OFFICE OF
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LAURA N. CHICK
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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

Laura N. Chick

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

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

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 sown 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

- Reinstitute 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, 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.

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.

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 ethic 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 it's 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 Development[8], a successful and meaningful training program includes four levels:

- Reaction – Measures how participates 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 involuntarily 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 (4^{th}, 7^{th}, and 10^{th} 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 bests 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 compliant 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.)

21%----------50%----------15%----------12%----------2%
Strongly Agree Agree Neutral Disagree Strongly Disagree

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.)

19%----------49%----------17%----------12%----------4%
Strongly Agree Agree Neutral Disagree Strongly Disagree

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.)

3%----------19%----------26%----------27%----------26%
Strongly Agree Agree Neutral Disagree Strongly Disagree

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.)

32%----------47%----------15%----------4%----------2%
Strongly Agree Agree Neutral Disagree Strongly Disagree

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.)

31%----------40%----------18%----------8%----------3%
Strongly Agree Agree Neutral Disagree Strongly Disagree

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

52%----------43%----------3%----------2%----------0
Strongly Agree Agree Neutral Disagree Strongly Disagree

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.)

8%----------32%----------23%----------22%----------15%
Strongly Agree Agree Neutral Disagree Strongly Disagree

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.)

7%----------33%----------26%----------18%----------15%
Strongly Agree Agree Neutral Disagree Strongly Disagree

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%