFD rule or policy, I know what to expect from the disciplinary process (i.e. my action will have consequences—a reprimand, full investigation, etc).	19%	36%	14%	18%	14%
17e. I believe that if I violated a LAFD rule or policy, the discipline process would be timely, professional, and objective.	11%	21%	21%	26%	22%
17f. I believe that LAFD’s process to handle rule and policy violations is employed consistently and fairly no matter the rank, personal connections, race, or gender of the accused.	7%	9%	8%	26%	49%
17g. I believe that similar rule violations/offenses are either handled at the lowest level (i.e. fire station) or are progressed “through channels” consistently no matter the rank, personal connection, race, or gender of the accused.	7%	13%	20%	25%	35%
17h. I believe that similar rule violations/offenses receive similar penalties no matter the rank, personal connection, race, or gender of the accused.	7%	7%	12%	29%	46%

18. Have you, or within your knowledge another LAFD employee, been involved in a situation where a discipline case went unreported through the Chain of Command, stopping at the level indicated below. (Please select the response that most closely reflects your opinion.)

	No	Yes	If Yes, How Many Times?
18a. Fire Station Level (i.e. Captain)	65%	35%	_____
18b. Battalion Level (i.e. Battalion Chief)	66%	34%	_____
18c. Division Level (i.e. Division Chief)	80%	20%	_____
18d. Bureau Level (i.e. Bureau Commander)	84%	16%	_____
18e. Other, Please Specify Level: _____	88%	12%	_____

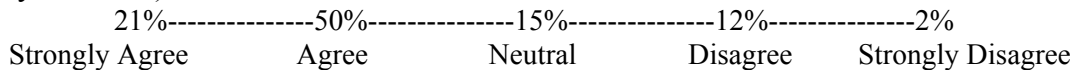
19. During the past year, the Fire Chief has issued four letters dealing with Day of Dialogue Program, Bank Overtime 2004/2005, Public Expectation – Professionalism and the Work Environment, and Employee Contacts with outside Organizations.

- 30% I received these letters and fully understand their content.
- 29% I received these letters and partially remember/understand their content.
- 14% I remember receiving the letters and cannot remember their content.
- 27% I do not remember receiving any letters or information of this kind.

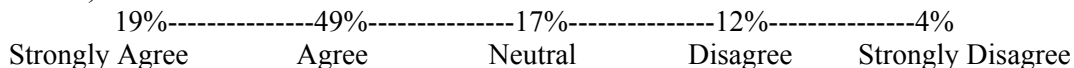
20. Please provide your opinion relative to the management and communication from the Fire Chief. (Please select the response that most closely reflects your opinion.)

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
20a. I think that there is good communication between the Fire Chief and firefighters in the field.	4%	21%	24%	30%	21%
20b. I have a clear understanding of the Fire Chief's vision for the Department.	5%	25%	26%	25%	18%
20c. I believe Fire Chief has sent strong messages against all types of harassment.	21%	45%	13%	11%	10%
20d. I think that there is good communication between the Fire Chief and firefighters in the field regarding LAFD's goals, objectives, and standards of operation.	6%	22%	26%	28%	18%
20e. My immediate supervisor takes new policies and directives from the Fire Chief and Bureau Commanders seriously and incorporates any new policy or directive immediately.	17%	46%	22%	10%	5%
20f. I take new policies and directives from the Fire Chief and Bureau Commanders seriously and incorporate any new policy or directive immediately.	23%	54%	17%	4%	3%
20g. My co-workers take new policies and directives from the Fire Chief and Bureau Commanders seriously and incorporate any new policy or directive immediately.	11%	40%	30%	14%	5%

21. I have access to the information I need, in terms of policies and procedures and other written materials, in order to do my job well and thoroughly. (Please check box most closely matching your view.)



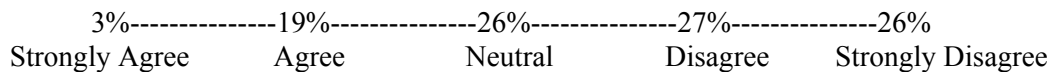
22. I am trained in how to access written materials when needed, such as policies and procedures, in order to do my job well and thoroughly. (Please check box most closely matching your view.)



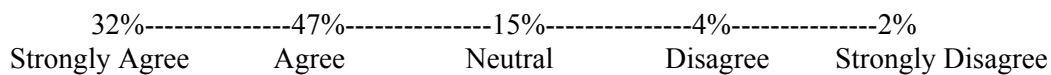
23. Please provide your opinion relative to the LAFD's formal policies and procedures. (Please select the response that most closely reflects your opinion.)

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
23a. LAFD's written materials, such as policies and procedures, are easy to read and user-friendly.	7%	41%	22%	22%	9%
23b. LAFD's written policies are consistently followed and referenced by coworkers and me.	6%	37%	27%	24%	6%
23c. LAFD's written policies are referenced, reinforced, and enforced by my immediate supervisor.	12%	45%	22%	15%	6%

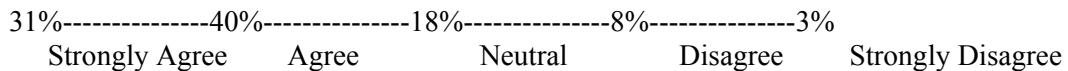
24. I believe that the training received at the Drill Tower adequately prepares recruits for work out in the field. (Please check box most closely matching your view.)



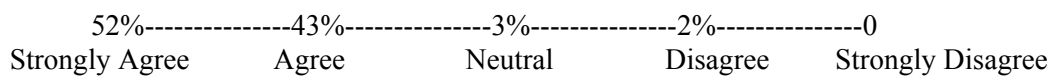
25. I think that Drill Tower training could be improved to more closely resemble actual situations and conditions found in the field. (Please check box most closely matching your view.)



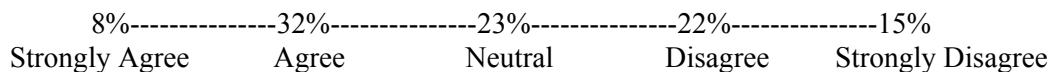
26. I think there are inconsistencies between what is taught at the Drill Tower and what is expected in the field in terms of specific skills or procedures to be followed. (Please check box most closely matching your view.)



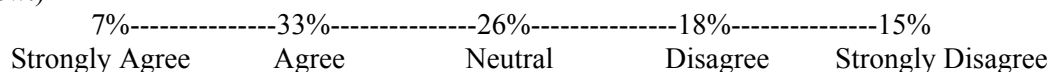
27. I know my job requirements and what is expected of me on a daily basis. (Please check box most closely matching your view.)



28. I think that Fire Department job performance evaluations are reliable sources of information concerning an employee's overall standard of performance on the job. (Please check box most closely matching your view.)



29. I think that Fire Department job performance evaluations are fairly and objectively administered by supervisors and are tied directly to my job requirements. (Please check box most closely matching your view.)



30. I believe there are different job performance standards for employees based on their race or ethnicity. (Please check box most closely matching your view.)

22%-----23%-----13%-----26%-----16%
Strongly Agree Agree Neutral Disagree Strongly Disagree

31. I believe there are different job performance standards for employees based on their gender. (Please check box most closely matching your view.)

47%-----29%-----9%-----9%-----5%
Strongly Agree Agree Neutral Disagree Strongly Disagree

32. I am treated with respect and dignity by management and my coworkers. (Please check box most closely matching your view.)

28%-----43%-----14%-----9%-----6%
Strongly Agree Agree Neutral Disagree Strongly Disagree

33. If you have any ideas for constructive changes to improve the working conditions within the LA City Fire Department, please provide them on the space provided below.

34. If you wish to expand on any previous question(s) or provide any additional input or insights that may to better understand any matters relative to operations within the Los Angeles City Fire Department, please provide them below.

Appendix B – Comparative Data from Other Fire Departments

We found that LAFD’s training academy pass rates tended to be lower than the other major fire departments we contacted; yet conversely, other department’s retention rates during the probation period were higher than LAFD’s 88 percent. Dallas, Philadelphia, Sacramento and San Diego had academy pass rates lower than LAFD’s 90 percent; however, all reflect probationary period retention rates higher than LAFD’s retention statistics. We observed that the lower that the training academy graduation rate tended to be, the higher the probation period retention rate – indicating that the more selective a fire department is in terms of who it graduates from the training academy, the more successful the profile of the average firefighter during a probation period.

Table B-1. Comparative Recruit Training Data from Other Fire Departments

	Dallas	Houston	Philadelphia	Phoenix	Sacramento	San Diego	LAFD
Length of Training Academy (Weeks)	26	18 ¹²	16	12	16	14	17
Training Academy Graduation Rate (Approximate)	85%	N/A	73% ¹³	96%	75%	80%	90%
Length of Probation Period (Months)	18	18	12	N/A	12	12	12
Probation Period Retention Rate (Approximate)	91%	N/A	100%	N/A	100%	100%	88%
Overall Retention Rate	77%	N/A	73%	N/A	75%	80%	79%

¹² Derived from an indication that 18 months of a 22 and one half month combined training program and probation period was dedicated to probation, thus the remaining 18 weeks can be attributed solely to training.

¹³ Derived from data that showed a 70% pass rate for firefighters, and a 75% pass rate for EMS, assuming that training academy classes were divided evenly among the two groups.

Appendix C – Hiring, Drill Tower and Probation Statistics from 1998 to 2004

As shown below, the breakdown of new recruits hired between 1998 and 2004 reflects that the recent hiring of African-American and Caucasian males categories have decreased compared to the 1995 overall LAFD representation of employees in that group. Conversely, hiring increased for Hispanic, Asian, and “Other Race or Multi-racial” categories and stayed generally the same for women.

Table C-1. Comparison of 1995 and 2005 Overall LAFD Representation

Categories of LAFD Personnel	1995 Overall LAFD Representation	2005 Overall LAFD Representation
African American	11.3%	12.0%
Hispanic	23.6%	29.3%
Caucasian	60.5%	52.6%
Asian	3.6%	4.6%
Other Race or Multi-racial	1%	1.5%
Female	2.9%	2.7%

Table C-2. Breakdown of New Recruits Hired into the Drill Tower Between 1998-2004

Categories of New Recruits between 1998 and 2004	Number of All New Recruits Hired into the Drill Tower*	% breakdown of All New Recruits Hired into the Drill Tower
African American	110	10.1%
Hispanic	380	34.8%
Caucasian	486	44.5%
Asian	54	4.9%
Other Race or Multi-racial	32	2.9%
Female	30	2.8%
Total	1092	

* Numbers do not include the hiring of Emergency Appointed Paramedic and Selectively Certified Paramedics as these LAFD members were already employees working in the field prior to receiving fire suppression training through the Drill Tower; thus, were not “new recruits”.

Table C-3. Comparison of the Breakdown of New Recruits hired into the Drill Tower and Graduated between 1998 and 2004

Categories of New Recruits between 1998 and 2004	% breakdown of All New Recruits Hired into the Drill Tower	Number of All New Recruits that Graduated from the Drill Tower	% breakdown of All New Recruits that Graduated from the Drill Tower	Race/Gender Category Success Rate Compared to all New Recruits Hired into Drill Tower
African American	10.1%	93	9.5%	84.5%
Hispanic	34.8%	348	35.5%	91.6%
Caucasian	44.5%	448	45.4%	92.2%
Asian	4.9%	49	5.0%	90.7%
Other Race or Multi-racial	2.9%	26	2.6%	81.3%
Female	2.8%	20	2.0%	66.7%
Total		984		90.1%

Table C-4. Comparison of the Breakdown of New Recruits hired into the Drill Tower and Did not Graduate between 1998 and 2004

Categories of New Recruits between 1998 and 2004	% breakdown of All New Recruits Hired into the Drill Tower	Number of All New Recruits that did not Graduate from the Drill Tower	% breakdown of All New Recruits that did not Graduate from the Drill Tower	Race/Gender Category DNG Rate Compared to all New Recruits Hired into Drill Tower
African American	10.1%	16	14.8%	14.5%
Hispanic	34.8%	33	30.6%	8.7%
Caucasian	44.5%	38	35.2%	7.8%
Asian	4.9%	5	4.6%	9.3%
Other Race or Multi-racial	2.9%	6	5.6%	18.7%
Female	2.8%	10	9.3%	33.3%
Total	10.1%	108		9.9%

Table C-5. Comparison of the Breakdown of all New Recruits that did not Graduate from the Drill Tower and Recruits that Did not Graduate for Involuntary Reasons between 1998 and 2004

Categories of New Recruits between 1998 and 2004	Number of All New Recruits that did not Graduate from the Drill Tower	% breakdown of All New Recruits that did not Graduate from the Drill Tower	Number of All New Recruits that Did not Graduate from the Drill Tower for Involuntary Reasons	% breakdown of All New Recruits that Did not Graduate from the Drill Tower for Involuntary Reasons
African American	16	15.7%	7	43.8%
Hispanic	33	29.6%	9	27.3%
Caucasian	38	35.2%	8	21.1%
Asian	5	4.6%	1	20.0%
Other Race or Multi-racial	6	5.6%	3	50.0%
Female	10	9.3%	2	20.0%
Total	108		30	

Table C-6. Breakdown of New Recruits that passed probation between 1998 and 2004

Categories of New Recruits between 1998 and 2004	Number of All New Recruits that Passed Probation	% breakdown of All New Recruits that Passed Probation	Race/Gender Success Rate of All New Recruits Hired into the Drill Tower that Passed Probation	Race/Gender Success Rate of Recruits During the Probationary Period
African American	89	10.3%	80.9%	95.6%
Hispanic	293	33.8%	77.1%	84.1%
Caucasian	405	46.7%	83.3%	90.4%
Asian	41	4.7%	75.9%	83.6%
Other Race or Multi-racial	25	2.9%	78.1%	96.1%
Female	14	1.6%	46.7%	70.0%
Total	867		79.4%	88.1%