

JACKSONVILLE HUMAN RIGHTS COMMISSION



**REPORT to the MAYOR  
on the  
JACKSONVILLE FIRE & RESCUE DEPARTMENT  
CITY OF JACKSONVILLE  
AUGUST 8, 2006**



**JACKSONVILLE HUMAN RIGHTS COMMISSION  
JAMES B. CROOKS, PH.D., CHAIR**

JACKSONVILLE HUMAN RIGHTS COMMISSION



August 8, 2006

The Honorable John Peyton  
Mayor – City of Jacksonville  
117 W. Duval Street – Suite 400  
Jacksonville, Florida 32202

Dear Mayor Peyton,

The following report represents the findings and recommendations reached by the Commission after a thorough investigation into the Jacksonville Fire & Rescue Department.

The Commission welcomes the opportunity to respond to any questions or concerns you may have, after you have had a chance to review the contents of the report in detail.

We thank you for the opportunity to serve.

Sincerely,

A handwritten signature in black ink, appearing to read "James B. Crooks", is written over a large, stylized star graphic.

James B. Crooks, Ph.D., Chair  
Jacksonville Human Rights Commission

## I. THE TASK

As a result of a racially charged incident on Friday, February 17, 2006, involving the discovery of nooses in the bunker gear of two African American firefighters at Station 4, Mayor John Peyton wrote a letter to Dr. James B. Crooks, the Chair of the Jacksonville Human Rights Commission (“JHRC” or “Commission”), on February 21, 2006, requesting a comprehensive investigation of the Jacksonville Fire & Rescue Department (“JFRD” or the “Department”). The discovery of these powerful symbols of racial conflict resulted in intense media and public attention and obvious concern among the workforce of the JFRD. Prior to the incident at Station 4, the Mayor’s staff had been engaged in meetings with representatives of the Jacksonville Branch of the NAACP regarding concerns, shared with them by members of the Jacksonville Brotherhood of Firefighters (the Brotherhood)<sup>1</sup>, that employees of JFRD were working in a “hostile environment” and were being subjected to “retaliation, intimidation and discrimination.”

Mayor Peyton’s request of the Commission is different and broader in scope than the investigation of the Station 4 “noose incident” by the appropriate criminal law authorities. The Mayor requested that JHRC:

- Investigate historical discipline practices at the Jacksonville Fire and Rescue Department;
- Identify better policies and procedures for receipt and handling of grievances and complaints;
- Review recruitment, hiring and advancement practices in the Department;
- Institute and manage a diversity training program for all management and supervisory personnel effective immediately, as well as making diversity training part of the overall curriculum utilized by the Department; and
- Recommend best practices for management that will promote a meaningful, productive and effective work environment for all.

To accomplish the tasks outlined, the Commission formed three subcommittees: Work Environment & Culture; Selection and Advancement; and Training and Management Development. Each subcommittee conducted a detailed investigation in its areas of responsibility as follows:

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<sup>1</sup> The Jacksonville Brotherhood of Firefighters is a local affiliate of the International Association of Black Professional Firefighters.

The **Work Environment and Culture (WEC) Subcommittee**<sup>2</sup> was tasked with looking into the historical discipline practices at the JFRD; to identify better policies and procedures for receipt and handling of grievances and complaints and to recommend best practices for management that will promote a meaningful, productive and effective work environment for all.

The **Selection and Advancement Practices (SAP) Subcommittee**<sup>3</sup> focused its review on strategies and processes involving recruiting, hiring and selection, as well as on the Department's promotional and advancement procedures.

The **Training & Management Development (TMD) Subcommittee**<sup>4</sup> reviewed the current diversity/race sensitivity training ("Diversity Training") for "rank and file" employees as well as the management of the JFRD.<sup>5</sup> The TMD subcommittee also reviewed best management and leadership practices and made recommendations for improving interpersonal relationships within the diverse environment of the JFRD.

Various JFRD leadership team members, including Director/Fire Chief Richard A. Barrett; Deputy Director/Assistant Fire Chief Randy White; Training Chief Michael Geiger; Human Resources/EEO Manager Dr. Richard J. Greenwood; Compliance Officer Lieutenant Broderick Edwards and others voluntarily appeared before the subcommittees on more than one occasion, for which the Commission is appreciative. In addition, JFRD provided considerable documentation of its practices and procedures and various reports.

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<sup>2</sup> The Work Environment & Culture subcommittee members included: Pamela D. Quarles, Chair, Lt. Ed Johnson, Francine Parfitt, Dr. Edna Saffy, and Dennis Wade. Dr. Henry Thomas worked closely with this subcommittee in the formulation of the questionnaire, focus groups and community survey. Staff support provided by Charlene Taylor Hill, Executive Director - JHRC.

<sup>3</sup> The Selection and Advancement Practices Subcommittee members included: Dr. Solomon Brotman, Chair, Tatiana Salvador, Martha Valdes-Pellino, and Dr. Alvin White. Staff support provided by Linda Grant-Hunter, Assistant Director - Equal Opportunity/Equal Access (EO/EA) Division and Lisa Stafslein, Equal Employment Opportunity Assistant - EO/EA Division.

<sup>4</sup> The Training & Development subcommittee members included: Nathaniel Scott, Chair, Dr. James B. Crooks, Christopher Hazelip, Rashad H. Shahid, Thomas F. Slater, Maria Taylor and Cynthia "Cindy" Watson. Staff support provided by Wayne McGovern, Equal Employment Opportunity Assistant - EO/EA Division.

<sup>5</sup> For purposes of the subcommittee's work, "Management Development" was defined as the training of supervisory or management level employees.

The Commission also received extensive input and assistance from the rank and file employees and staff in the Department in several forms. An “employee questionnaire” was conducted, to which 525 individuals responded, concerning opinions, attitudes and beliefs involving racial, ethnic and gender-related issues, as well as policies and practices relating to recruiting, hiring, promotions, and discipline. Focus groups in those areas also were convened. The Florida Center for Public & International Policy at the University of North Florida instituted and designed these two tools, and administered the survey and conducted the focus groups, with input from the Commission. In addition, Commission members conducted numerous interviews of individuals who had adverse experiences in grievance and disciplinary matters and processes within JFRD. JFRD policies and procedures, reports and other pertinent documents were reviewed in addition to external materials and sources, including state and national publications, standards and best practices.

Commissioners met approximately 50 times and spent over 400 volunteer hours during the investigation. These hours do not include the personal time a Commissioner may have spent reviewing documents or conducting personal research into matters being considered. The time involved in compiling the report does not include the numerous hours, spent by staff and the Assistant General Counsel<sup>6</sup>, conducting research, reviewing documents, summarizing minutes, scheduling interviews or drafting reports. Finally, hours spent compiling data for this report does not reflect the time spent on the development, distribution, compilation or analysis of the employee questionnaire conducted by The Florida Center for Public and International Policy or the hours devoted by the six (6) focus groups held on behalf of the Commission. In short, a considerable number of people spent a great deal of time reviewing the operations of the JFRD.

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<sup>6</sup> Michael B. Wedner, Assistant General Counsel, attended meetings of the Commission and its sub-committees during the investigation, compilation, and review of this report.

## **II. OVERVIEW: Perspective and Major Conclusions**

The Commission recognizes and acknowledges, and the people of Jacksonville should be justifiably proud, that JFRD is one of the leading major City fire departments in America in terms of fire suppression skills, innovations in Advance Life Support (ALS), hazardous materials handling, and emergency preparedness and response, among other areas. Today the JFRD is one of the largest Fire and Rescue Departments in the State of Florida. The JFRD is composed of six (6) Divisions: Fire Operations/Suppression, Rescue & Communications, Fire/Rescue Training, Fire Prevention, Administrative Services, and Emergency Preparedness.

The Department has a professional career force of over 1200 men and women of different ethnicities, religious beliefs, economic and educational backgrounds. It serves an area over 840 square miles, with a population exceeding 800,000 people. In Fiscal Year 2005-2006, the Department's budget was over \$121 million. It has 57 Fire and Rescue stations, including two (2) marine companies, a Technical Rescue team, two (2) Hazardous Material teams, an Urban Search and Rescue (USAR) team and other specialty teams, as well as 51 engine companies. Thirty (30) of the engine companies, 30 Rescue Units (Ambulances), 11 Ladder Trucks, 12 Tankers, and 8 (eight) Brush Trucks have Advanced Life Support Units.

The JFRD should be commended for its reputation as a leader in fire and rescue operations and accomplishments; however, the Mayor's request to the Commission focused on a different slice of life at the Department. Specifically, the Commission looked at the organizational culture, concentrating on: what happens in the fire stations between fires or emergency medical runs; administration and managerial practices; disciplinary practices; policy, practice, or procedural inequities; and what happens in the community among candidates for employment and those who educate and train them. It also focused on the hiring and training of fire and rescue candidates; their advancement and promotions; and the opinions, attitudes and behaviors they bring with them or learn during their times on the job. In other words, the focus was on the kinds of things which might have resulted in, or contributed to, the noose incident occurring in the first place.

The Commission unanimously has come to the regrettable but firm conclusion that the noose incident at Station 4, and another similar noose incident also currently under investigation by the proper authorities, are but highly visible manifestations of broader

persistent problems within the management, organization and functioning of the Department. Far too many instances of unfair or alleged discriminatory treatment grounded upon racial, ethnic and gender-based differences and disparities, and upon union affiliation or non-affiliation, occur and reoccur to be considered merely isolated incidents. Problems include, but are not limited to:

- (a) Unequal application of disciplinary rules and sanctions;
- (b) No clear separation between Union and management;
- (c) Favoritism in assignments;
- (d) Abuses of the power of reassignment in the form of transfers or shift changes as sanctions or punishment for the disfavored, or those who complain about disparities;
- (e) Highly selective, rare and retaliatory administration of territorial transfer examinations;
- (f) A major disconnect between what upper management believes is being done in areas of diversity and non-discrimination training, and what sparse training actually is being done;
- (g) A lack of any program for training management level employees (Lieutenants and above) following appointment or promotion in the skills needed for effective leadership and management of interpersonal relationships and conflicts among employees; and, especially troubling
- (h) Widespread negative perceptions among African American and female employees of inequities and favoritism throughout the Department.

These shortcomings, and others the Commission discovered, likely can be found, in some degree, in any large city fire department. This, of course, does not make such things right. Nor does it excuse the degree to which the problems exist here in Jacksonville.

It should be remembered that the vast majority of the Department's leaders, employees and staff are good, honest, hardworking men and women who are to be admired and respected for the difficult, dangerous jobs they perform daily. Director/Fire Chief Barrett, Deputy Director/Assistant Fire Chief White and others noted the unhesitating bravery and color blindness JFRD personnel exhibit when their colleagues' lives, or those of the public, are on the line, and public health, safety and property are at risk. They also note the profound effect that the DROP (Deferred Retirement Option Plan)

and other recent retirements have had on the Department. Experienced personnel have been replaced by new employees in rapid fashion, with a resultant emphasis on teaching the “basics” of the fire and rescue functions, and younger, inexperienced firefighters are taking on positions of authority due to the loss of leadership experience in the field and at the fire stations.

Nonetheless, the range and breadth of the problem areas within JFRD is truly distressing. Clear racial differences exist in attitudes and opinions on questions of fundamental fairness in hiring, promotion and discipline; and there is acknowledgement from individuals interviewed that there is some level of racism in the Department. Large numbers of African Americans responded negatively on questionnaire inquiries in these areas. There are, to a lesser degree, similar issues and divides along gender lines, with female employees perceiving and reporting greater problems than their male colleagues.

The problems are not purely along racial, ethnic or gender lines. Another important issue is the pervasiveness of the firefighter union’s presence and influence. Union members, as a rule, receive more favorable or “more equal” treatment than non-members. The line between Departmental management/leadership and the union is razor thin, if not, in practical effect, wholly obliterated.

Remedies will require concerted, varied efforts. Some problems may be incurable without new generations joining the ranks, and without new leadership at the highest levels of the Department. Many of the focus group participants suggested that good leadership and adherence to policy could help alleviate many of the interpersonal issues within the Department.

Employees of all races and genders agree, no matter what the differences are, that it is urgent that these issues be resolved and that the focus of the JFRD should be to provide the best service possible to the citizens of Duval County.

The Commission has tried to unearth the relevant information; look at it carefully and impartially; accurately report what it has found; and make specific recommendations for meaningful, measurable actions which might be undertaken to improve the Department. It hopes that this report, and the recommendations it contains, are taken and considered in that light.

### III. FINDINGS

#### LEADERSHIP

1. **Employees within the Department are well trained to handle the technical aspects of the job; however, there is a readily apparent lack of training or education available on supervisory and managerial skills and behaviors.** There were numerous instances and issues discussed during the focus groups that were attributed to lack of administrative training and professional values. This lack of training and education has an impact on the level of fairness and the quality of professionalism displayed when dealing with personnel matters. One white male stated that JFRD was ***“operationally superior” while “managerially deficient.”*** Based on survey results, there is a significant difference in perception and reality between white and African American employees regarding the fairness of personnel procedures and processes involving grievance, promotion, hiring, and recruiting. The Director/Fire Chief acknowledged that only 1/3 of the employees have college degrees. He also indicated efforts to partner with FCCJ to offer courses to help correct this problem. Employees and the researchers identify the scarcity of women, African Americans and other ethnic groups in middle management as a major shortcoming of the JFRD. Focus group participants strongly suggested that including such persons would serve to quickly change the culture of the JFRD.
  
2. **Leadership within the JFRD sends mixed messages regarding its commitment to diversity.** Director/Fire Chief Barrett has been quoted as saying he *“wants to unite the races within the Department and that achieving racial harmony starts at the top.”*<sup>7</sup> Yet, he instructed the Fire Training Academy to get “back to basics” with the training curriculum. The result was the virtual elimination of all diversity training. If there were African Americans or women in a class, employees reported sometimes overhearing comments by members of the JFRD administration, including the Human Resources/EEO Manager, saying, *“Oh, we’re trying to meet quota.”*

Another mixed message is the Department’s Annual Equal Opportunity/Equal Access Report and Objectives for Fiscal Years 2004-2005 and 2005-2006, which is submitted in accordance with the City’s EO/EA Program. The report contains

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<sup>7</sup> Televised news story broadcast on WAWS Fox 30, May 8, 2006.

specific goals and action steps such as, “*to secure diversity representative of the community . . .*” In reality, these appear to be largely empty words. The wording of the goals and action steps submitted for the last two years have been copied verbatim from one year to the next. As another example, over the last two years, the JFRD has indicated that it would engage in the study circles process with this very Commission. To date, no such action has taken place.

Finally, the Director/Fire Chief has made overtures of opening lines of communications with the Jacksonville Brotherhood of Firefighters. However, there is a perception within the Brotherhood that the leadership of the JFRD does not value or support the organization. Nor does the JFRD leadership value the contribution the Brotherhood can make and has made in recruiting other African Americans to join the Department.

- 3. Excessive practical jokes, horseplay, harassing, hazing or intimidating behaviors is a norm at various fire stations and is allowed to exist without appropriate management intervention.** New employees are routinely subjected to hazing or harassment. Despite being in direct violation of the JFRD Standard Administrative Procedures on Human Relations 251.01, practical jokes, horseplay, harassing, hazing or intimidating behaviors are allowed and generally accepted. This inappropriate and unprofessional conduct minimizes effective human relations and creates unnecessary safety risks, and potential damage to city property.

A white firefighter reported being “*hazed relentlessly and [the] chief thought it was funny.*” Another suggested that “*the guys play too much . . .*” While some of the behaviors might be considered as practical jokes, other behaviors described border on workplace harassment, particularly when the race or gender of the recipient of the disruptive behavior is added into the equation.

Numerous comments were made and evidence was provided by individuals who have been subjected to practical jokes, horseplay, and harassing, hazing or intimidating behaviors. **Not only has management not curtailed these inappropriate workplace behaviors, in some instances, Lieutenants or Captains are reported to have committed the actions.** Investigations into the more serious incidents varied as did the disciplinary actions taken. According to the information received, the Department, and the Jacksonville Sheriff’s Office (in some cases) have been unable over the years to apprehend and prosecute the

perpetrators. Consequently, the victims have had no relief and no recourse to address their concerns within the Department.

There were also previous incidents that resulted in physical harm to a firefighter and another situation resulted in damage to the firefighter's gear and personal property. Two other situations concerned "harassing and physically threatening" letters, cards (with racial slurs) and intimidating messages being posted around the station and left for specific individuals. There have been reports of female firefighters being sexually harassed by male co-workers and a Captain who is referred to as "Jew boy" while management looks the other way. The discovery of nooses at Station #4 was the second such occurrence within the Department over the past two years.<sup>8</sup>

When employees complain, they are "targeted." A white employee stated that when he stuck up for an African American co-worker, "*because it was the right thing to do*", he was told that at this station "*white is right.*" These flagrant and unacceptable behaviors were not met with appropriate behavioral consequences. African Americans and women see this failure as a major part of the problem within the JFRD.

## **UNION INVOLVEMENT**

### **4. There is a concern over labor relations.**

(a) **There is no clear distinction between management of the JFRD and the Union.** The Jacksonville Association of Firefighters Local 122 (the "Union") is the designated bargaining unit for the uniformed personnel of the JFRD. In reality there are only eight (8) positions<sup>9</sup> which are mayoral appointees, and, therefore, are not a part of the collective bargaining unit. The Director/Fire Chief stated that since Battalion and District Chiefs actually perform duties of a firefighter, they are entitled to representation by the Union. The Union and management appear to work together, to control or suppress issues, when there are cases of alleged sexual harassment and discrimination.

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<sup>8</sup> These incidents were not the subject of the Commission's investigation as both incidents are being processed by the Jacksonville Sheriff's Office.

<sup>9</sup> These positions include the Director/Fire Chief, Deputy Director, and six (6) division chiefs.

Additionally, the current website address for the Jacksonville Association of Firefighters Local 122 is [www.jfrd.com](http://www.jfrd.com) and appears as a link on the City's official JFRD website, which further blurs the distinction between the Union and the JFRD. To an uninformed citizen, this address would suggest that it is the official website of the JFRD. Moreover, some of the information contained on the site could be considered offensive based on gender.

- (b) **There is a widespread perception that the Union selectively determines who it will appropriately represent, and by its actions, it has not demonstrated a commitment to inclusion and diversity within the Department.** Numerous African Americans have complained of the lack of Union support when grievances or complaints have been filed. When asked to agree or disagree with the statement, *"Personnel within the JFRD are treated differently, depending on union affiliation,"* 65% of the African American, 47% of the female and 28% of the white respondents either "strongly or somewhat agree" with the statement.
  
- (c) **The Union has strong political influence, and membership and participation in the Union is viewed as a "stepping stone" to a political appointment.** Over the years, the Union has demonstrated its influence during mayoral elections. Former Mayor Delaney hired Ray Alfred from Washington, D.C. to serve as Director/Fire Chief. This move apparently upset the Union. In the mayoral race of 2003, the Union supported John Peyton, who promised to replace Director/Fire Chief Alfred. The Deputy Director/Assistant Fire Chief position is filled by the former Union President. Another former Union member currently serves as the Division Chief of Fire Services. Both positions were created in 2003.

## **WORK ENVIRONMENT & CULTURE**

- 5. **There is a high level of job satisfaction within the JFRD.** Of the 525 questionnaires completed by employees of JFRD, 90% were "somewhat to very satisfied" with their position in the Department. When broken down by race and gender: 94% of the white, 84% of the female, and 86% of the African American respondents indicated that they were "somewhat to very satisfied" with their position. Eighty-four percent (84%) of the employees responding to the survey described their general feelings about the Department as "somewhat to extremely positive," while 63% of the female and 64% of the African American respondents

felt that way. Twelve percent (12%) gave multiple reasons for joining the JFRD; the single dominant reason (44%) given was *service to the community*, including 58% of the female and 61% of the African American respondents.

6. **There is a “class” distinction within the Department that impacts the interpersonal relationships within the Department that is beyond race and gender.** The divisions within JFRD are deeper than race. There are divisions across job categories, geographic regions, and gender. Among focus group participants, there is a perception that the JFRD administration is only concerned with new equipment for Fire Operations/Suppression while more pressing needs in the Rescue & Communications Division get less attention. Within Fire Operations, the Ladder Company is a more desired assignment because it makes fewer runs than the Engine Company. Individuals assigned to Rescue are considered the “stepchildren” despite the fact that some Rescue Units make up to 400 runs per month. The frequency of the runs makes Rescue less desirable, for some, and causes friction between the crews when a Rescue Unit is housed with a Fire Operations Unit. An assignment to Fire Prevention is not considered a positive career move.

This “class” distinction exists despite the fact that the training requirements or certifications for individuals assigned to Fire Operations are less than those required of the Rescue Division or Fire Prevention. All individuals employed in Fire Operations, Rescue or Prevention are required to have certification as a firefighter and EMT. Some individuals assigned to the Fire Operations Division are also certified as paramedics. However, all Lieutenants and above who are assigned to the Rescue Division *must* also be certified as a paramedic. While employees assigned to Fire Prevention are not required to be paramedics they must successfully complete 200 hours of basic certification training as fire-safety inspectors, or have received equivalent training in another state, and pass a state written examination. As of 03/31/2006, African Americans represented 18% (158 out of 869) of Fire Operations; 21% (44 out of 207) of Rescue and 72% (17 out of 24) of Fire Prevention.

7. **“Downtime” during shifts appears to be the source of “personal issues” that surface at fire stations and among shift crews.** Within the Department, the concept of the “JFRD family” is a powerful desired norm. Numerous individuals, throughout the course of the investigation, talked about the culture of the

Department as that of a “family,” particularly because firefighters typically work a “24-hour shift”<sup>10</sup> or that they “live together” because they spend one-third of their time at the fire station. The Department currently has days set aside to handle housekeeping matters such as yard work, kitchen clean-up, and equipment maintenance, which tends to reinforce the “family” concept. However, not everyone agrees with that assessment. One African American was issued a Rule Infraction Charge for disagreeing with a senior officer over a discussion about whether the employee “lived” at the station. There is a belief, and it is generally acknowledged, that while there is much infighting (horseplay, hazing, etc), when the bell rings, everyone works together without regards to race, ethnicity or gender.

8. **There is a perception among focus group participants that the environment is returning to the past levels of isolation, segregation and exclusion, which raises concerns of threats, fear and potential violence.** Focus group participants acknowledged that there is some level of racism in the JFRD but they believe it is no worse than the racism that exists in other large organizations or in the Jacksonville community. However, there is also an acknowledgement that it is urgent that these issues be quickly resolved so that the JFRD can provide the best service possible to the citizens of Jacksonville. African Americans still report feeling isolated in the workplace and then threatened when going on emergency calls because of racially-biased comments like *“I don’t want that “N” in my house.”* Whites reported similar concerns that the African American community may hesitate to call in an emergency because of its distrust of the white crews that might respond. While 77% of white citizens surveyed “strongly or somewhat agree” that the JFRD treats all victims equally, only 68% of the African Americans citizens surveyed agreed.

After the noose incident, a couple of incidents occurred where members in African American neighborhoods displayed their resentment towards the JFRD and the Department requested Jacksonville Sheriff’s Office escorts. For many in the Department, times have changed and there is a perception that things within the Department are returning to pre-civil rights behaviors.

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<sup>10</sup> Only employees who are in a job classification (or rank) with a designation of “56” work a 24-hour shift.

## **GRIEVANCE & DISCIPLINARY PROCESS**

- 9. Discipline is routinely administered in an inconsistent manner, with African Americans and females receiving more severe discipline than white male employees. This is especially true for those who are “outside the small group or clique”<sup>11</sup> that apparently runs the Department.** Article 7 (Management Rights) of the Collective Bargaining Agreement between the City of Jacksonville and the International Association of Firefighters Local 122 provides the JFRD management with the right to exercise control and discretion over the organization, operations and personnel to set standards of service to be offered to the public. However, the evidence suggests that the JFRD disciplinary process has not equitably and adequately protected all personnel (regardless of race or gender), as set out in the Department’s Rules and Regulations and Standard Administrative Procedures governing disciplinary action and discrimination. During the period between July 2003 and April 30, 2006, African American firefighters received 43% of the Written Reprimands, while representing only 20% of the total JFRD workforce. This is more than triple the rate of discipline for that of white employees. There is a perception that when the current JFRD leadership team took over in 2003, disciplinary actions were dropped against white firefighters but not for African Americans.

There are discrepancies between the appropriate levels of discipline an employee should receive based on the severity of a particular rule violation. Some disciplinary actions were inappropriate and inconsistent among JFRD employees, such as the African American who was issued a Rule Infraction Charge for disagreeing with a senior officer over a minor, non-combat related conversation. Another African American received a Written Reprimand for attempting to counsel an employee who was being insubordinate. In comparison, a white Lieutenant had his disciplinary action reduced from a 3-day suspension to a Letter of Counseling or Written Reprimand even though he caused significant physical harm to an African American employee. A white Captain used a racial slur and made derogatory comments about an African American Captain. An incomplete investigation was conducted and no disciplinary action was imposed. The lack of response in this last instance violated the Department’s Rules and Regulations and Standard Administrative Procedures, Article VI General Rules 124.014 Respect for

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<sup>11</sup> Some employees believe that membership in the “small group or clique” is based on nepotism and/or favoritism; while others believe there is a Union “in-group.”

Fellow Members which states in part: *“Members shall treat other members of the JFRD with respect . . . and shall not use threatening or insulting language.”*

In addition, the grievance process is not always adhered to, as it is written, and can be intimidating. Comments from employees suggest they are not always allowed to *“tell their side of the story”* before a decision is reached on the disciplinary action that will be taken. Some have been excluded from the meetings while a decision is being made. Even when employees are included in the process, the outcome has a “chilling” effect on the employees’ desire to move forward with the grievance or complaint. One example shared indicated that at the “first step” of the informal process the appropriate protocols were not followed. The proper initial step should have been a discussion about the grievance with the direct supervisor. When the employee arrived, however, several high level managers and a court reporter were in attendance. The inconsistent application of policy generates hostility, and the perception of retaliation and racial discrimination.

Firefighters' perceptions of fairness in the disciplinary process vary according to race and gender and are in direct contrast with the opinions of the Director/Fire Chief, Deputy Director/Assistant Fire Chief, the Human Resources/EEO Manager and the Compliance Officer. This leadership group all referenced the JFRD Rules and Regulations and Standard Administrative Procedures and shared their belief that complaints are handled in a non-biased and professional manner. They did acknowledge that there were “perceptions” that the process was unfair and that was the primary reason for establishing the “Disciplinary Review Board (DRB)<sup>12</sup>.”

While it was stated at a meeting attended by the Director/Fire Chief and Deputy Director/Assistant Fire Chief that the intent of the DRB was to provide an additional step of fair representation and process review consistency, it is questionable whether the current selection method of DRB members can create an objective and impartial body, as all members are appointed by the Director/Fire Chief. Furthermore, it is unclear what role the “DRB Observer” fulfills as a non-voting member.

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<sup>12</sup> The DRB is composed of five (5) primary members and two (2) alternates appointed by the Director/Fire Chief and will serve for a period not to exceed two years unless re-appointed by the Director/Fire Chief. The Director/Fire Chief also designates a non-voting observer.

According to questionnaire results, 25% of the white respondents indicated that JFRD employees are treated unfairly, while 65% of the African American respondents and 42% of female respondents agreed. When asked about alleged discriminatory complaints over the past three years, the Director/Fire Chief responded that the only complaints filed had involved African Americans complaining about their African American supervisor. The Human Resources/EEO Manager and the Compliance Officer stated that African American firefighters' complaints about racism, discrimination and unfair treatment most of the time had little or no merit.

Several focus group participants stated that the Code of Conduct was applied arbitrarily. Many felt that if the rules that were already on the books were consistently applied, numerous problems faced by the JFRD would be quickly resolved.

10. **There is a pervasive atmosphere of retaliation. Individuals who speak out or who challenge the “system” are labeled and singled out for disciplinary actions or they begin to encounter difficulties.** There are numerous instances of employees who attempted to utilize the grievance procedure or EEO redress, and suffered retaliatory treatment. While the majority of the examples of retaliatory treatment are based on race, women were treated similarly. When asked, in the survey, about the *“atmosphere of retaliation within the JFRD for bringing forth a grievance or complaint,”* 65% of the African American and 42% of the female respondents “strongly or somewhat agree.” Regardless of race or gender, employees report that it is not uncommon to be transferred or labeled as a troublemaker or both for filing a grievance or complaint.

The “right to assign” is a tool that the JFRD uses to retaliate against and punish firefighters who “get out of line” or “fall out of favor” with management or the Union. White and African American firefighters expressed concerns about filing a grievance because of retaliation, and indicated that the *“administration has ways to deal with troublemakers.”* The perception of numerous employees suggests that *“if you upset the wrong person you will be transferred to the last place you want”* and that ranking officers have transferred employees without cause or review. Assigning a firefighter to a “punishment station”<sup>13</sup> or a station that is perceived as

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<sup>13</sup> According to employees a “punishment station” is designated such because of the clientele served, the physical conditions of the station, the large number of runs per month and the types of runs.

“undesirable” because it is managed by an African American appears to be a normal occurrence.

Another “management tool” that is apparently used as punishment is the “Transfer (6-month) Examination.”<sup>14</sup> A white firefighter was transferred and later scheduled to take the Six-Month (Territory) Examination after challenging a disciplinary action. The JFRD Human Resources/EEO Manager acknowledged that management has the right to call for the test. However, of 257 transfers that had taken place since October 1, 2005, the information that the Commission has been able to discover indicates that only about six (6) individuals were scheduled to take this test.<sup>15</sup>

11. **The JFRD policies on Human Relations, Disciplinary Action, Sexual Harassment, and Discrimination found in the Department’s Rules and Regulations and Standard Administrative Procedures Manual are cumbersome, confusing, outdated, and not easily understood.**

#### **RECRUITING & HIRING**

12. **In 1991, the percentage of African Americans in the Department reached the level of being equal to the percentage of African American citizens in the City of Jacksonville as required by a Court order issued in response to a federal charge of discrimination filed on January 26, 1971.** However, since 1991, the proportion of African American employees has fluctuated within the JFRD. Currently twenty percent (20%) of the JFRD total workforce is African American while the city’s African American population is approximately 28%.<sup>16</sup>
13. **No recruiting budget currently exists for JFRD.**<sup>17</sup>

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<sup>14</sup> According to Standard Administrative Procedures Rule 114.036 – Transfer Examination: Regardless of [the] time of service with the JFRD, any individual permanently assigned to a Company from another Company or Activity, shall have six (6)-months to learn the information as outlined under section 118.00 and 119.00 or be subject to disciplinary action.

<sup>15</sup> The exact number of individuals who have been scheduled to take or completed the “Transfer Examination” was not provided despite two requests being made.

<sup>16</sup> Source: The U.S. Census Bureau for Duval County.

<sup>17</sup> The JFRD has requested \$50,000 for recruiting in the FY2006-2007 budget.

14. **The length of time to become eligible for employment and the selection process for firefighters is typically between 12 to 18 months.** This is a significant deterring factor to applicants regardless of race.
15. **State fire certification programs are structured in a manner that prevents federal loans for students.** The current 450-hour program would need to be expanded to 600 hours in order for students to be eligible for low-interest federal student loan programs.
16. **The FCCJ Fire and Rescue Certification Program does not actively recruit students.** During the past two years African American males comprised 13% and Hispanic males comprised 2% of the students in the FCCJ Fire and Rescue Certification Program. This compared to the 21% and 4%, respectively, in the male workforce for Duval County.
17. **While the Dean of Workforce Programs at FCCJ does not believe that the location is a deterrent, the FCCJ South campus is a significant distance from the historically African-American communities in Jacksonville.**
18. **FCCJ is the primary source of applicants for the JFRD.** The proportion of the African-American population in the FCCJ Fire and Rescue Program during the past two years is 1/3 less than the proportion of African Americans employed by JFRD. If this imbalance continues, the percentage of minority firefighters may decrease in the future. This is already reflected by the lower percentage of African-American firefighters than engineers.
19. **The percentage of female firefighters is trending in an upward direction.** However, this percentage remains far below the percentage of women in the workforce.
20. **Even though the relative numbers of Hispanic new hires may be a reflection of recent population increases and length of service on the force, the statistics indicate there is no recorded<sup>18</sup> representation of Hispanics at the management ranks of Lieutenant or higher.**

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<sup>18</sup> Source: Oracle Employee Data Files, 03/31/2006.

21. **The statistics indicate that Asian Americans remain under-represented at all levels of the JFRD, when compared to the employment statistics for Duval County.**

## **TRAINING**

22. **Certain City employees, including the JFRD, are required to complete 24-Hours of training, annually.** City Human Resources personnel and JFRD Chiefs, who appeared before the Commission, recognize that JFRD employees are subject to the 24 Hour requirement, although there is a misperception among some in the JFRD that its employees are “exempt” from this 24 Hour requirement.
23. **The City has mandatory Diversity Training courses for employees and supervisors which must be taken once (1) every three years according to Training Catalog Fiscal Year 2006. Executive Order 03-03, issued on April 15, 2003 by Mayor John Delaney, is the referenced authority.** The courses are *Diversity Guiding Principles* (EO/EA 212) or *Cultivating a Diverse Workforce* (EO/EA 218) (all City employees must complete one of these two courses) and *Diversity for Managers* (EO/EA 601) (which is an *additional* requirement for supervisors).
24. **The City tracks employees’ fulfillment of their 24 hour training requirement; however, the mandatory courses, such as Diversity Training, are not tracked.**
25. **City Human Resources personnel and JFRD Chiefs, who appeared before the Commission, all agreed that the mandatory Diversity Training requirements are applicable to all employees of the Jacksonville Fire & Rescue Department.** Of the approximately 1200 employees and supervisors in the JFRD, City records for the period October 1, 2003 through February 28, 2006, document **only nine employees and supervisors completed the required Diversity Training.**
26. **A segment of New Hire Orientation training for Firefighters includes “EEO, Cultural Diversity and Sexual Harassment” training.** However, most of this 1.5 hour segment is devoted to two videos on sexual harassment, and the small portion on diversity issues consists of education on Title VII of the Civil Rights Act and “What Not To Do” in conduct and behavior. This “course” and level of training is not equivalent to, or a suitable replacement for, the required Diversity Training

courses. The JFRD does not currently offer a Diversity Training course equivalent to the mandatory City courses.

27. **Only 28% of the Department (332 JFRD employees), is documented to have received the training segment that is incorporated into the JFRD New Hire Orientation curriculum.**
28. **All JFRD employees were ordered to complete an on-line Diversity Training course (“Workplace Diversity”) as a result of the recent “Noose Incident” on February 17, 2006 at Fire Station #4.** The City’s Human Resources personnel and JFRD Chiefs, who appeared before the Commission, recognize that this course is also not equivalent to, or a suitable replacement for, the required Diversity Training courses.
29. **Current JFRD leadership, who appeared before the Commission, stated that Diversity Training equivalent to that required by the City is being done. In fact, it is not.**
30. **The JFRD does not have a designated EEO/Diversity Trainer for the JFRD Training Academy.**
31. **A Fire & Rescue Officer Course outline indicates that more comprehensive EEO and Diversity Training was offered under the previous administration, but that course is no longer in use.** There is no documentation of which, if any, of the current JFRD employees or supervisors took this course.
32. **Nothing in the collective bargaining agreement or city rules preclude JFRD Employees (and other City employees) from receiving bonuses, raises and promotions without completion of the mandatory courses.**

#### **PROMOTIONAL EXAM PROCESS**

33. **While repeated anecdotal complaints about fairness in the promotional exam process were presented by employees of JFRD, evidence received from**

**Barrett & Associates<sup>19</sup> and made available to the Commission did not support these complaints.**

34. **The construction and administration of promotional examinations have the potential for abuse.** There are a finite number of questions; employees can memorize questions for the creation of a test question file; and questions are not evaluated for statistical validity.
35. **There are perceived problems with the promotional exam protest process.**
- (a) **There is no direct evidence of favoritism. However, there is the perception that favoritism occurs in this process due to the presence of JFRD employees on the Protest Committee.** The Examination Protest Committee (or Protest Committee) is composed of five (5) members. Two (2) members of the Protest Committee are uniformed JFRD employees selected by the examinees. The other members of the Protest Committee are: a representative of the City of Jacksonville Human Resources Department; Dr. Gerald Barrett or another representative of the company that administers the examination; and a local independent consultant, selected by Dr. Barrett.
  - (b) **Although two (2) representatives selected by the examinees are required by the Collective Bargaining Agreement, this is unusual for a municipality based on the test administrator's experience.**
  - (c) **There are no established criteria to guide the Protest Committee deliberations. This adds to the possibilities for favoritism in the process.** The Protest Committee determines adjustments to the examination, once given, based on request by examinees without statistical data from the examination.

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<sup>19</sup> Barrett & Associates is an external firm hired to assemble and administer the promotional examinations for the JFRD. This firm has been working with the JFRD for over twelve years. Dr. Gerald Barrett is not related to Director/Fire Chief Richard Barrett.

## **IV. RECOMMENDATIONS**

### **LEADERSHIP**

1. The highly visible manifestations of persistent problems within the management, organization and functioning of the Department are of grave concern. The many instances of unfair or alleged discriminatory treatment rooted in racial, ethnic and gender-based differences and disparities are too numerous to be considered merely isolated incidents. Therefore, the Director/Fire Chief, Deputy Director/Assistant Fire Chief, Human Resources/EEO Manager and the Compliance Officer should be immediately removed from their positions. The remaining members of the leadership team should be re-assessed, by the Mayor, to determine whether they have the requisite leadership attributes, qualifications, integrity and organizational skills necessary to create an environment within the JFRD that is culturally sensitive. If not, they also should be removed and replaced by individuals who do possess the personal values and requisite leadership skills.
2. The JFRD leadership team must develop a comprehensive plan to improve organizational behaviors and correct deficiencies so that JFRD remains a competitive and efficient public service organization. The plan should create a new culture and work environment within the JFRD that is based on the principles of fairness, professionalism, and inclusion, where all employees are treated with dignity and respect. The plan should outline specific goals and accountabilities, contain aggressive timelines and measurable outcomes. The plan must also include actions to eliminate the perception of any internal segregation at stations, on shifts, or in levels of assignments and equally support and defend personnel assigned to Fire Prevention, Rescue and Fire Operations (Suppression).

### **UNION INVOLVEMENT**

3. The Mayor should designate a lead agency and provide it with the necessary funding and authority to work with the Professional Services Evaluation Committee (PSEC) to secure the services of a consultant that has demonstrated expertise in the area of labor relations law to review significant ongoing labor relations issues which permeate throughout the Department. These may be derived from the above described lack of representation by the Union and its overreaching influence in the daily management of the JFRD. The consultant should have an exceptional track record in: preserving management rights in contract negotiations, contract administration, grievance and arbitration proceedings, and work stoppages; and

have proven results in assisting employers in identifying legal needs, building a solid defense, meeting compliance requirements, and developing best practices. The consultant should also review the feasibility and potential impact of converting the positions of Battalion and District Chiefs from “promotional” to “appointed” positions (36 such positions currently exist) and recommend minimum educational or experiential requirements for each rank. The Jacksonville Human Rights Commission is willing to serve as the lead agency, should the Mayor so desire.

4. A request should be made of the Jacksonville Association of Firefighters Local 122 to change its web address from [www.JFRD.com](http://www.JFRD.com) to a more appropriate designation. At one point, the Union website contained photographs that may have been offensive based on gender. If the Union does not agree to comply, the City should seek “squatter’s status” against the Union to gain ownership of the web address. Further, the JFRD should include, on its official website, a link to the International Association of Black Professional Firefighters, the National Association of Hispanic Firefighters, Women in the Fire Service, Inc. and other helpful links.

#### **WORK ENVIRONMENT & CULTURE**

5. A “zero tolerance” for cultural, ethnic, gender and religious disrespect also must be immediately implemented with appropriate consequences for non-conformance. Those in leadership positions should be charged with ensuring that they model appropriate behaviors.

#### **GRIEVANCE & DISCIPLINARY PROCESS**

6. Management must enforce a policy of “zero tolerance” for all inappropriate work place harassment and intimidation to avoid simple matters escalating into serious rule violations. It also must continually evaluate its commands to ensure that a culture of hostility and discrimination does not exist. Lieutenants and those of a higher rank who do not immediately address or take appropriate actions should be immediately removed from a management position and face further disciplinary consequences up to and including discharge. Violators should be dealt with in accordance with SAP 304: Disciplinary Action as contained in the JFRD Rules and Regulations and Standard Administrative Procedures.

7. All levels of management (Lieutenants and those of a higher rank) must attend the mandatory leadership and management training. The training should include how to professionally counsel and administer disciplinary actions to ensure that discipline, job assignments, grievances and complaints are handled in a fair and consistent manner. All levels of management must be held accountable for disparities in disciplinary actions taken.
8. The EEO duties should be removed from the JFRD Human Resources/EEO Manager position and reassigned to an EEO Officer position that is appointed by the Mayor and approved by City Council. This would return the position to its neutral status allowing the incumbent to independently monitor human resources and administrative compliance decisions that may have an adverse impact on the workforce. This position should:
  - (a) report directly to the Director/Fire Chief/Department Head;
  - (b) be responsible for increasing the organization's cultural, racial and gender sensitivity;
  - (c) inform the City's EO/EA Division of the status of all investigations of alleged unfair or discriminatory treatment, on a monthly basis; and
  - (d) implement and supplement the diversity training provided to JFRD employees.

Further, the duties of the Compliance Officer and the EEO Officer should be clearly defined to eliminate any confusion and avoid any unnecessary duplication of effort.

9. The JFRD should revise the composition of the Disciplinary Review Board (DRB) to ensure that it is viewed as fair and impartial. The DRB should be composed of two (2) JFRD employees selected by the subject employee and two (2) selected by the Director/Fire Chief. The fifth member should be chosen by the four (4) members. The designated DRB Observer should be tasked with notifying the Director/Fire Chief of any issues or concerns about how the DRB operates. A representative of the EO/EA Division should attend all meetings.
10. The JFRD should form a committee including representatives from the City Human Resources Division, the Equal Opportunity/Equal Access Office, the JFRD Human

Resources Director and the recommended JFRD EEO Officer to review and rewrite the following policies and procedures:

- (a) Human Relations [Section 251.01-251.03]
- (b) Disciplinary Action [Section 304.01-304.07]
- (c) Discrimination policy [Section 318.01-318.09]
- (d) Sexual Harassment [Section 310.01-310.08]

### **RECRUITING & HIRING**

11. The JFRD should be provided with an adequate recruiting budget and should implement an aggressive recruiting strategy in an effort to create a workforce that reflects the city's diverse population. These could help reverse the recent trends in under-representation of minority applicants and hiring.
12. The JFRD should fully implement its Community-Based Scholarship Program for low-income applicants to attend the FCCJ Fire & Rescue Certification Program. The JFRD should also review the feasibility of implementing a program to hire non-certified applicants, similar to the "Community Service Officers Program" implemented by the Jacksonville Sheriff's Office, which would allow candidates to work while completing the certification process.
13. FCCJ should continue its efforts to expand the FCCJ Fire and Rescue Certification Program to 600 hours to provide more comprehensive education and access to federal financial aid for students. If the program is successful in expanding to 600 hours, a strong diversity component should be included.
14. FCCJ should be encouraged to address the demographic, ethnic and gender disparities between recent enrollment percentages in the Fire and Rescue Certification Program and Duval County workforce statistics.

### **TRAINING**

15. All JFRD employees and supervisors must complete the City's mandatory Diversity Training courses. In addition, the middle and senior management personnel should take EO/EA 601 *Diversity for Managers Course*.

16. Completion of the mandatory Diversity Training courses by JFRD employees and supervisors should be tracked by the City's Training and Organizational Development Division. The City's new computer system projected to come "on-line" on August 1, 2006, should be programmed to track the completion of all mandatory training courses by City employees and supervisors, including those courses which must be completed on a periodic basis such as the Diversity Training courses.
17. JFRD employees should not be given bonuses, raises, or promotions without completing the courses deemed to be mandatory in the City's Training Catalog. These include the courses on Diversity Training for employees and supervisors. Language to this effect should be included in the next collective bargaining agreement and the city's promotional and performance plans.
18. Executive Order No. 03-03 should be extended, or a replacement Order should be issued, which perpetuates the requirement that all JFRD (and City) employees periodically complete Diversity Training courses.
19. The JFRD should demonstrate, from its highest leadership down through the ranks, a commitment to the value of an inclusive, culturally diverse work environment, and this requires much more than a training course every two or three years. At the very least, the following steps should be taken:
  - (a) The JFRD Training Academy curriculum should be expanded to include more Diversity Training.
  - (b) The JFRD should increase its participation in the City's Study Circle Initiative. Its entire leadership, from at least the level of Division Chief up through Director/Fire Chief, including all Mayoral appointees, should complete participation in a Study Circle within one year.
  - (c) The JFRD promotional exam reading lists should include publications or materials that advance an understanding of diversity. Five percent (5%) of all questions on the promotional exam should be based on this reading list. JFRD leadership should solicit the aid of the JHRC for such reading list selections.

- (d) JFRD should also seek guidance from organizations such as the International Association of Director/Fire Chiefs which, in its Official Development Handbook, recognizes the importance for fire officers in their self-development to understand, embrace and celebrate the value and importance of organizational and community diversity.

### **PROMOTIONAL EXAM PROCESS**

- 20. The City's Human Resources Division, the JFRD and Barrett & Associates should review all aspects of the current testing process to:
  - (a) Ensure that the process is fair and unbiased.
  - (b) Adopt testing protest protocol and include a statistical component regarding the validity of test questions.
  - (c) Establish criteria for challenging test questions by the Protest Committee. Re-evaluation of the examination protest process is warranted due to lack of current guidelines. Possible elimination of protests may be considered if replaced by a statistically and psychometrically valid review. Psychometrics is the design and analysis of research and the measurement of human characteristics. Together, statistics and psychometrics organize and analyze data.
  - (d) Require that protests to the Protest Committee be submitted in typewritten or electronic format (rather than hand written) to protect the impartiality of the Protest Committee.
- 21. The JFRD should implement an Assessment Center,<sup>20</sup> as similarly done in the Jacksonville Sheriff's Office, as part of the selection and placement of management personnel (Lieutenants, Captains and District Chiefs<sup>21</sup>). The promotional assessment process should consist of written exam, oral exam and behavioral interviews and exercises to assure the best all around candidate is selected. The Assessment Center should be administered by an external agency with expertise in this area.

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<sup>20</sup> The term 'Assessment Center' can be defined as "A method for assessing aptitude and performance; applied to a group of participants by trained assessors using various aptitude diagnostic processes in order to obtain information about applicants' abilities or development potential."

<sup>21</sup> If District Chiefs do not become appointed positions. See Recommendation #2.

## **MONITORING**

22. The Commission recommends that an outside agency be designated to monitor the actions of JFRD and affiliated organizations with regards to the implementation of the above recommendations. The Commission is willing to assume this responsibility, if asked by the Mayor. The first progress report should be issued no later than March 31, 2007 and every six (6) months, thereafter, until the monitoring agency determines it can be discontinued.

## V. RESOURCE PEOPLE

The Jacksonville Human Rights Commission interviewed several knowledgeable individuals during the course of the investigation. We wish to thank the following persons for their contribution to this report.

We also extend thanks to the 525 employees of the JFRD who responded to the UNF Questionnaire and the over 50 employees<sup>22</sup> who participated in the Focus Group discussions or who were interviewed individually. Though your names are not listed, your feedback was extremely helpful and valuable to this process.

**Ray Alfred**, Former Director/Fire  
Chief/Director – JFRD

**Marguerite Barr**, Training Coordinator  
JFRD - Communications (911) Center

**Dr. Gerald Barrett**  
Barrett & Associates

**Richard A. Barrett**, /Director/Fire Chief  
JFRD

**Archie Cullen**, Human Resources Analyst  
Human Resources Division  
City of Jacksonville

**Annette Davis**, Division Chief  
Training & Organizational Development  
City of Jacksonville

**Dr. Richard Greenwood**, Director  
JFRD - Human Resources/EEO

**Michael Geiger**, Division Chief  
JFRD – Fire/Rescue Training Academy

**Jessie General**, District Chief  
JFRD – Protest Committee Representative

**J.J. Hammond, III**, Captain  
JFRD - Recruitment

**Adrian Johnson**, District Chief  
JFRD – Protest Committee Representative

**Dr. Richard Nelson**, Dean of Workforce  
FCCJ South Campus

**Dale Margadonna**, Division Chief  
JFRD – Protest Committee Representative

**Brady Rigdon**, Battalion Chief  
JFRD – Protest Committee Representative

**Adrienne Trott**, Division Chief  
Human Resources Division  
City of Jacksonville

**Rebecca Salter**, Manager-Personnel Services  
Human Resources Division  
City of Jacksonville

**Robert A. “Randy” White**, Deputy  
Director/Assistant Fire Chief - JFRD

**Randy Wyse**, District Chief  
JFRD - Protest Committee Representative

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<sup>22</sup> The names of the employees who participated in the interviews and focus groups are being withheld due to the sensitive nature of the discussions and their request for confidentiality.

## VI. RESOURCE MATERIALS

*The following documents, letters, correspondence, memorandums, newsletters, websites and reports were used during the investigation.*

1. Barrett & Associates, Promotional Testing Consultant Documents
  - (a) Development & Review Process
  - (b) Summary of Appeals Process Results
  
2. Capstone Study: A Perceived Discrimination of Minorities Related to the Lack of Diversity in Jacksonville's Fire Rescue Department's Mid-Level Management is Correlated to Possible Dysfunctional Organization Behavior (written by Gary W. Andreason, July 25, 2003 - UNF's Master of Public Administration Program)
  
3. City Council Ordinances
  - (a) 2003-1058E – Amending Chapter 31 Fire & Rescue Department
  - (b) 2006-342 - Seniority Rights Settlement
  
4. City Council Resolutions
  - (a) 1999-502-A (approving direct hire authority for the JFRD; establishing policy and guidelines for the recruitment of entry level firefighters and requesting annual report)
  - (b) 2004-1253-A (approving two collective bargaining agreements, between the City of Jacksonville and the International Association of Firefighters, Local 122 - Firefighter through Captain Unit and the Fire District Chief Bargaining Unit)
  
5. Civil Service and Personnel Rules and Regulations
  - (a) Rule 3 – Recruitment
  - (b) Rule 5 – Eligibility Lists
  - (c) Rule 9 - Disciplinary Actions, Grievances, and Appeals
  
6. City of Jacksonville - Organizational Chart
  
7. City of Jacksonville - 2005-2006 Annual Budget (pages 291-302)

8. Collective Bargaining Agreement between the City of Jacksonville and the International Association of Firefighters Local 122 (October 1, 2003 thru September 30, 2005)
9. Equal Opportunity/Equal Access (EO/EA) Documents & Reports
  - (a) Participant Training Satisfaction Survey (October 1, 2005 through March 9, 2006)
  - (b) Quarterly Progress Profile 1<sup>st</sup> Quarter 05-06
  - (c) Quarterly Progress Profile 2<sup>nd</sup> Quarter 05-06
  - (d) JFRD FY 2004-2005 EO/EA Annual Report
  - (e) JFRD FY 2005-2006 EO/EA Annual Report
10. FCCJ Training Class 2004-2006 demographics
11. Fire Lines- April 17, 2006: "The Contract"
12. Florida State Statute, Title X, Chapter 112, Part VIII Firefighters
13. Human Resources Division Documents
  - (a) Firefighter Consent Order – Minority Hiring (dated September 27, 1991)
  - (b) Firefighter Applicant Demographics December 2002- March 2006
  - (c) Firefighter Eligibility Demographics December 2002- March 2006
14. International Association of Black Professional Firefighters Website ([www.iabpff.org](http://www.iabpff.org))
15. International Association of Director/Fire Chiefs Website ([www.iafc.org](http://www.iafc.org))
16. Jacksonville Associations of Firefighters Local 122 Website ([www.jfrd.com](http://www.jfrd.com))
17. JFRD Advanced Recruit Training Manual
18. JFRD Discipline Review Board
19. JFRD Disciplinary Actions (July 2003 – April 2006)
20. JFRD Interview Flow Data and New Hire Demographics FY 01-06

21. JFRD Membership in Local 122 IAFF (dated May 4, 2006)
  - (a) Demographics by Union Membership/Non Union Members
  
22. JFRD Memorandums & Documents
  - (a) JFRD Hiring and Selection Process
  - (b) JFRD Community Sponsorship Program
  - (c) Article 14 Promotions
  - (d) 1971 Consent Decree Firefighters (dated September 15, 1992)
  - (e) Duties of the Fire & Rescue Equal Opportunity Officer (dated November 12, 1998)
  - (f) Reversions/Promotions/Transfers Memoranda (October 1, 2005 – May 12, 2006)
  
23. JFRD Organizational Chart
  
24. JFRD Position Descriptions/Job Specifications
  - (a) District Chief (Rescue, Combat and Fire Prevention)
  - (b) Fire Captain (Combat, Communications, Fire Prevention and Rescue)
  - (c) Fire Lieutenant (Combat, Communications, Fire Prevention, Rescue and Supply)
  - (d) Firefighter Engineer
  - (e) Firefighter
  
25. JFRD Rules and Regulations/Standard Administrative Procedures Manual
  
26. JFRD Table of Violations and Penalties
  
27. JFRD Training Memorandums & Documents
  - (a) Updated Editions of Training Materials
  - (b) Bachelor of Fire Science Degree proposal
  - (c) Training Division Organizational Chart
  - (d) Combined Roster for New Firefighter Orientation Training on Cultural Diversity
  - (e) EEO, Cultural Diversity & Sexual Harassment Training Materials
  - (f) Fire Rescue Officer's Course Outline
  
28. JFRD Workforce Statistical Report (Oracle Employee Data Files, 3/31/06)

- (a) Full time Workforce by category, division and uniformed ranks
29. Jacksonville Municipal Code - Chapter 31 Fire and Rescue Department
30. ICATT Consulting (Diversity Training Consultant used by the City of Jacksonville)
- (a) Diversity: Guiding Principles Participant Guide 2005
  - (b) Diversity: Guiding Principles Participant Guide 2006
  - (c) Diversity: Guiding Principles Instructor's Presentation Guide
  - (d) Valuing Diversity for Managers Participant Guide
31. Mandatory Course Timeline-All Employees
32. Mandatory Course Timeline-Process Owners
33. Mandatory Course Timeline-Senior Leaders/Supervisors
34. Office of the Mayor – City of Jacksonville
- (a) Executive Order 98-216 - Employee Training Requirements (effective August 10, 1998)
  - (b) Executive Order 03-03 - Equal Opportunity/Equal Access Program (effective April 15, 2003)
  - (c) Correspondence from the Office of the Mayor – Requesting the JHRC to Investigate JFRD (dated February 21, 2006)
35. Polygraph Disqualified and Probationary Termination Demographics
36. Promotional Examination Review Logs
37. Training and Organizational Development Division Documents & Reports
- (a) Training Catalog, Fiscal Year 2006
  - (b) Diversity Training Record for the JFRD (October 1, 2003 - February 28, 2006)
38. UNF Focus Group Report (published by the Florida Center for Public & International Policy – May 2006)

39. UNF JFRD Community Survey (published by the Public Opinion Research Laboratory – May 2006)
40. UNF Questionnaire of Fire Department Personnel (published by the Public Opinion Research Laboratory – May 2006)
41. U.S. Census Bureau Data
  - (a) Duval County Quick Facts (last revised 12-Jan-2006)
  - (b) Jacksonville MSA, Duval County and Residential
42. United States District Court, M.D. Florida, Jacksonville Division  
Nos. 80-383-Civ-J-S, 71-44-Civ-J-S  
John CORLEY and Adell Williams et al., Plaintiffs v. CITY OF JACKSONVILLE et al., Defendants
43. WAWS Fox30 Online Jacksonville – JFRD moving towards closing the racial divide (last updated: 05/09/2006 @ 11:52:18 a.m.)
44. Workplace Diversity On-line Training Module

VII. APPROVAL BY COMMISSION

We, the undersigned have read this report and concur with the findings of fact, conclusions and recommendations.

James B. Crooks  
James B. Crooks, Ph.D., Chair  
Jacksonville Human Rights Commission

Solomon Brotman  
Solomon Brotman, DDS<sup>23</sup>

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Christopher C. Hazelip, Esquire

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Lieutenant Edward "Ed" L. Johnson

Francine C. Parfitt  
Francine C. Parfitt

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Jerry "Jay" Allen Wilkes

Dottie S. Wilson  
Dottie S. Wilson

Form Approved:

Patricia B. Bedner  
Assistant General Counsel

<sup>23</sup> Although his term expired during the final stages of the Commission's investigation, Commissioner Brotman was kind enough to serve through the completion of the Commission report.