



PORTLAND FIRE & RESCUE



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June 23, 2022

Auditor Mary Hull Caballero
City Auditor's Office
1221 SW 4th Avenue, Room 310
Portland, OR 97204

RE: Audit of Portland Fire & Rescue

Dear Auditor Caballero:

I'd like to first thank the Auditor's Office for its review of Portland Fire & Rescue's systems of accountability. More than four years ago PF&R commissioned the Portland State University 2018 Workplace Culture Assessment to understand where we had areas for improvement. Our CORE Leadership Team has anticipated this audit as an opportunity to assess our progress and identify concrete actions we can take to improve. We also anticipated this audit process and report to be in a collaborative spirit with an end goal of making positive changes within the Fire Bureau but instead the final audit report highlights our challenges but does not provide balanced information about the measures we are taking to address the challenges.

One primary issue that we have with the report is that the findings and recommendations are based on stale information. The report relies heavily upon the PSU study findings. However, the PSU study is old and much has occurred in the intervening years since it was commissioned – PF&R has had significant leadership change at the executive level, COVID has irrevocably changed the culture of PF&R and the City, the relationship employees have with their workplace is very different than three years ago, and the priorities I have upheld and promulgated since I became chief have been those of transparency and accountability.

Having stated my concern regarding reliance upon the outdated PSU study as the basis of the audit report, I will respond to the specific findings brought forward. I will do my best to keep my comments as succinct as possible before I respond to the recommendations.

Some employees may not feel part of the family

There is no question that PF&R can make greater strides on the diversity and equity front. As the report points out, the bureau has recently taken steps to diversify through changes in recruitment and hiring. However, we do not believe that the family-like bonds we experience in our profession need to be sacrificed in order to achieve an equitable workplace. Those bonds provide the necessary strength for our crews as they mutually confront danger on a routine basis.

The report found that 43 percent of investigations into Fire Bureau employees between 2018 and 2020 involved allegations of unprofessional behavior, including discourteous, offensive, racist, or harassing conduct. I suspect that our investigations into allegations of unprofessional behavior increased precisely because former Fire Chief Myers, in response to the 2018 Workplace Cultural Assessment, actively encouraged members to report behaviors that had previously gone unreported. Moreover, and contrary to the audit's conclusion, this type of investigation is evidence that our employees do possess at least the minimum understanding of methods for reporting misconduct.

Bureau does not have a coherent employee accountability system

The report accurately states that we have not and do not analyze complaint information to identify trends to prevent future workplace problems. We are not refuting this point but would like to highlight that we proactively identified our internal resource gaps and sounded the alarm that we need more capacity internally and/or from BHR to create and manage an accountability system.

The audit characterizes the Bureau of Human Resources' (BHR) handling of PF&R's discipline process as inconsistent, unfair, slow, unpredictable, and opaque, as BHR performed most of the investigations of misconduct during the audit review period. We support BHR receiving additional resources needed to perform their critical work and address their gaps; to illustrate our commitment, PF&R funded a BHR Analyst in FY 2021-22 and FY 2022-23. We concur that a weak accountability system has many potential negative impacts, including hindering the bureau's efforts to recruit and retain women and people of color, but the discipline process is not fully under our control. To that point, we will continue to pursue opportunities for collaboration and improvement with our partners at BHR.

Bureau neglected training to improve workplace culture

As the report states, "Fire Bureau managers pointed to various barriers to workplace trainings. They said *in-person* trainings are challenging to schedule because stations must be available for emergencies, and the bureau has not budgeted for overtime needed to backfill positions while crews are in training." We believe that this problem could be resolved by additional resources to pay for the increased overtime required for in-person workplace trainings, but also recognize the real funding constraints we operate under as a General Fund bureau.

In 2021, we were able to provide HR 2.02 training to all supervisors. In the same year, the Bureau also entered into an agreement with the Workforce Development Team to allow the Bureau to host City e-Learner courses. While this is video-based training and not in-person, this has increased the bureau's ability to participate in the City's mandatory trainings and to track and report trainings to the BHR Workforce Development Team.

Supervisors received little guidance on complaint-handling

All new supervisors attend specialized training that includes topics specific to handling complaints. This is training hosted and taught by the City Attorney's Office.

While developing the FY 2022-23 Budget, the Fire Bureau executive team concluded that lacking a Professional Standards program puts the Bureau at a disadvantage when trying to develop a robust accountability system. The identification of a Professional Standards Unit as a bureau priority predated this audit report, which was still in the investigative stages when the bureau's requested budget was developed. We raised the importance of this funding request, received broad support, and the City Council has approved two years of funding to implement a Professional Standards program which will create a framework of accountability for the bureau. We look forward to the work ahead of us.

Bureau offered little guidance and few options for filing complaints

In developing the FY 2022-23 Budget, the Fire Bureau executive team identified the critical gaps in the bureau. Of these needs, a Records and Policy Coordinator position was determined to be one of the highest priority needs for the bureau, precisely for the purpose of managing bureau policies and to build systems and structure for managing records and policies. This request did not receive approval for funding in the FY 2022-23 Adopted Budget, but we plan to bring this forward again next year, knowing how critical it is to have sound processes and structures around our records and policies. We know that many of the Bureau's General Orders have not been updated to reflect current practices, but this is a project we are unable to complete without additional resources.

However, HRAR 2.02 training is provided to PF&R employees upon hire and refresher training is provided to employees every two years. This is relevant because the City's HRAR 2.02 is the definitive policy regarding complaint reporting.

Employees perceive investigations as inconsistent, unfair, and slow...

Discipline decisions were unpredictable, time-consuming, and viewed as unfair

While employee perceptions of inconsistency may have validity, we also know that within any large organization employees operate on limited information regarding investigations and can feel frustrated by a lack of information due to confidentiality requirements. We understand that it is entirely plausible that employees who engage in similar misconduct may receive dissimilar discipline.

In response to complaints about unpredictable and time-consuming decisions, we will continue to pursue opportunities for improvement both internally and with our partners at BHR. We will also work with our partners and stakeholders, including Portland Firefighters Association, to develop a more transparent and objective discipline matrix that is in alignment with industry best practices and the City's core values.

Auditor Mary Hull Caballero

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I genuinely appreciate the opportunity to provide additional and clarifying information in response to your audit report. Be assured that my team and I will continue to address many of the report's critical findings in the upcoming two years.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Boone". The signature is fluid and cursive, with a large initial "S" and "B".

Sara Boone, Fire Chief
Portland Fire & Rescue

Auditor's Recommendation	PF&R Action/Response
The Commissioner-in-charge and the Fire Chief should:	
1. Set clear expectations for work requirements and employee conduct, including:	
a) Implementing the Portland State University workplace culture study recommendations on training and norm-setting.	<p>The bureau concurs. Clear expectations have been set through various mechanisms on workplace culture and conduct. We have developed a Strategic Plan and a six-month communication plan that have set expectations for work requirements and employee conduct. These expectations have been reinforced by Chief's Memos and Chief's Corner videos to station personnel.</p> <p>Since the PSU study, PF&R has received funding for an Equity Manager, who started a five-year Equity Plan, created an Equity Committee, and worked with Bureau Leadership to embed equity competencies into our hiring practices and promotional processes. In 2020, much of this work was paused as we pivoted to meet challenges created by the Covid pandemic, social disruptions, and an unprecedented wildfire season, when external equity became the priority to save lives. We have since hired a new Equity Manager to continue to make progress in this area.</p>
b) Verifying that all employees complete training on prohibited conduct in the workplace, as required by City rules.	The bureau concurs with this recommendation with the goal of obtaining necessary resources in FY 2023-24.
2. Develop methods and guidance to ensure:	
a) Employees and the public understand how to file complaints and have access to multiple reporting options, including one for anonymous complaints.	The bureau concurs with this recommendation and looks to develop this capability with the implementation of the new Professional Standards program in or before FY 2023-24
b) Managers and supervisors know procedures for complaint-handling, including how they are documented, routed, and tracked.	The bureau concurs with this recommendation and looks to develop this capability with the

	implementation of the new Professional Standards program in or before FY 2023-24
c) Complaints are centrally and accurately recorded in a format that enables trends to be identified and evaluated for intervention, training, and policy changes, and that this analysis is performed.	The bureau concurs with this recommendation and looks to develop this capability with the implementation of the new Professional Standards program in or before FY 2023-24
d) Investigations into employee misconduct are consistent, impartial, and timely. The Bureau should adopt guidance for investigations that: Outlines clear instructions on how to conduct investigations; Documents Human Resources' role in investigations; Ensures investigators are trained and have the time needed to conduct investigations; Addresses possible issues unique to the Fire Bureau, such as familiarity bias; Sets timeliness benchmarks for key investigative steps; Includes instructions to help investigators streamline the process; Requires investigations to be periodically reviewed to identify inconsistencies or missed benchmarks; and requires complainants and investigated employees to be notified when investigations are completed.	The bureau concurs with this recommendation and looks to develop this capability with the implementation of the new Professional Standards program in or before FY 2023-24
e) Discipline decisions are predictable, fair, consistent, and prompt.	The bureau concurs with this recommendation and looks to develop this capability with the implementation of the new Professional Standards program in or before FY 2023-24
f) Improvements to the workplace made as a result of complaints, investigations, and discipline are periodically communicated to employees to show that the accountability system is working.	The bureau concurs with this recommendation and looks to develop this capability with the implementation of the new Professional Standards program in or before FY 2023-24

3. Encourage employees to report harassment, discrimination, racism, and retaliation. The option to report directly to Human Resources should be clear and promoted in case employees are not comfortable reporting up the chain-of-command. Supervisors and managers who fail to forward such complaints to Human Resources should be disciplined, as required by City rule.

The bureau concurs. The option to report directly to Human Resources is already clearly stated in General Order #41. Discipline for supervisors and managers who fail to forward complaints to HR is already clearly stated in General Order #41.