

# REBECCA DEAN PLLC

2212 QUEEN ANNE AVE. NORTH • BOX 158 • SEATTLE, WA • 98109-2312  
PHONE: (206) 465-3594 • FAX: (206) 420-8900  
rebeccadean@comcast.net

**DATE:** NOVEMBER 8, 2016  
**TO:** ERIC HOLMES  
LEND A CRAWFORD  
SUZI SCHWABE  
DEBRA QUINN  
**FROM:** REBECCA DEAN  
**RE:** INVESTIGATION REPORT – CITY OF VANCOUVER FIRE DEPARTMENT GENDER ISSUES

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## I. INTRODUCTION

As requested, this report summarizes my investigation into, and conclusions and recommendations regarding, gender issues in the City of Vancouver Fire Department.

The female firefighters stated that in many respects they have been treated fairly and perceive no discrimination with regard to several significant employment benchmarks: pre-employment testing and hiring, opportunity for promotion, and seniority-driven opportunities such as station assignments. Moreover, the female firefighters I interviewed have a high regard and respect for most of their colleagues.

Nevertheless, because women are a distinct minority in the Department and it is only recently that they have entered the fire service in larger numbers, it is inevitable that they have been in the spotlight and subject to more scrutiny than their male colleagues. The female firefighters care deeply about their work and are strongly motivated to perform their jobs to the same level of excellence as their colleagues. They also want to be part of the team without being the focus of unusual attention. In order to achieve that goal, they need well-fitting uniforms and appropriately-sized gear. They also want a respectful environment that provides them with appropriate levels of personal privacy and comfort. My understanding is that the Department and the City have been strongly focused on initiatives to address those issues.

My interviews showed, however, that the Department faces some continued challenges with its Academy training program and probationary training. In my judgment, these challenges have not arisen from intentional discrimination but from (1) failures in advance planning for the differences in body mechanics, height and strength of some female firefighters; and (2) the absence of a proactive and strategic effort to capture alternate methods for accomplishing necessary skills.

The Department also has some opportunities for growth with regard to (1) educating leaders and rank and file on the skills needed to listen to, respond to and address concerns; (2) communicating accurately about available avenues for raising concerns; and

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(3) developing a culture where raising concerns is encouraged, and accepted and welcomed when it occurs.

Finally, there is a need for education about modern workplace standards and respect for diversity, although I understand that an initiative is underway in this regard.

## II. WITNESSES & DOCUMENTS

I interviewed, in alphabetical order: Firefighter Cory Anderson; Firefighter Melissa Anthony; Firefighter Kady Bieber; Human Resources Specialist Monique Coleman; Firefighter Thomas Drake; Firefighter Micah Klesick; Captain John Larson; Training Captain Frank Mazna; Fire Chief Joe Molina; Firefighter John Mosely; Firefighter Natalie Newgent; Deputy Fire Chief Dan Olson; Firefighter Heidi Parr; Firefighter Eva Scherer; Battalion Chief Duane Schuman; Battalion Chief Rick Steele; Firefighter Spencer Vadney; and Captain Jason Vanderzanden. IAFF Local 452 representatives observed all of the interviews except those with Coleman, Molina, Olson, Schuman and Steele.

I reviewed the documents listed in the Appendix.

## III. BACKGROUND & ANALYSIS

### A. BACKGROUND

As I understand it from interviews and IAFF Local 452 President Mark Johnston's June 13, 2016 email (Exh. A), in April, May and June 2016, the female firefighters and their IAFF Local 452 union representatives brought several issues affecting female firefighters to the Fire Chief and City leadership's attention; including, but not limited to: (1) the lack of adequate restroom, washroom, and sleeping facilities for women at multiple fire stations; (2) male firefighter use of women's restrooms for storage, personal relief and laundry; (3) the presence of adult magazines in women's restrooms and common areas in some stations; (4) problems with the availability and fit of uniforms and equipment for female employees; (5) treatment of a female firefighter on the Station 5 B-shift; (6) individual crew evolution issues; and (7) contradictory information given to firefighters about their ability to report potentially discriminatory activity.

Prior to my engagement, the female firefighters and/or their representatives met with Department leadership to discuss their concerns and possible solutions. Moreover, the Department, City and Local 452 representatives and female firefighters toured several fire stations to assess potential facility modifications and met to discuss solutions for uniform and turn-out issues.

On June 16, 2016, Molina issued a directive (Exh. B) delineating respectful workplace environment standards. On September 15, 2016, Molina amended the policy to eliminate an exception in the June 16 directive for private possession or viewing of "adult" materials and to prohibit the presence of such materials in the workplace (Exh. C).

Additionally, as I understand it, before my engagement and continuing throughout the course of this investigation, the City began the process for modifying physical facilities at fire stations, pursued solutions to the uniform and equipment fit issues, and conducted and/or scheduled training for the Fire Department leadership and rank and file on pertinent topics, such as harassment prevention and managing difficult conversations. I also understand that Department leadership and City Human Resources staff have met regularly with the women firefighters about progress on the City's corrective actions.

In mid-June, the City engaged me to interview the women firefighters in order to gain a more in-depth understanding of any issues that might raise gender bias concerns. I structured these interviews so they focused on major employment benchmarks: (1) recruiting and selection; (2) training and probationary periods; (3) coaching and mentoring; (4) station assignments; (5) promotion opportunities; (6) work facilities, clothing and equipment; and (7) co-worker relationships and work environment, including gender-related interpersonal behavior.

## B. ANALYSIS

### 1. Recruiting & Selection

The female firefighters all consider the recruiting and hiring process to be fair and unbiased. Current pre-employment written and physical ability tests are standardized and conducted by Public Safety Testing, a third party that contracts with subscribing agencies throughout the Pacific Northwest; physical ability is tested using the Candidate Physical Ability Test ("CPAT"). Potential candidates are called for an in-person interview with a panel. All of the female firefighters stated that the interview process was fair.

### 2. The Training Academy & Probationary Period

The issues associated with the Department's training Academy and the subsequent twelve-month probationary period were the most complex in this investigation.

First, the Academy is an intense physical and intellectual challenge. Even though all of the female candidates in recent years have demonstrated that they meet standard minimum physical capabilities by passing the CPAT exam, the physical challenges associated with learning the techniques and mastering the training exercises proved to be difficult for some – but not all – of the recent trainees.

Second, female firefighters are a distinct minority, and as such were inevitably going to be a focus of attention. Until they proved their capability, it was also inevitable that they would be watched with some skepticism and wariness. All of the female firefighters experienced, and were aware of, such scrutiny at various points, and to varying degrees, during portions of their tenure with the Department.

My interviews showed that the Department applied the same standards to the female trainees/rookies as they applied to the men. In my judgment, the Department did, however, fall short in the following general areas:

- Thinking through and planning in advance for changes to established techniques that took into account the difference in body mechanics and strength of the female firefighters. In other words, all of the female firefighters are eager to skillfully perform the required tasks. The Department skill sheets, however, delineated in detail the methods by which those tasks must be performed. Based on my interviews, it appears that, while some female firefighters could not perform the required tasks using the prescribed method, alternatives were available that enabled them to succeed. But those alternatives have not been proactively and systematically captured and incorporated into the training. Rather, the Department has been reactive, finding and using modifications only after a trainee has run into trouble.
- When the Department realized, as Olson did in 2013, that there was a problem with a minimum standard for the two-person 35-foot ladder throw with regard to its applicability to all firefighters, its utility and its safety, a well-intentioned effort to change the standard was not communicated or implemented. The Department did not make a permanent change to that standard until this year.
- Although progress has been made with the implementation of the Rookie Book, there have to date been no expectations for uniform probationary employee training. The Station 5 B-Shift, which has, it appears, made a cult of extreme training, was holding one probationary firefighter to standards, and using exercises, that went beyond what Department leadership considered reasonable. Department leadership, however, was not aware of these issues until the women raised their complaints in May/June 2016.

I note that in June 2016, upon learning of concerns about nonstandard training, the Department prohibited holding individuals to standards not directed by Operations or Training.

a) Training Academy

The Vancouver Fire Department runs its own training Academy. Molina and Olson stated that the Training Academy has evolved during their tenure. Under their direction, the Academy was shortened from 12 to 8 weeks and has moved toward a curriculum based on national training standards.

Of the five current female firefighters,<sup>1</sup> one (Firefighter 1) has been with the department for 14 years, and attended the Academy and completed her probationary period prior to Molina joining the Department in 2008 and the consequent changes to the Academy. The other four joined the Department in the last five to six years: Firefighter 2 in 2011; Firefighter 3 in 2013; and Firefighters 4 and 5 in 2015.

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<sup>1</sup> I have not included individual firefighter names in this report.

The female firefighters praised their Academy peers; they found their fellow trainees to be supportive and helpful, and, for the most part, the groups formed close bonds. Firefighter 2 noted that she was the only woman in her class, which consisted of an odd number of trainees. Trainees paired off for some exercises, and during the first few exercises, she was the odd one out. She states that this ended, however, after she demonstrated her competence and one of her fellow trainees sought her out as a training partner in order to increase his motivation to work harder because he “did not want to be beat by a girl.”

None of the women in subsequent Academy classes had any issue with being left out of paired exercises; to the contrary, their colleagues seemed eager to practice with them and they helped each other learn.

Nevertheless, some of the women firefighters did feel that they were, in some sense, spotlighted. Firefighter 2 states that people in the Academy were hypervigilant about being politically correct, making statements such as, “All right guys – and [name]” until she asked them to stop. Additionally, Firefighter 3 and Firefighter 4 have slight builds and Firefighter 4 is short. They both experienced skepticism about whether they could perform some tasks to department standards. Firefighter 3, for example, states that early in her time at the Academy, the trainees were performing tasks at a special location with multiple crews watching. She states that they were not given time to understand techniques before performing tasks, some of which she had not performed before. She dropped a 24-foot ladder on her leg and failed to break through a wall; she felt humiliated because these failures happened with others watching.

Ladder-handling techniques have been a particular challenge for some of the women firefighters. Several witnesses observed that the Department’s step-by-step procedures for ladder-handling are very precise, and trainees have been expected to adhere exactly to the specified techniques.

For example, in 2013, Firefighter 3 struggled with the 24-foot and the 35-foot ladder practice. Firefighter 3 states that at the midterm, she talked to the training captain about changing her workout routine. Firefighter 3 felt that the existing routine, which was heavily weighted toward endurance training, was causing her to lose muscle mass. She asked for, and obtained, permission to change her workout to focus on strength training to build muscle.

Moreover, the Academy brought in Firefighter 2 to assist Firefighter 3 with ladder techniques that were better suited to Firefighter 3’s build and strength. She states that she was able to accomplish the tasks using alternatives to the methods specified in the Department skill sheets, although one subsequent training report reflected continuing failures with 24-foot ladder techniques during exercises.

According to Olson, one of the training captains brought the issue of Firefighter 3’s inability to successfully manage the two-person 35-foot ladder throw to his attention.<sup>2</sup>

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<sup>2</sup> Olson does not clearly remember whether this occurred while Firefighter 3 was in the Academy or on probation, but Firefighter 3’s probationary records do not refer to any concerns about Firefighter 3’s 35-foot

Olson asserts that he questioned whether the Department should train to a two-person, rather than a three-person throw. He learned that the 35-foot ladder was only used on the truck, which has a four-person crew; moreover, it is rarely deployed. Additionally, when he was told that the two-person throw was a minimum job requirement, he asked, in order to make a point, for demonstration of competency by the “ten oldest and the ten smallest” male firefighters. Then, when the training captain responded that they could not do that because people would get hurt, he directed the training captain to change the Academy’s standard so that competency with the two-person 35-foot throw was no longer required.

Nevertheless, it appears from Firefighter 4’s training records that at least one of her trainers believed that the Academy instructors were teaching the two-person 35-foot ladder throw. In contrast, one of the training captains stated that during the 2013 Academy the decision was made to show the trainees the technique, but not to require successful performance until the probationary period.

In any event, the Department did not change its standard quarterly training expectations so they conformed with the revision to the Academy standard, and the two-person 35-foot ladder techniques remained a Department standard until 2016.

Firefighter 3 graduated from the Academy. Her probationary period evaluations show that she successfully improved her 24-foot ladder performance, especially after being taught some new techniques; she also succeeded with the 35-foot ladder. There are no further concerns about her ability to meet department standards in her probationary period evaluations.

Firefighter 5 and Firefighter 4 had much different experiences during the 2015 Academy. It appears from the records that Firefighter 5 had little or no difficulty mastering the technical skills or meeting the physical demands. Firefighter 4, however, struggled with the 24-foot ladder, and was assigned extra practice drills and repetitions. She was also placed on an action plan during her latter weeks at the Academy. Firefighter 4 passed, however, and began her probationary period.

b) Probationary Period

For the most part, the female firefighters were enthusiastic about their experience during their probationary period. They praised many of the firefighters at most of the stations, describing them as supportive and interested in their success. Nevertheless, the female firefighters highlighted three probationary period topics that potentially pose gender discrimination issues: (1) non-standard training during the first phase of Firefighter 4’s probation; (2) traditional expectations for probationary employee performance of station chores; and (3) probationary firefighter perceptions regarding consequences to them if they raised concerns.

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ladder throw techniques; therefore, my strong inference is that Olson’s discussion with the training captain occurred during Firefighter 3’s Academy training.

Briefly, by way of background, the Department probationary period is one year. As I understand it, probationary employees typically change station assignments at the end of the first six-month phase. Currently, probationary employees work from a “Rookie Book” that specifies training objectives and assignments. Each probationary employee is assigned to a training officer responsible for overseeing their progress and evaluating their performance. The entire station, however, participates in the rookie training process.

In addition to the probationary period assignments, probationary firefighters are expected to participate in the Department’s standardized training objectives, which are set on a quarterly basis.

(1) Non-Standard Training Assigned to Firefighter 4;  
Two-Person 35-Foot Ladder Issues

Firefighter 4’s experience with nonstandard training during her probationary period, and particularly the ongoing issues with the two-person 35-foot ladder throw, illustrate the general issues outlined at the start of this section.

(a) Firefighter 4’s First Six Months on Probation

Firefighter 4 states that she wanted to serve her probationary period with the Station 5 B-shift because she believed them to be the most skilled and driven firefighters in the Department, an observation echoed by several witnesses. Captain C was assigned as her training captain. From Firefighter 4’s perspective, the assignment did not work the way she had hoped.

Firefighter 4 struggled throughout the first six months with some of the necessary skills, including, but not limited to, the 24- and 35-foot ladder throws. On September 24, only three weeks into her probationary period, Firefighter 4 was practicing the two-person 35-foot ladder throw. Firefighter 4 states that she was directed to repeat the exercise about 10 times, and worked past the point of fatigue. She was too fatigued to bring the ladder down safely; the ladder fell, and she was injured.

Captain C was on-shift that day, although he does not remember the incident. Captain C insists that he would not have allowed Firefighter 4 to repeat the two-person 35-foot throw that many times. He states that Firefighter 4 strived to succeed, and, if allowed, would have tried more repetitions than would have been wise; Captain C asserts that he consistently stopped the 35-foot drill after Firefighter 4 made two or three attempts.<sup>3</sup>

Firefighter 4 did not, however, report her injury at that time.

As the weeks progressed, it appears from Firefighter 4’s evaluations that she continued, as she had in the Academy, to struggle with ladder throws. Her skill and speed

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<sup>3</sup> I note, however, that in November, one of Firefighter 4’s trainers instructed her to perform a single-person 24-foot throw 10 times every shift in order to “get her repetitions in.” That many repetitions of the larger ladder throw, therefore, is not outside the realm of possibility.

with the 24-foot ladder techniques continued to improve as the weeks progressed, although she continued to have difficulty with the 35-foot ladder.

Because he felt that he owed the Department and Firefighter 4 a clear picture of her progress, on December 2, 2015, Captain C wrote an evaluation assessing Firefighter 4's strengths and weaknesses. Captain C praised Firefighter 4's maturity, work ethic, and competence and professionalism with patients. He also asserted that Firefighter 4 was challenged by her lack of firefighting experience (which he did not see as a long-term obstacle). He then went on to state that Firefighter 4 had also been challenged by her lack of strength and size compared to her co-workers. Captain C gave, as examples, Firefighter 4's inability to (1) perform the two-person 35-foot ladder throw; (2) safely perform a gable end cut; and 3) manipulate and hold a charged 1.75-inch hose from a standing position. He also noted that she had not completed a downed firefighter drag technique to the reviewer's satisfaction.

Firefighter 4 asserted that the downed firefighter drill was unfair: she was not trained or instructed in expectations prior to the drill; she was criticized for not dragging the downed firefighter out right away rather than checking for airflow, determining if the downed firefighter were conscious and calling in a "mayday." Firefighter 4 asserts that the initial steps she took were consistent with the technique taught in the Academy and on the applicable skill sheet. She was also criticized for not dragging the downed firefighter from the scene by a specific time limit. She states, however, the Academy training had not specifically set a time limit. Captain C defends the exercise, asserting that it is an industry-standard exercise that the Department has practiced for years. Olson, in contrast, states that it is not reasonable to expect most firefighters to single-handedly drag a 200-pound firefighter out of a structure.

Nevertheless, Captain C asserted that Firefighter 4 believed that she would be able to become proficient with these skills in time. Moreover, Firefighter 4 states that the Station 5 B-shift crew was not trying to set her up for failure. Rather, in her view, the push for off-book, unusually strenuous training was an artifact of the Station 5 B-shift culture. Nonetheless, they pushed her to perform to the crew's level, not the level specified in the pertinent skill sheets.

Olson challenged the evaluation when the Department training captain brought it to Olson's attention. Olson criticized the evaluation for several reasons: (1) he found the evaluations to be too subjective; (2) he learned that the exercise with the 1.75-inch hose had not been performed under the conditions specified in the skill sheet; and (3) he believed that the wording of Captain C's evaluation exposed the Department to governmental investigation and potential legal action. He instructed the Department Training Captain to convey these concerns to Captain C. The training captains met with Captain C; as Captain C understood the message, his comparison of Firefighter 4's size and strength to that of her coworkers presented a legal risk.

After December 2, Firefighter 4 and Captain C focused on training on SCBA ("self-contained breathing apparatus") donning and awareness. According to Firefighter 4 (and the probationary evaluation), Firefighter 4 was required to repeatedly don her SCBA in the time

limits set by the skill sheet. Firefighter 4 asserts that the firefighter who conducted the drill demanded that she name the parts of the equipment as she donned it; the firefighter yelled at her during the exercise. She states that it was just too much and she lost confidence.

Captain C defends this exercise as well, stating that being able to don SCBA equipment quickly and while under pressure is critical to performing the job safely. He states that touching and naming the parts of the equipment is a standard training exercise. He acknowledges, however, that touching and naming the equipment parts would occur after the equipment has been donned, not during the process.

On December 29, Firefighter 4 reported her September 24 injury. She returned to work on February 18, 2016 and successfully completed the second half of her probationary period at another station.

Unlike her experience on the Station 5 B-Shift, Firefighter 4 asserts that she received exceptional training and mentoring at her new shift. The evaluations reflect that difference – although the evaluators noted Firefighter 4’s lack of prior firefighting experience, the evaluations show that she successfully performed all of the required training.

(b) The Two-Person 35-Foot Ladder Throw Issues

In March 2016, Olson directed the training captain to revise the Department training standards for the 35-foot ladder throw. The reason that this issue came to a head in March is not clear.

Olson’s intent was that the three-person, not the two-person throw, would be the Department standard, but the two-person throw would be allowed in an emergency if the firefighters were trained and capable. The new standard, however, did not precisely mirror his intent. (Exh. D.) Olson did not review the new standard before it was distributed, and did not catch the discrepancies between his intent and the wording at that time.

Olson asserts that there was some strong resistance to changing the standard, some of which, in his view, originated with the entrenched department culture around ladder throws and the view of some firefighters that the three-person throw was not safe. Olson’s strong opinion was that the three-person throw was much safer; the difference came down to working as a team.

Captain A, who had been involved with the training program, was among those opposed to the change in the standard. In early 2016, Captain A sought out the women firefighters and, according to one female firefighter, asked a crew how they liked “the new women’s ladder throw” while looking directly at her. He persistently quizzed another female firefighter about the change. This frustrated and infuriated the women firefighters, who felt that they were being blamed for the change. The reality, they said, was that several men had been hurt performing the two-person throw, the throw was difficult or impossible for the older firefighters and it was unfair to blame the women for a perceived weakening in standards. They were also disappointed that Captain A, who they respected, would make such a sexist remark.

Captain A disclaims any discriminatory intent. He states that he was trying to muster support from the women firefighters for resisting the change to the 35-foot ladder standards. Captain A states that he wanted to talk to the female firefighters because he believed that if they had mastered the two-person throw, they would not support any supposed weakening of the standard for others.

Captain A's words, however, drew an explicit link between the change in the ladder standard and being female—or at minimum effeminate—and therefore too weak to manage the two-person 35-foot ladder throw.

Captain A states that he did not call it the “women’s throw.” Instead, he called it the “nancy throw.” According to Captain A, the term “nancy throw” was from a Saturday Night Live sketch performed by the comic characters Hans and Franz. Captain A explained that Hans and Franz were strength trainers with strong Austrian accents, who urge on their trainee by telling him not to be a “nancy” or to “Come on, nancy” to encourage him during a weight lift.

Captain A's reference to the Saturday Night Live sketch, however, only reinforces the women's perception that his questions were rooted in (at minimum unconscious) gender bias. According to Wikipedia, “Hans and Franz” and their “Pump it Up” sketch was a Saturday Night Live standard from 1987 through 1991. The characters imitated Arnold Schwarzenegger and mocked their guest artist “trainees” for not being sufficiently fit, frequently referring to them as “girlie men.” (In 2013, *Rolling Stone* called the term “girlie man” the characters’ “go-to insult.” (*15 Hilarious ‘Saturday Night Live’ Talk Shows*, [rollingstone.com](http://rollingstone.com), December 30, 2013.) Although Saturday Night Live parodied over-muscled weight lifters and their status as masculine icons, the link Captain A drew between being feminine and being weak was not subtle.

Moreover, even assuming that Captain A used the term “nancy” or “nance,” that term carries an equally invidious connotation. Although Captain A may not have been aware of its historic usage, “nancy” has been used to mean effeminate since the early 1900's. In the 1930's, a “nance” was referred to a stock gay burlesque character who portrayed camp versions of gay life. The term was also used in English literature published in the pre-World War II years to refer to a homosexual. Although I have not seen a Hans and Franz sketch, based on what I have read about them, my strong inference is that Hans and Franz used “nancy” to mean gay or effeminate.

In August 2016, Olson discovered, during the course of this investigation, that the March 2016 version of the 35-foot ladder standard did not reflect his original intent. Therefore, in August 2016, he directed the Training Division to update the standard to reflect the original intent (Exh. E).

## (2) Probationary Firefighters & Station Chores

I learned during my interviews with the women firefighters that probationary firefighters are expected to eagerly perform station chores such as cooking dinner, cleaning the kitchen, cleaning the bathrooms, doing the laundry, answering the phone, making the

senior firefighter's bed and completing reports. I did not, however, find evidence that this expectation is applied discriminatorily.

Performing station chores, I heard, is a Vancouver Fire Department tradition. It is considered by the firefighters I interviewed to test the rookies' response to pressure, demonstrate their respect for tradition and the senior firefighters and test how the rookie will integrate into the Department. Praise for conforming to this expectation fills the probationary period evaluations.

In order to determine if the obligation to perform such chores (which are stereotypically female tasks) fell only (or more heavily) upon the female rookies than their male peers, I interviewed all of the male members of the 2015 Academy class. They uniformly stated that they, too, were expected to perform such tasks. Several of the witnesses – both male and female – view the station chores as an opportunity to be part of the tradition and culture of the Department and impress the firefighters with their motivation and desire to belong. They perceived the associated teasing and mild pranks as good natured and part of the bonding with their colleagues.

None of the witnesses – male or female – stated that the expectation that probationary employees perform such chores crossed the boundary into hazing or humiliating pranks. I was told by witnesses there had been incidents where station crews trashed a kitchen or threw a large quantity of popcorn on the floor so the probationary firefighter must clean up the mess, but none of the witnesses I interviewed stated that they had experienced such treatment. I did not hear any evidence that established that such chores were imposed more heavily upon female than upon male probationary firefighters.

With regard to pranks, as noted, rookies are expected to be the first to answer the phone. Relatively recently, a male rookie was jumping for the phone and a firefighter hip-checked him, causing an injury. Olson reiterated to the firefighters that behavior that could lead to an injury was unacceptable.

My interviews showed that there were wide variations among the stations with regard to the emphasis placed on such chores and the level of practical joking. Because the rookies were distributed among the stations, there were no direct comparisons to be drawn between the treatment of a male rookie and a female rookie at the same station at the same time.

### (3) Avenues for Raising Concerns

The female firefighters consistently stated that they would not have raised concerns during their probation for two reasons: (1) they were “reluctant to make waves”, become a focus of attention or “get on the radar”; in other words, they were already “different” because of their gender, and did not want to accentuate that difference; and (2) because they believed that a probationary employee could be discharged for any reason, regardless of how well they performed on the technical aspects of their training.

My strong impression is that the Department firefighters value cohesion and conformity. Moreover, at least at the time I interviewed them, the female firefighters were

not well-informed about statutory protection from retaliation for raising concerns about discrimination that fully apply to a probationary employee.

### 3. Coaching & Mentoring

In my experience, regardless of the work environment, coaching and mentoring of employees new to the organization is critical to their future success. The women firefighters had different experiences at different stages of their careers with the Department. Most of the mentoring took place during the Academy and probationary period, with the individual variations in experience previously described. After moving to regular firefighter status, there were fewer opportunities to form close mentoring relationships. As one female firefighter noted, because of their low seniority, junior firefighters “skate” from station to station as needed, and this firefighter’s perception is that junior firefighters are not at one station long enough to establish mentoring relationships with senior firefighters.

Nevertheless, some female firefighters reported that they had maintained relationships with senior firefighters and could seek their advice. Similarly, some female firefighters stated that there were firefighters who had an interest in extra training and drills, sought out opportunities to work with them on exercises and made extra effort to be inclusive and welcoming. One female firefighter states that a station captain fought for properly sized bunker gear for her. More senior female firefighters reached out to and assisted some of their junior colleagues.

### 4. Choice of Station Assignments

Firefighters bid on station assignments, and assignments are made based on seniority. The female firefighters agree that there are no gender issues in the bidding process.

### 5. Promotion Opportunities

The female firefighters believe that the promotion process is fair and unbiased. The recently-hired firefighters state that they are not ready to consider promotion at this stage in their careers, but believe that when they are, they will have a fair opportunity for promotion. In November 2015, Firefighter 2 took an opportunity to work as an Acting Captain and begin training for the Captain’s examination, although she does not believe that she is currently ready to sit for it. Firefighter 1 states that she has sat for the exam and is satisfied that when the promotion opportunity arises, she will be considered fairly.

### 6. Bathroom, Laundry & Sleeping Facilities; Clothing & Equipment

As previously noted, concerns about inadequate bathroom, laundry and sleeping facilities brought concerns about gender inequity to a head. Prior to my interviews, the state of the physical facilities had already been thoroughly investigated by the Department and the City; the Department leadership and Human Resources staff had met with the women firefighters to hear their concerns.

Nevertheless, at the time of my interviews with the women firefighters in July, the corrective action plans were a work in progress. In my interviews with them, several of the female firefighters stated that addressing the physical facility, uniform and equipment issues was their most important and immediate concern. They were also concerned about the speed with which the Department was acting, and frustrated with what they saw as a confused sense of priorities. Consequently, we spent a considerable time discussing their concerns. I gave a detailed verbal report about their concerns to Human Resources in July.

Since then, the City, the Department, the women firefighters and the IAFF representatives have made substantial progress on the corrective action plans. In light of the current status of those efforts, this report does not contain a detailed recap of those topics.

## 7. Co-Worker Relationships, Work Environment & Reporting Concerns

### a) The General Station Environment

As a general matter, the female firefighters are satisfied and happy with their co-worker relationships and the camaraderie and respect with which they have been treated. One firefighter noted, however, that unlike their male colleagues who have off-work social relationships on both a personal and family level, it would be difficult and uncomfortable for her to seek one-on-one social relationships with her male colleagues.

One female firefighter socialized with one of her unmarried male colleagues, but rumors quickly started about their relationship; she heard that there was a bet about how long it would be before he slept with her. She states that he also developed a romantic interest in her which she did not reciprocate. He sent her some text messages she found inappropriate. She states that she set boundaries on the relationship and has had no further difficulties.

None of the female firefighters have been subject to unwelcome sexually-oriented jokes, comments or touching that have been directed at them. My sense is that there may have been some sporadic bawdy talk, but all of the female firefighters stated that they could not remember finding any particular comments offensive.

Some firefighters watch premium cable channels on the station television in their off hours. Programming on such channels (*e.g.*, Cinemax, HBO, and Showtime) often contains nudity and sexual language and situations. Reactions to this practice varied with the firefighter. One female firefighter states that although she watches such programming at home, she believes that her colleagues would be self-conscious and uncomfortable if she watched such programs with them. In the past, when she walked in during such a program, some firefighters would turn the programs off. This, she asserts, created a built-in resentment toward her because of her gender. Consequently, she occupies herself with other activities during such programs. Another firefighter is offended by such programs and therefore will also occupy her time elsewhere when her colleagues watch such material.

The presence of adult magazines in the workplace was highlighted during the initial discussions in June about the facilities' deficiencies. Although such materials were not on

open display, one female firefighter found a stash in the women's bathroom while cleaning, and there had been other instances where female firefighters had observed such materials. Although Molina's June 16 directive stated that such materials could be viewed in private, the directive has since been amended and such materials are now prohibited.

b) Reporting Concerns

Although reluctance to raise concerns appears to be more acute during the probationary period, female firefighters continue, even after they become regular firefighters, to be unwilling to take action that will cause them to be the focus of attention or criticism.

For example, in the past, if they found adult magazines, they would throw them away or just leave them where they were without comment. In general, they did not want to embarrass their coworkers or themselves or be subjected to teasing or ridicule.

Reactions and comments from their colleagues have reportedly been an uncomfortable result from reporting concerns. For example, Firefighter 3 found some adult magazines when cleaning. Rather than just throwing them away and letting it go, she reported the magazines' presence to her station captain in what she believed was a confidential conversation. She states that it was an awkward conversation, but he apologized for the material's presence. A few days later, however, the rumors started to fly, with public comment to the effect that she had "made a big deal" out of the magazines. Similarly, one of the Station 5 B-shift captains approached Firefighter 2 and told her that it was because of her that they were changing the bathrooms at Station 5. As with Captain A's comment about the 35-foot ladder throw, such comments left the female firefighters feeling that they should apologize to their colleagues for raising legitimate concerns.

c) Station 5 B-Shift Issues

The most significant exception to the female firefighters' generally positive relationships with their peers occurred when Firefighter 2 was moved to the B-Shift effective January 2015 as a result of the Department's annual re-bidding process. Generally, Firefighter 2 states that, unlike other stations or shifts where she has worked, the Station 5 B-shift made her feel unwelcome and uncomfortable.

I find Firefighter 2's description of her experiences to be credible. It is, however, difficult to find clear evidence that the treatment she experienced occurred because of her gender or, instead, was a function of an insular work group and the Department's seniority practices.

As to the specifics, Firefighter 2 had been on C-Shift for most of her time with the Department and was quite happy with that assignment. In November 2015, Firefighter 2 had obtained her Tech Rescue certification. Although she was not happy with the move to B-Shift, she was looking forward to training with Station 5, which housed the Department's Tech Rescue team.

Multiple witnesses agreed that Station 5 is unique because it has the largest number of firefighters, the Tech Rescue unit is housed at Station 5, and it receives the largest volume of calls. The witnesses also agreed that the Station 5 crew has worked together for a long time, are highly skilled and exceptionally driven.

Firefighter 2 felt that she was not welcome on the shift and did not feel that she was part of the crew. In particular, Firefighter 2 believed that Captain B, rather than mitigating the problem, reinforced her exclusion. Specifically:

- In accord with Department practice, the prior shift's Battalion Chief prepares the schedule for the following shift. There were times when he assigned Firefighter 2 to Station 5 to fill a vacancy. Firefighter 2 asserts that throughout 2015, she would arrive at Station 5 per the published schedule, only to find that she had been moved to another station; another skater, Firefighter X, had been moved to Station 5. Firefighter 2 believed that that Captain B preferred Firefighter X, a male firefighter who was close to the regular Station 5 B-Shift crew. For example, Firefighter 2 states that she walked in one morning at 6:30 AM in advance of the 7:00 AM shift start time, and Captain B said, "Wait a minute"; then he left, apparently to make a phone call. He then told Firefighter 2 to report to another station. Another time she was walking out of Station 5 to leave for her new assignment and passed Firefighter X walking in.

In my interview with Firefighter 2, Union President Johnston, who was observing the interview, stated that Captain B had transferred Firefighter X to Station 5 in violation of policy, in that only Battalion Chiefs are allowed to make daily station assignment changes.

Battalion Chief 2 states, however that Firefighter X had seniority and had "bid" on the station. He asserts that at the first of the year, he and Captain B agreed that if there was a vacancy, Firefighter X should be the one who would fill it and be the primary skater on that shift. If Captain B made changes, it was only to fulfill Battalion Chief 2's direction.

Captain B confirms that he made station assignment changes because Battalion Chief 2 gave him permission to do so. Captain B asserts that he made the changes in order to conform to seniority standards. More specifically, Captain B stated that there were seven firefighters assigned to the station. Station 5 is also the Tech Rescue station. Department standard, he states, was to have a minimum of three certified Tech Rescue personnel on shift. If one of the regular firefighters were absent, he filled the vacancy with the senior skater (Firefighter X or Firefighter Y, another senior skater), transferring them from another station. If, however, he could not meet the three-person Tech Rescue minimum, he transferred Firefighter 2 to Station 5

if she were on shift because she was the senior skater with a Tech Rescue certification.<sup>4</sup>

According to Captain B, he reviewed the records and found 13 instances where he moved Firefighter 2 between January 2015 and January 2016. There were, he states, four instances where he moved her to another station; each time was because the Tech Rescue minimum was filled and he moved the senior skater in to fill the vacancy. In contrast, he states, there were nine instances where he moved Firefighter 2 to Station 5 from another station in order to fill the Tech Rescue minimum.<sup>5</sup>

Olson states that, although station assignment changes are supposed to be made only by the Battalion Chief, it would have been within Battalion Chief 2's purview to give Captain B permission to make such changes.

Olson also noted that the Department scheduling practices are chaotic and subjective and there is little consistency in what are asserted to be past practices. For example, according to the records, Firefighter X was not a successful bidder for a Station 5 position. Nevertheless, according to Olson, there has been some expectation that as the senior skater, Firefighter X would have some preference for his desired assignment.

Olson states that he tried to persuade the union to agree to regularize the system, but the union was not interested in discussing the issue outside of the collective bargaining process. I understand that the issue is a priority topic in the pending negotiations.

- Firefighter 2 states that she talked to Captain B in April or May 2015 about how she could fit in better. Firefighter 2 asserts that Captain B told her that she was a guest at the station and she should make more effort to perform chores around the station and to write reports. Firefighter 2 states that Captain B told her that as the junior firefighter, she should be cleaning up after meals, even though a male firefighter, who was junior to her, was on the shift at the time.

Captain B denied that he had such a conversation. Captain B states that is not the kind of conversation that he has with people. Captain B states that he never had any negative interactions with Firefighter 2; he believed their working relationship was fine and did not know that she felt she had an issue fitting in. He states that Firefighter 2 is an excellent firefighter. He does not

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<sup>4</sup> If there were no qualified skaters to fill the vacancy, however, the station operated with only two Tech Rescue specialists rather than call someone in on overtime.

<sup>5</sup> I reviewed detailed data provided by the Department about Firefighter 2's shift assignments. Because of limitations in the data available to me, I could not assess whether there were other occasions when Firefighter 2 was replaced by Firefighter X or Firefighter Y. Captain B's representations are consistent with the data I reviewed, but I do not rule out the possibility that there were more such instances.

believe that he – or another of the Station 5 firefighters – told Firefighter 2 that she needed to perform more chores.

- Firefighter 2's perception was that the B-shift regulars resented Firefighter 2's intrusion on their group; consequently, she felt alienated and uncomfortable. This was reinforced by comments made in casual conversation about their frustrations about their wives working, such as, "Women shouldn't work."

The time is unclear, but there was an incident where a picture of a penis was stuck on the side of Firefighter 2's milk jug. Firefighter 2 was not offended – to the contrary, she reportedly later told Battalion Chief 2 that it was a sign that the crew had started to accept her. (As it turns out, Firefighter 2's boyfriend, not a crew member, applied the picture to her milk jug.) The crew reacted strongly when they saw the picture and insisted that it be removed because it was inappropriate. Firefighter 2 felt that she was being singled out, and that the crew went back to being standoffish. Captain B, in contrast, asserts that the crew were upset for her and were trying to advocate on her behalf.

- Firefighter 2 found the environment and crew dynamic on the Station 5 B-shift difficult. Firefighter 2 stated (and other witnesses agreed) that the regularly assigned B-shift crew are outstanding firefighters; they have worked together for a long time and are a very close, cliquish group. She states that they sometimes behaved as if they were in a frat house, with food fights and other horseplay that would escalate and get out of hand. She asserts that Captain C attempted to stop this behavior, but the crew treated him poorly and were openly disrespectful.

Generally, the witnesses I interviewed agreed that the horseplay on the Station 5 B-shift goes beyond that at other stations. Captain B acknowledged that the crew has worked together for a long time, and banter is routine. He states that he had not noticed that others were put off by it, but he had not looked at the behavior from an outside perspective. Captain C states that the horseplay is frequent; some of it is harmless, some of it is not. He states that he has tried to pick his battles and work slowly on changing the culture.

Firefighter 2 also stated that some male firefighters had found the environment uncomfortable and had moved away from that shift. When I interviewed one of the two male firefighters she identified,<sup>6</sup> however, he denied having that perception; to the contrary, he stated that he sought opportunities to work with that crew because of their expertise.

- Firefighter 2 was assigned to Station 5 regularly during the summer of 2015. Firefighter 2 states that, like other stations, the crew discussed and tentatively

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<sup>6</sup> The second firefighter she identified no longer works for the Department.

planned their day over breakfast. Firefighter 2 states that the crew would deliberately give her incorrect information: they would tell her they were going to work out in the morning; she would get to the gym in her workout clothes, only to discover that the rest of the crew were training. At first, she changed her clothes and went to train with the crew. When she arrived, they would make passive-aggressive comments like, “Oh, you want to train with us?” They would, however, plug her into the drill. After a while, however, she was sick of being left out of the loop, and just continued to work out in accord with the plan she had been given rather than chasing the rest of the crew.

Captain B denied that he or others on the shift deliberately misinformed Firefighter 2 about the daily plans. Rather, he states, plans change frequently throughout the day because the station is very busy. It is possible that she was not informed of changes in time, but there was no deliberate effort to leave her out.

- Firefighter 2 states, as did Firefighter 4, that B-Shift crew members liked to practice non-standard drills that they had read about in the literature. For example, she states, they practiced a timed single-person ladder throw while holding a tool, something Firefighter 2 states is not in Department policy and not a safe practice. Firefighter 4 also states that she was required to perform this drill during her probationary period. Firefighter 2 states that at the time, she assumed that the crew was just trying to help her be a better firefighter, but later she put it together with the way the crew had treated Firefighter 4, and concluded that this was part of the effort to exclude her.

In October 2015, Firefighter 2 contacted Battalion Chief 1 for advice about what she should do and how she could move off B shift. She asserted that Battalion Chief 1 was fully supportive and said he would talk to Battalion Chief 2, who was responsible for the shift. Firefighter 2 met with Battalion Chief 2 later that week. According to Firefighter 2, Battalion Chief 2 was initially supportive, but then came back and told her she would have to make a formal complaint about the B-Shift in order to be moved. Firefighter 2 was unwilling to make such a complaint because, she states, she was afraid of the fallout and did not want a negative reputation.

It appears that there was a significant miscommunication about whether Firefighter 2 needed to make a formal complaint. (Battalion Chief 2, for example, does not believe that he told Firefighter 2 she needed to lodge a complaint, but that he told Firefighter 2 he could not move her off B-Shift because she was too junior.) Nevertheless, Olson states that when Battalion Chief 2 explained Firefighter 2’s concerns to him, Olson talked to Monique Coleman in Human Resources, who told him that if it was important to Firefighter 2, she should put it in writing and Human Resources would address it. Coleman, however, explains that it was not her intent to create a barrier to presentation of Firefighter 2’s complaint. Rather, her impression was that Olson did not have a clear understanding of Firefighter 2’s concerns; Coleman could not advise him without further information, so she encouraged

him to ask Firefighter 2 to write down her concerns so that Coleman could assess the situation and Coleman could approach Firefighter 2 in a more targeted way.

Battalion Chief 2 suggested that Firefighter 2 take an assignment at another station working out of classification and training for the Captain's examination. Firefighter 2 states that she saw this as a temporary solution that would avoid conflict; she states that she made it look like she wanted to make the change in order to avoid damaging her reputation. Battalion Chief 2 states that he believed it was a reasonable resolution to the situation and that Firefighter 2 was satisfied with the change.

As a result, however, Firefighter 2's Tech Rescue training was limited to the period weekend drills, and she lost the opportunity to train with the Station 5 Tech Rescue team on drills during the shift.

#### IV. RECOMMENDATIONS

You asked me to make some recommendations. The City and the Department have already undertaken steps to address some of the most critical issues that might otherwise have been the subject of my recommendations. That said:

- To the extent that it has not already taken place, educate the Department leaders about appropriate responses to concerns about discrimination. For example, in seeking changes in Department standards because those standards are not equally applied (such as the issue with the 35-foot ladder throw or Firefighter 4's evaluation) it is not helpful to focus on legal liability in order to spur change. It has the effect of turning the female employee into an adversary. A better approach is to emphasize the importance of fairness and equity for the entire work group.
- I understand that the Department has been working for several years on documenting standard practices. I suggest that the Department accelerate this effort.
- As noted several times in this report, a proactive and systematic effort to capture and communicate variations in standard methodologies that enable successful completion of a required task and embedding those methods into the training program could prevent future issues such as those experienced by Firefighters 3 and 4.
- As noted in the introduction, the Department also has some opportunities for growth with regard to (1) educating leaders and rank and file on the skills needed to listen to, respond to and address concerns; (2) communicating accurately about available avenues for raising concerns; and (3) developing a culture where raising concerns is encouraged, and accepted and welcomed when it occurs.

- Education for both female and male firefighters with respect to expectations for an appropriate workplace environment is important – it is more than ironic that Firefighter 2 viewed a penis picture on her milk jug as a sign of acceptance and then reacted negatively when her male colleagues appropriately reacted indignantly.

RD

# Appendix

# REBECCA DEAN PLLC

2212 QUEEN ANNE AVE. NORTH • BOX 158 • SEATTLE, WA • 98109-2312  
PHONE: (206) 465-3594 • FAX: (206) 420-8900  
rebeccadean@comcast.net

## APPENDIX – DOCUMENTS REVIEWED

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Undated; Women FF Concerns List.docx

Email thread; June 13, 2016; Mark Johnston, Joe Molina, Suzi Schwabe;  
Dsnyder@LODASLLC.com; eboard@iaff452.org

### Policies & Related Documents

- Vancouver Fire Department Administrative Guide; AG #5004; Investigations; January 1, 2001
- June 16, 2016; Vancouver Fire Department Directive; To: All Department Personnel; From: Joe Molina, Fire Chief; re: “Respectful Workplace Environmental Regulations”
- Email thread; September 15, 2016; Joe Molina, DL, City Fire-All, City Horizons MLT; re: “Harassment Prevention Policy – Update”

October 2015; Organization Chart, Vancouver Fire Department

### Ladder Throw Issues

- August 2016; Vancouver Fire Department Training Update; Operations Division Ground Ladder Training Standards Update
- March 2016, Vancouver Fire Department Training Update; Operations Division Ground Ladder Training Standards
- Vancouver Fire Department Training Assignments, Third & Fourth Quarter 2015
- Email thread; August 16, 2016 to August 17, 2016; Suzi Schwabe, Dan Olson, Rebecca Dean; re: “Did you find this yet?”
- Email thread; August 16, 2016 to August 17, 2016; Dan Olson, Suzi Schwabe, Debra Quinn, Joe Molina, John Bulder; re: “Ground Ladder Training Standards”
- Email thread; October 20, 2016; Jason Vanderzanden, Rebecca Dean, vp@iaff452.org, Suzi Schwabe; re: “Follow-up to Interview”
- Email thread; October 19, 2016; Greg Straub, Jason Vanderzanden, Suzi Schwabe; re: “Follow-up to Interview”

### Shift Analysis & Related Email

- 2014 Newgent Shift Analysis.xlsx
- Email threads; August 5, 2015 to September 2015; Tara Erickson, Rebecca Dean; re: “Newgent Shift Analysis.xlsx”

Claim Summary, Melissa Anthony, Claim No. 004235-002473-WC-01

Training & Probationary Period Records: Melissa Anthony, Kady Bieber, Natalie Newgent, Eve Scherer

Questionnaire Responses – Wachlin Interview Questions, November 2015

- Email; November 20, 2015; Hans Wachlin, e.scherer86@gmail.com; re: “gender studies”; attached survey (blank)
- Email thread; November 20, 2015; Heather Gehring, Heidi Parr, Hans Wachlin; re: “Interview questions”
- Email thread; November 20, 2015; Heidi Parr, Heather Gehring, Hans Wachlin; re: “Interview questions”
- Email thread; November 20, 2015 to November 23, 2015; Melissa Anthony, Hans Wachlin; re: “gender studies research”; attached survey (complete)

Articles & Publications

- 2008; Hulett, Bendick, Thomas & Moccio; “Enhancing Women’s Inclusion in Firefighting in the USA”; *International Journal of Diversity*; Vol. 8, No. 2
- July 13, 2016; <https://leagueofwomeningovernment.com/2016/07/13/guest-blogger-chief-cheryl-horvath-on-does-the-fire-service-have-a-bias-against-diversity/>
- September 13, 2016; Columbian Article:  
<http://www.columbian.com/news/2016/sep/12/gender-bias-in-vancouver-fire-department-under-investigation/#>

RD

# Exhibits

## Exhibit A

From: Mark Johnston [<mailto:mjohnstoniaff@usa.net>]  
Sent: Monday, June 13, 2016 12:25 PM  
To: Molina, Joe  
Cc: Schwabe, Suzi; [Dsnyder@LODASLLC.com](mailto:Dsnyder@LODASLLC.com); [eboard@iaff452.org](mailto:eboard@iaff452.org)  
Subject: Vancouver Fire discrimination issues

Chief Molina,

As the exclusive bargaining agent for all fire fighters, paramedics, and Captains of the Vancouver Fire Department, IAFF Local 452 has serious concerns about potential discriminatory working conditions specifically regarding women fire fighters at the City of Vancouver.

On or about April 26, 2016 I became aware that male employees of the VFD were using the women's bathroom at station 10 as a locker room. I immediately drove to station 10 and objected to this practice to Division Chief Drew Tracy. He acknowledged that this practice had been occurring for over a year and he knew about it. He stated that this is how the station was run by the Captains before he was assigned there and that since there were no female fire fighters permanently assigned to the station this situation was acceptable to him. I told him that any female fire fighter could be assigned to this station on any day; and that in fact a female fire fighter was assigned to station 10 on light duty. I told him I had been informed that a male employee had walked in on a female fire fighter while she was in the women's bathroom at station 10. He stated this was correct and that he was the male employee. He stated that the "door was not locked". I objected and said that that restroom was a dedicated women's restroom and men using it for any purpose was unacceptable.

I told him that not only was this practice disrespectful to our members but that it was a liability to the City, and that as an agent of the employer in his capacity as a Division Chief he had a responsibility to correct the situation immediately. He agreed and said he would do so.

We spoke on the phone later that day about this episode.

On April 28 he sent an email to the Captains at station 10 that I forwarded to you on May 10, 2016.

On May 11th I had a regularly scheduled meeting with City Manager Eric Holmes where we discussed the bathroom issue at station 10. He stated he had been made aware of the issue prior to our meeting.

On May 18, 2016 you, I, Chief Olson, Greg Straub, Kevin Hart, Julie Patterson, and the 5 suppression women fire fighters we represent met at station 5. Subsequent to that meeting I was informed of several conditions and actions that I considered, if true, constituted discriminatory actions against the female fire fighters.

On May 19, 2016 I informed Chief Olson of these specific circumstances after a negotiations meeting. Greg Straub, Kevin Hart, and Judson McCauley were present at this meeting.

## Exhibit A

On June 2nd, 2016 You, I, Chief Olson, Greg Straub, Kevin Hart, Chief Kollermeier, Julie Patterson, and the fire female fire fighters, (one by phone), met at station 5. We discussed: Facilities, Uniforms and turn out gear, individual crew evolution issues, adult magazine issues in the common areas of fire station bathrooms, a Tech trained woman fire fighter being reassigned from station 5 by a Captain in violation of policy; and that female fire fighter being ignored by the crew after she was reassigned to that station; and her reassignment to station 6 so she could get out of that station 5 environment.

Chief Molina stated that HR wanted to speak to the women but he told them not to at this time.

Chief Olson stated that if they are uncomfortable with the Chiefs they should go to HR or speak to Julie Patterson.

Judon McCauley stated that Captain Mitch Nelson told him that Capt. Nelson had verbally reported to Chief Kollermeier his objection to male FD employees using the bathroom at Station 10 for their locker room, and that Chief Kollermeier told Capt. Nelson to send him any communication he had about this issue to him in an email.

On June 8, 2016 You, Chief Kollermeier, Dan Norfleet, Justin Serface, Heidi Parr, and Kevin Hart did a walk through of stations 5, 1, 2, 3, 6, 8, to assess modifications of the stations to provide adequate bathroom and sleeping facilities for women fire fighters.

On June 9, 2016 Myself, Greg Straub, Kevin Hart, Cristel Nelson, Ward Knable, and the 5 women fire fighters met at station 5 to discuss uniform and turn-out issues.

On June 12, 2016 I was informed of the following issues and Local 452 objects to the following;

The dedicated women's bathroom at station 5 was still being used by male employees to launder their clothes. Adult magazines were still in common areas of common bathrooms at at least one station.

IAFF Local 452 is not aware of any directives to VFD employees mandating that male employees not use dedicated women's restrooms for any reasons. We are not aware of any directives mandating the removal of adult magazines from common areas of fire stations or fire station bathrooms.

Some Local 452 members have not been provided with appropriate uniforms and/or turnouts; and in the case where inadequate uniforms or turnouts are provided to our members, an undue burden has been placed on our members to continue to wear contaminated uniforms and/or turnouts; and to transport these contaminated items on fire apparatus and personal vehicles, thereby putting the health and safety of our members and their family members at unreasonable risk.

## Exhibit A

Our members have been given contradictory information by Chief Officers about their ability to report potentially discriminatory activity by agents of the City of Vancouver.

IAFF Local 452 requests that these issues, and any other related discriminatory issues be immediately addressed by the City of Vancouver.

Respectfully,

Mark Johnston, President  
IAFF Local 452



## VANCOUVER FIRE DEPARTMENT

### DIRECTIVE



**TO:** All Department Personnel  
**FROM:** Joe Molina, Fire Chief  
**DATE:** June 16, 2016  
**NUMBER:** 20160616-1  
**SUBJECT:** Respectful Workplace Environmental Regulations

The City of Vancouver is committed to providing a respectful work environment for all individuals.

In order to respect our co-workers, all personnel of our Department will be subject to the following directives, effective immediately:

#### 1. Restrooms.

- Gender specific - All personnel shall only enter or use the restroom for their gender, except for scheduled station cleaning purposes. The restrooms will be marked for men and women.
- Gender neutral - All personnel shall have equal access to restroom and shower facilities.
  - i. When entering these facilities, personnel shall knock on the door to assure unoccupied.
  - ii. Personnel shall lock the door(s) prior to use to assure privacy.

#### 2. Uniforms. Minimum clothing levels in common areas shall be department provided workout shorts and shirt. Rooms outside this classification of “common” include single use restrooms, bedrooms and open air dorms (when the privacy curtains\* are closed).

- This does not apply for gender specific multi-person restrooms.
- Outside of this rule, the uniform policy remains in effect.
- If these minimum garments are not immediately available or do not fit appropriately, other similar items may be worn as long as a request for a different option has been received by logistics and until such time as the request has been fulfilled.

\*VFD is currently working on procuring and installing privacy curtains in open air dorms to allow for individual beds to be curtained off.

## Exhibit B

3. **Behavior.** Offensive, demeaning or insulting behavior is in violation of the City's Harassment Prevention policy and will not be tolerated. Because of the nature of our jobs, we are including examples that apply specifically to the Fire Department. Examples of this behavior include:
  - Demeaning, insulting, intimidating or sexually suggestive, written, recorded or electronically transmitted messages;
  - Using demeaning or inappropriate names or labels that others find offensive;
  - Failing to appropriately wear minimum clothing as directed above and in the uniform policy;
  - Making vulgar comments, using profane language, using indecent gestures or discussing sexual activities;
  - Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances or propositions;
  - Verbal abuse of any kind;
  - The possession and/or viewing of demeaning, insulting or sexually oriented or suggestive objects or pictures, including nude photographs, magazines or other graphic material will only be allowed in privately assigned lockers or in locations where a private viewing is possible.
  - Sabotaging work, assigning only demeaning work, holding individuals to standards not directed by Operations or Training, or refusing to provide critical job related information;
  - Laughing at, ignoring, or not taking seriously an employee who experiences or complains of harassment;
  - Blaming victims of harassment for causing the problem; or
  - Continuing offensive behaviors after an employee has objected to that behavior.
  
4. Employees have a responsibility to assist in this commitment by treating every person with respect and by reporting incidents of harassment directed at an individual because of his or her race, religion, color, national origin, pregnancy, military status, age, gender, sexual orientation, marital status and/or the presence of any physical or mental disability and/or any other status protected by law. If you experience or witness any type of harassing conduct, you have an obligation to report it to me or to the Human Resources Director Suzi Schwabe.

## Exhibit C

**From:** Schwabe, Suzi suzi.schwabe@cityofvancouver.us   
**Subject:** FW: Harrassment Prevention Policy -Update  
**Date:** September 16, 2016 at 8:45 AM  
**To:** Rebecca Dean rebeccadean@comcast.net

SS

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**Suzi E. Schwabe, SPHR, SHRM-SCP, CCP, CLRS** | Human Resources Director

CITY OF VANCOUVER, WASHINGTON

Human Resources

**P:** 360.487.8408 | **F:** 360.487.8418 | **TTY:** 360.487.8602

[www.cityofvancouver.us](http://www.cityofvancouver.us)

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**From:** Molina, Joe  
**Sent:** Thursday, September 15, 2016 3:41 PM  
**To:** DL, City Horizons MLT  
**Subject:** FW: Harrassment Prevention Policy -Update  
**Importance:** High

All – The below went out to the department today. Feel free to share as needed.

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**From:** Molina, Joe  
**Sent:** Thursday, September 15, 2016 3:40 PM  
**To:** DL, City Fire - All  
**Subject:** Harrassment Prevention Policy -Update  
**Importance:** High

VFD Members,

As you may be aware, the Columbian published an article earlier this week entitled, “Gender bias in Vancouver Fire Department under investigation.” The article refers to my previous directive that provides, “The possession and/or viewing of demeaning, insulting or sexually oriented or suggestive objects or pictures including nude photographs, magazines or other graphic material will only be allowed in privately assigned lockers or in locations where a private viewing is possible.”

I further attempted to clarify with the following, “Based upon the city’s research to date, the law limits the employer’s ability to regulate what firefighters read and view during the evening hours when they are not responding to emergencies and are in a purely private setting such as a restroom or private sleeping quarters. The Vancouver Fire Department can and does regulate workplace behavior outside this narrow privacy exception and does not condone reading or viewing inappropriate materials in the workplace. The department’s priority is to promote inclusivity and respect for all employees. We encourage this in the everyday choices made by our members. It is the goal of the department to nurture a work place environment in which all members are treated with dignity, respect and highest degree of professionalism.”

The department leadership attended ‘Harassment Prevention’ training this week as part of the Officer Development series. The training was very interactive and empowering. As part

## Exhibit C

of the conversation the subject of what is inappropriate to have or view in the workplace and why it's inappropriate was discussed. Many perspectives were brought forward and from my view a better understanding was created. Afterwards and with a fresh perspective from the training I reviewed the original directive and the subsequent clarification and while perhaps practical legally, I found them out of alignment with my values personally and what I believe are the values of the VFD and the City of Vancouver. If the department's desire is to truly promote inclusivity and respect for all members then we cannot tolerate this behavior in the workplace. I as the Chief of the department have the responsibility to ensure that the behavior does not occur. As a result I want to clearly communicate to all members that *possession of or viewing materials in violation of the City's Harassment Prevention policy in the workplace i.e., fire station is prohibited. **There are no privacy exceptions.*** I also want to be very clear that all members are subject to the City's Harassment policy and that it will be strictly enforced. Should members engage in behavior that is in violation of the City's policy, they will be subject to discipline up to and including termination of employment.

The City's Harassment Prevention policy specifically provides, "Harassing conduct directed at an individual because of his or her race, religion, color, national origin, pregnancy, military status, age, gender, sexual orientation, marital status and/or the presence of any physical or mental disability and/or any other status protected by law is strictly prohibited."

Examples of harassing conduct provided in the policy include:

"There is an endless list of behaviors that may be unwelcome, demeaning or offensive and lead to a complaint of harassment. Some examples are:

- Demeaning, insulting, intimidating, or sexually suggestive written, recorded or electronically transmitted messages;
- Using demeaning or inappropriate names or labels that others find offensive;
- Making vulgar comments, using profane language, using indecent gestures or discussing sexual activities;
- Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
- Verbal abuse of any kind;
- **The display of demeaning, insulting or sexually suggestive objects or pictures, including nude photographs;**
- Sabotaging work, assigning only demeaning work, or refusing to provide critical job related information;
- Laughing at, ignoring, or not taking seriously an employee who experiences or complains of harassment;
- Blaming victims of harassment for causing the problem; or
- Continuing offensive behaviors after an employee has objected to that behavior."

An updated Chief's Directive will be forthcoming.

**Joseph B. Molina | Fire Chief**



CITY OF VANCOUVER, WASHINGTON

P.O. Box 1995 • Vancouver, WA 98668-1995

P: 360.487.7201 | C: 360.553.5385

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## Operations Division Ground Ladder Training Standards

Under direction of the Fire Chief and approval of the Operations Chief, the Training Division has adopted the following ground ladder training standards for the 24' and 35' extension ladders.

- 24' ladders- All personnel train to 1 person and 2 person throws. Evaluation is to VFD adopted 24 One Person and 24 Two Person flat and beam skills sheet standards.
- 35' ladders- All personnel train to 3 person throws. Evaluation is to VFD adopted 35 Three Person Flat skills sheet standard.
- 35' ladders- TO qualified personnel and members who regularly work the trucks train to the 2 person flat and 2 person beam raise in addition to the 3 person throws. Evaluation is to the adopted 35 Two Person Beam and 35 Two Person Flat skills sheet standards.
- Recruits shall not train to the 35 Two Person standards. Ladder training during the probationary period shall focus on learning the correct body mechanics required to correctly and safely raise and lower the extension ladders.
- Personnel not regularly assigned to the trucks may elect to train to the 35 Two Person standards but are not evaluated to the 35 Two Person standard.

Operationally, the two person 35 ladder throws are to be considered as a last resort (when 3 personnel are not available) and used under emergency conditions only. Under routine conditions the preferred 35 foot ladder throw is the three person raise.

Changes to our ladder training standards have been driven by significant injuries during ladder training evolutions. Recent regional training standard evaluations have uncovered a variety of adopted training standards throughout Washington and Oregon. The VFD Training Division standards listed above are consistent with the majority of the departments contacted.

Please direct any questions or concerns you may have to the Training Division through your chain of command.

Thank you,

**Drew Tracy / Training Chief**

# Vancouver Fire Department



# Training Update

## Operations Division Ground Ladder Training Standards Update

Under direction of the Deputy Chief of Operations, the Training Division is updating ground ladder training standards in the Vancouver Fire Department for the 24' and 35' extension ladders.

- We are transitioning all 2 – person ladder throws to a beam raise only, suite case carry (hi-lo) throw. This ladder throw is shown in the [New Ground Ladder Task Manual](#). This has been adopted through the Operations Committee.
- Recruit firefighters are only being instructed to the beam raise, suite case carry (hi-lo) throw.
- The recruit firefighter and regular status firefighter ground ladder expectation and standard is
  - 24' one person
  - 24' two person beam (hi-lo) carry
  - 35' three–person flat
- 35' ladders- The standard of the VFD for 35' ladders is a three person operation. Two personnel may raise a 35' ladder in emergency conditions if they are physically able to safely perform the task. Two-person operations with a 35' ladder is not a standard of the VFD
- Recruit firefighters shall not train to the 35' Two Person ladder throw. Ladder training during the probationary period shall focus on learning the correct body mechanics required to correctly and safely raise and lower the extension ladders.
- Regular status personnel may elect to train to the 35' Two Person beam raise (hi-lo) carry ladder throw if they are physically able to safely perform the task.

Operationally, the two person 35 ladder throws are to be considered as a last resort (when 3 personnel are not available). It is to be used under emergency conditions only and with personnel who can safely perform the operation. Under routine conditions the standard 35 foot ladder throw is the three person raise.

Changes to our ladder training standards have been driven by significant injuries during ladder training evolutions. Recent regional training standard evaluations have uncovered a variety of adopted training standards throughout Washington and Oregon. The VFD Training Division standards listed above are consistent with the majority of the departments contacted.

Please direct any questions or concerns you may have to the Training Division through your chain of command.

Training Division