

Diversity, Equity, and Inclusion: Climate Survey and Focus Group

February 2023



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Project Overview

All Things Diverse (ATD) LLC, an educational consulting company that focuses on diversity, equity, inclusion, and belonging was contracted by the City of Rochester Fire Department (RFD) in June 2023 to conduct several activities to gain an understanding of the workplace and experiences of employees. All workplaces have a culture and climate that is unique to that organization.

Conducting both a climate survey and focus groups allows us to gain invaluable insight into the employee experience at RFD. We understand and recognize that the firefighter culture and workplace are different than the normal 9-5 job.

Colleagues rely on one another to ensure safety and physical wellbeing. Trust and respect are highly regarded within protective fields such as firefighting, law enforcement and the military. Living together while on shift, eating meals together and sleeping in the same space creates a certain familial atmosphere.

Originally, firefighting was a community effort of volunteers helping one another save their property/city. Cincinnati, Ohio employed the first paid workforce of firefighters in 1853. Since becoming a paid workforce, we know that just like many other industries women and racial minorities (African Americans, Hispanics, and Asians) have been excluded from opportunities for employment. Historically, discriminatory hiring practices, nepotism and ideologies surrounding the social construct of race and gender has historically kept minorities and women out of the fire service in large numbers. In many cities certain ethnicities who at one time faced discrimination (e.g., Irish, Italian, Polish) when given opportunities to work for the city or county within a certain profession tended to be dominant in that space and were not very welcoming to others who were trying to enter that field. We understand that a lot of discrimination was due to scarcity and fear. With the passage of the 1964 Civil Rights Act, most city fire departments began to become integrated with African Americans and Hispanics. During this same time, we had the second Women's movement in America at which point we also saw women joining the fire service. In some instances, lawsuits were necessary to further the integration of workplaces like the military, police and even public schools.

Task 1: Part of the DEI Organizational Audit consisted of focus groups, seven in total, and an online climate survey. Conducting climate surveys is a way to measure training needs, gauge how employees perceive the culture and climate of the workplace, and determine how employees view their leadership. From the focus groups, we can discover if any barriers to equity exist, find out if there are any inequitable patterns, and understand the overall workplace climate of RFD. The survey is broken down into several areas: attitudes towards diversity and inclusion, discrimination and harassment, hiring and recruitment, diversity training programs, belonging, and evaluation and promotion. The following document begins with findings from the online survey and proceeds to insights obtained during the focus groups. Some of the data collected by the online survey correlates with the insights we gained during the focus groups. We conclude the report with recommendations for moving forward.

Focus groups are small in-person group conversations with a purpose. Questions are designed to engage group members in organic conversations surrounding their experiences in RFD. We developed twelve questions for the focus groups, but in many instances didn't get through all twelve questions as we allowed participants to lead the conversation once we introduced a topic.

Each group was asked the same questions. Some focus groups were more talkative than others. There were always three trainers in the room – one to watch body language, one to take notes, and one to ask the questions. Often, it isn't what is said but the body language and gestures of those participating in the focus groups that are revealing. When applicable we allowed the organic conversation that developed surrounding one question to continue when it was relevant. We found participants' willingness to share increased as we went through the questions. Further, as word got out about our ground rules for the focus groups (e.g. safe space, no sign in sheet or name documentation, no judgement zone), we found that participants were more open.

A copy of the focus group questions is attached as Appendix A.

Our Methodology



On June 5, 2023, a fifty (50) question climate survey using a 4-point Likert scale – which allowed respondents to indicate whether they strongly agree, agree, disagree, or strongly disagree with each question asked – was sent to all RFD employees. Some questions asked about frequency (e.g., always, most of the time, etc.) when relevant. Two open-ended questions were included to allow participants to share their experiences in their own words. On average, it took about eight minutes for those who participated to complete the online survey. The survey had an 87% completion rate.

We sent the survey link via email to approximately 500 employees – civilians and firefighters. The email explained the purpose of the survey and introduced our company, All Things Diverse (ATD). Due to the City’s IT firewall, ATD was not able to send the survey out directly, but we did provide Chief Everett with the verbiage for the email and an explanation as to why the email was coming from her office. To encourage honesty, it was imperative for employees to know that administration/leadership did not have access to their responses to the survey as some may be fearful of being truthful. In addition to introducing the survey, we provided insight into All Things Diverse LLC (ATD), including some of our past clients.



While the survey was open (June 2-July 24, 2023), four trainers came to Rochester's Training Facility (July 5-7, 2023) and hosted seven, two-hour focus groups. We hosted the groups at different times of the day (9-11am, 1-3pm and 7-9pm) to ensure that we could include participants from different shifts and different firehouses. The room for the focus group had desks that were organized in a circular arrangement to create an environment of trust (circle of trust). We ensured participant anonymity, clarified the purpose of the focus groups, and actively encouraged engagement.

The last focus group, held on Friday, July 7 from 9-11am, was for RFD leadership only. We requested that leadership not be in the room with the line crews as it would prevent real raw conversations for fear of retaliation. We emphasized the value of participants' input into the data gathering process. We began each session with an introduction of each trainer in the room, explained our experience, our goals, and our commitment to keep a space safe. We encouraged participants to keep comments said by their colleagues in the room, as we didn't want anything to be shared with others who were not present at that time. We assumed that some who participated in the focus groups went back and shared what took place in that meetings but were hopeful that they did so without tainting the process. We found that as the meetings continued participants were more willing to openly share, so we assumed that some conversations were taking place after the meetings.

Of the 500 survey emails sent, we received 120 responses, which is roughly 25% of the workforce. Of the 120 who engaged with the survey, 87% completed the entire survey. The most skipped question was "Do you have any other comments, questions, or concerns?" With a quarter of employees responding to the online survey and over 100 employees engaging in a focus group we are confident that we achieved a robust representation of the RFD workforce. While we may have some overlap regarding individuals who engaged with both instruments, the online survey, and the focus group, we can only assume that we have some that engaged with one methodology and not the other. During the focus groups it was stated several times that people were fearful of taking the online survey as they believed it could be traced back to them and if they said something disparaging that it could negatively impact their employment.

Our scope of work

2022

Request for Proposal

November 14, 2022, Posted

2023

Deadline for Submission

December 23, 2022

2023

Firm interviewed by Stakeholders

February 1, 2023, ATD met with stakeholders via zoom to answer questions regarding proposal submitted

2023

Won bid and work begins.

June 13, 2023 received approved Contract from City of Rochester

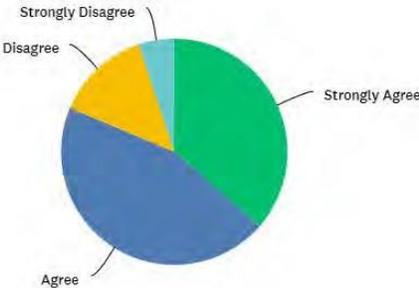
Climate surveys and focus groups are methods used to gain valuable data about the workplace culture and climate. Diversity, Equity, and Inclusion surveys demonstrate to the workforce the value that the organization places on creating an inclusive and welcoming environment for all employees. Representation, support, and group dynamics are important aspects of any work environment but even more so when employees work in organizations that require colleagues to depend on each other for their own wellbeing and survival. Using multiple data collection methods allowed us to better understand the culture of RFD.

ATTRACT, ENGAGE & RETAIN

The first eight survey questions measure attitudes towards diversity, equity, and inclusion, as well as the culture within RFD.

My organization is dedicated to diversity and inclusiveness.

Answered: 118 Skipped: 2



ANSWER CHOICES	RESPONSES	
Strongly Agree	36.44%	43
Agree	44.92%	53
Disagree	13.56%	16
Strongly Disagree	5.08%	6
TOTAL		118

The above graph indicates that most employees strongly agree (37%) or agree (45%) with the statement that RFD is dedicated to diversity and inclusiveness. Almost 18% of the workforce disagrees or strongly disagrees with the belief that RFD is committed to diversity and inclusion. When asked if "employees who are different than most others are treated fairly within RFD" a majority agreed (39%) or strongly agreed (38%) with the statement. It must be noted that of the 120 people who took the survey, the vast majority were male (85%), and 46% were European American (White).

42% of Respondents strongly agree that they feel included and respected in RFD. This is important as studies continuously document that when employees feel a sense of belonging (inclusion) they are more prone to remain at their current organization, are more effective and are more likely to look forward to coming to work. Close to 18% of respondents indicated that they disagree or strongly disagree with the statement and don't feel respected within RFD. When one senses a lack of inclusion and respect it can lead to self-sabotage, hurts a team's overall performance, and negatively affects the climate of the workplace. A few methods to address feelings of exclusion are to have others share their experiences with feeling excluded, establish mentorship programs, and create allies who are willing to speak up when they see others being excluded.

When asked if employees felt comfortable talking about their background and cultural experience at work, which indicates a high level of trust among the workforce, 85% agree or strongly agree. Vulnerability-based trust is important in a workforce such as RFD as it indicates that it is safe to take risks and address conflict in the workplace. A lack of vulnerability-based trust – especially in environments in which employees work in such close proximity for long periods of time and are dependent upon one another to make it home alive – is problematic and creates a culture that is psychologically unsafe.

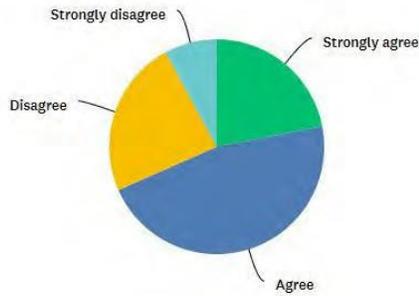
Most respondents indicated that employees of different backgrounds interact well within RFD (86%). This indicates a high level of trust, regardless of background, including variables such as socioeconomic status, age, race, religion, ethnicity, sex, sexual orientation, etc.

While 86% of respondents agree or strongly agree with the statement/question, we must note that when hosting focus groups, a comment was made that there are no openly gay male members of RFD, although employees "suspect" some colleagues may identify this way. This statement may indicate that some perceive an issue with being authentic, particularly for those who identify as a member of the Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, and Asexual (LGBTQIA+) community. Considering that firefighting is a male dominated field as per data from the U.S. Fire Administration it is not surprising that a male who identifies as gay would not be openly out within the workforce due to concern for being ostracized.

Leadership sets the tone for the workplace climate and culture. If employees feel that their leaders value everyone and respect people for their differences, they are more prone to embrace a culture of inclusivity. When leadership has demonstrated that they will not allow the maltreatment of anyone, which is the shaming, harassing, treating an adult like a child, yelling, and swearing at a person regardless of their identity, ability, sex, or race it creates trust and respect for leaders. Jokes about sex, race, gender identity, disability, etc. cannot be tolerated as they are not only illegal but also detrimental to the working environment.

Management demonstrates a commitment to meeting the needs of employees with disabilities.

Answered: 114 Skipped: 6



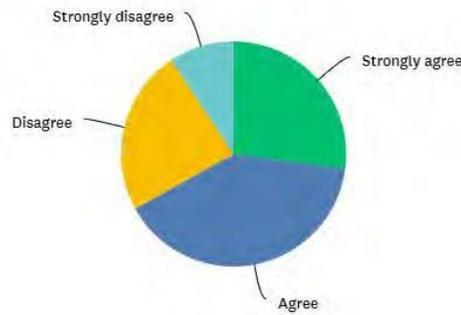
ANSWER CHOICES	RESPONSES
Strongly agree	21.93% 25
Agree	46.49% 53
Disagree	23.68% 27
Strongly disagree	7.89% 9
TOTAL	114

As the graph above documents, most employees who responded to the climate survey indicate that management is committed to meeting the needs of employees with disabilities (68.4%); however, over 30% of respondents do not feel that management is committed to meeting the needs of employees with disabilities. It is critical to avoid any situation in which an employee does not disclose a disability because they feel that leadership will not support them if they get hurt.

The chart below documents the response to the question regarding racial, ethnic, and gender-based jokes. More than 66% surveyed agree or strongly agree that RFD does not tolerate jokes that degrade others based on variables outside of their control. It's unsettling that 33% of respondents disagree or strongly disagree that racial, ethnic and gender-based jokes are tolerated within RFD. If an organization is looking to recruit and retain women and people of different backgrounds, such as race and sexual orientation, it is imperative that the organization set clear policies to address bullying and inappropriate comments, jokes, and behaviors. As part of our project, we are reviewing personnel policies to ensure there are no gray areas that allow employees to hide behind an old or vague policy when it comes to harassment, discrimination, or the use of social media to hide their true thoughts about women, different ethnicities/races, and sexual orientation in the workplace.

Racial, ethnic, and gender-based jokes are not tolerated within the organization.

Answered: 118 Skipped: 2



ANSWER CHOICES	RESPONSES	
Strongly agree	27.12%	32
Agree	39.83%	47
Disagree	23.73%	28
Strongly disagree	9.32%	11
TOTAL		118

The next four questions deal with discrimination and harassment.

Over 90% of respondents indicated that they know where and how to report concerns about harassment and/or discrimination. Often, we find that some organizations don't have a clear path to report concerns, which is problematic and leaves the organization open to lawsuits.

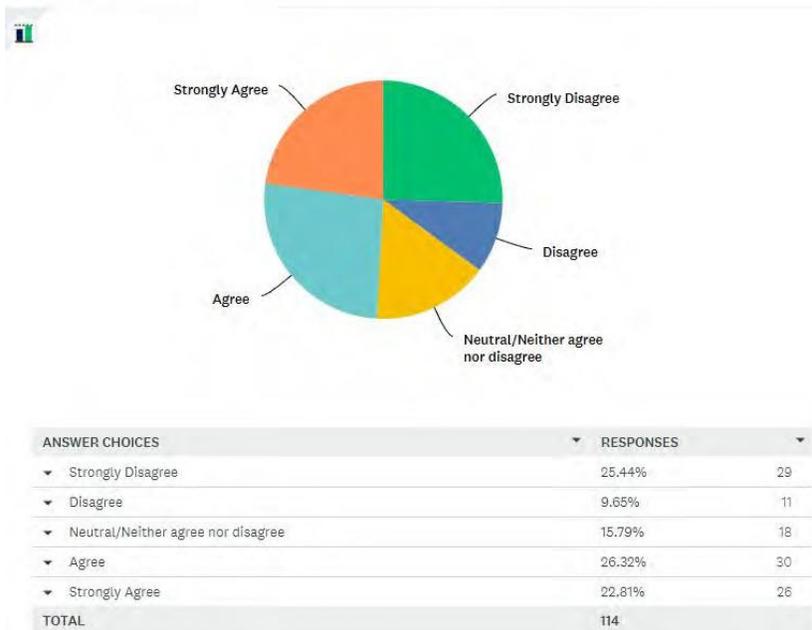
When asked if RFD provides an environment that allows open expression of ideas, opinions, and beliefs without fear of reprimand or retaliation, a little over 60% of those who responded indicated they strongly agree or agree. Three people skipped this question thus giving us a total of 117 respondents. A little over 35% of respondents do not agree or strongly disagree that they can openly express ideas without fear of reprimand, while 4% didn't feel one way or the other about the question. Establishing a workplace where employees know they can come forth with concerns without fear of being fired, retaliated against, or harassed is ideal as it creates vulnerability-based trust among the ranks and with those in positions of power. With the working conditions of those in the firehouse it is important for them to know that inappropriate jokes impact the work performance of the colleagues and can negatively impact the entire firehouse.

If one person shares a difference in opinion of belief, they should not be subjected to harassment by the masses. When working in close proximity to others, people need to be able to disagree respectfully or have differences of opinion without fear of becoming a target of others in the firehouse. It is known throughout industry that firehouses can be a place of stress for those who don't resemble the majority, such as women and those in the LGBTQIA+ community—specifically males and people of color.²

More than 86% of respondents agree with the statement that the City's policies and procedures discourage discrimination, which is great as employees know that the city will discipline anyone if they fail to comply with the policy.

Employees in my organization take the initiative to help other employees when the need arises.

Answered: 114 Skipped: 6



As the graph above indicates, of the 114 people who responded to the question regarding other employees taking the initiative to help a colleague, almost 50% agree, over 15% of respondents didn't agree or disagree, and more than 27% disagree or strongly disagree with the statement. Working in a field where colleagues must depend upon one another to make it home safely after their shift, it is imperative that where one firefighter lacks another colleague is willing to work with them to get them up to standard.

² The U.S. Bureau of Labor Statistics (2020) states that 95.6% of U.S. firefighters are male; European American or Whites accounting for 85%; Blacks or African Americans account for 8.4%; Asian 1.2% and Hispanic or Latinx 13.1%.

When asked about administrative tasks having a specific owner, most respondents (73%) agree or strongly agree that taking notes in meetings, scheduling events, cleaning up shared space, etc., are fairly divided. Seven people skipped the question and 26% disagree or strongly disagree with the statement. We want to ensure that the female firefighters or those who are new to the department are not the only ones being asked to take care of administrative tasks. We understand historically that when new firefighters come on the job (probation period) there could be some hazing that takes place but as a society we have evolved and should understand that hazing is unlawful. We are not naïve enough to think that hazing has completely stopped but the level to which it is taking place and the type of activities that may be involved should not hinder team building within RFD.

The question below deals with hiring and recruitment.

Eight people skipped the question regarding job candidates meeting or seeing cultural diversity among employees at RFD, while 84% agree or strongly agree with the statement. 16% of those who responded disagree or strongly disagree with the statement. Considering the majority of those who took the survey are of European descent (White) and the overall field of firefighting is predominantly White and male, we question the validity of this response – it appears that either this is what people want the researcher to believe or they believe it to be true based on variables other than race, sex, or sexual orientation.

While hosting focus groups we had conversations surrounding race, sex, and sexual orientation. It was clear that there is some racial and gender-based tension within RFD. The RFD demographics we received in June 2023 indicate that there are currently 151 team members that identify as a minority, which includes African American, Hispanic, Asian, and Native American. Women make up 4% of RFD, or 19 out of a total of 477. Over 26% of respondents preferred not to answer the questions regarding ethnicity. We also had a much higher rate of one ethnic group than was stated on the data sheet, indicating either the demographic sheet we got from RFP is incorrect or respondents were not truthful about their ethnicity.



“Becoming fearless isn’t the point. That’s impossible. It’s learning how to control your fear, and how to be free from it, that’s the point.”

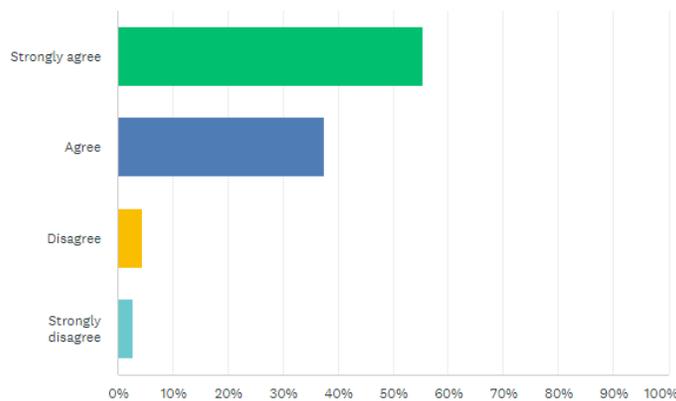
- Francis Quarles

As stated earlier, leadership ideally sets the tone for the culture and climate of any workplace. We know that it can take up to seven years to change the culture of an organization. We also are aware that minorities and women were often locked out of most fire departments until the 1960s and 70s.

Your immediate supervisor

My supervisor demonstrates commitment to and support for diversity.

Answered: 112 Skipped: 8



ANSWER CHOICES	RESPONSES
Strongly agree	55.36% 62
Agree	37.50% 42
Disagree	4.46% 5
Strongly disagree	2.68% 3
TOTAL	112

As the graph above indicates, over 92% of those surveyed believe that leadership is dedicated to supporting diversity, which is a great indication of the message being shared with all of those in RFD. When asked if they believe their supervisor handles diversity, equity, and inclusion matters appropriately, 92% agree or strongly agree with the statement.

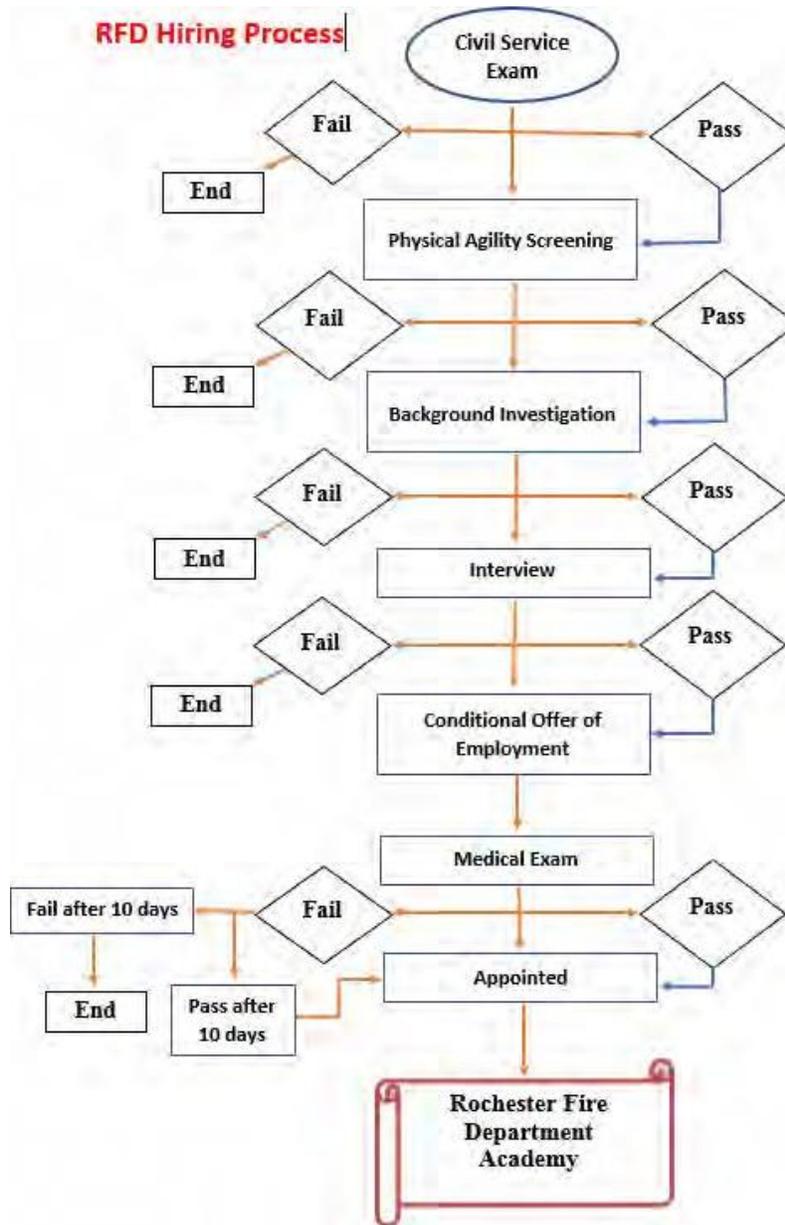
We must note that we are aware there is currently a lawsuit being pursued by a former RFD member surrounding race. A captain, a leader who is no longer employed by RFD, was accused of taking his unit to a party that has been described as a racial mockery of Juneteenth, the day slaves in Galveston, Texas found out they were free almost two and a half years after Emancipation Proclamation has been passed.

Diversity training program

More than 44% of those who responded think that gender diversity programs are good, while 41% think such programs are neither good nor bad. Just 14% of respondents think gender diversity programs are a bad thing.

While hosting our focus groups, we heard of a story of a person in a position of power getting upset that a tampon machine had been installed in the bathroom area of one of the firehouses. The person allegedly pulled the machine down off the wall and threw it to the ground. When this story was revealed to the facilitators no one in the room disputed that the incident took place. While we did not witness the incident it is rather concerning that potentially someone in power didn't show enough restraint to prevent them from losing their professional decorum over an item used by women on a normal basis and found in almost all women's' restrooms.

When asked about unconscious or implicit bias there was a mixture of responses. Over 58% believe that RFD is doing a good job at providing training programs that promote understanding and mitigation of bias, while over 42% disagree or strongly disagree with the statement. The reality is that if you're human you have biases, we all do, but we may have different ones. In sociology it is recognized that we gain our biases through the socialization process, which takes place via the media, our peers, our family, and our experience within the K-12 school system. It is imperative to recognize we all have biases, discover what some of our biases may be, and develop ways to mitigate them. Bias can be either negative or positive but when we see a lack of diversity, which we do in the RFD, bias could be negatively impacting women and people of color on the job or those looking to join RFD. We must ask ourselves, who are the gatekeepers of the organization? Do they all look alike? Do they have similar ideologies and beliefs about what a firefighter looks like? We understand that being a firefighter requires a civil service exam and other checks and balances, but ultimately who is making the decision about who gets to attend the academy?



Being comfortable enough to be your authentic self at work is important as it provides psychological safety. The vast majority of those who responded (75%) feel that they can be their true selves while working with RFD. The remaining 25% either disagree or strongly disagree that they can be their true selves at work, which is problematic as we know it is difficult when we must hide who we are due to concern for job security or relationships with colleagues.

Belonging

Respondents were able to pick multiple responds to the question, "Within this organization, I feel like I belong because I am: Recognized for my accomplishments (31%), Treated fair and equitably (26%), Comfortable with being myself at work (33%), Recognized for my contributions to the team (37%), All of the above (39%), and lastly None of the above (22%). There was a total of 106 responses to the question, with 23 responding with "None of the above." For everyone to thrive in the workplace they must feel a sense of belonging. Where there is no sense of belonging, employees are prone to feel isolated, alienated and may dread coming to work.

There appears to be some fear within RFD. Over 43% of respondents indicated that they cannot voice a contrary opinion for fear of negative consequences. Fear has no place in the workforce and a cultural change must take place for RFD to create the type of workplace community where new ideas can be shared by colleagues without fear of retaliation. However, when asked about speaking up at work and having their opinion valued, a quarter of respondents disagree or strongly disagree with the statement while almost 75% agreed.

Considering the question asked before regarding voicing a contrary opinion the responses for this question are unique as we would assume the results would be similar. There is a large percentage of people (29% of RFD) who feel that they are "the only one," and thus showing a sense of representation within the Department. It is great that 71% of respondents rarely feel like they are the only one, but we must reflect on the demographics of the department as well as the demographics of those who completed the survey instrument. We know as noted above that some people did not self-identify their ethnicity and others indicated they belonged to ethnicities that they could not belong to as per the demographic information sheet we were provided by RFD. It appears that this survey instrument and exercise was a joke to some who took part in the data collection method, which is not acceptable as we are only trying to ensure that everyone feels welcomed and knows they are valued within RFD. Most respondents indicated that they feel they have things in common with others in the organization (79%). The commonality may have to do with the work they all perform and are all trained to do. Ideally, those working in the same field, especially one which requires team members to depend on each other for safety, have a high rate of commonality with others in

the organization as they are together to complete a certain mission (putting fires out, saving people's lives, prevention, etc.). They also spend a lot of time together due to the work schedules and living situations. Having commonalities is great and should help create a workplace culture of mutual respect.

Most respondents indicated that they feel respected by their coworkers (90%). We understand that respect is earned and not given specifically in protective service occupations. Respect and trust are major components to creating a psychologically safe workplace. More than 80% of respondents agree with the statement that RFD enables them to have a work/life balance. Having a work life balance leads to retention and a healthy attitude about the organization.



Evaluation and Promotion

Considering the demographics of RFD and those who completed the survey instrument, it is not surprising that when asked if employees of different backgrounds are encouraged to apply for higher positions, over 80% of respondents agreed with the statement. Within the diversity, equity, inclusion and belonging field, we recognize that it is hard for people who may have never experienced institutional or interpersonal discrimination to understand how embedded it can be within a system. Thinking that everyone has opportunities for advancement leads one to believe in meritocracy, which is a great idea, but historically and contemporarily it has not been something those in marginalized communities have experienced, often due to bias and restrictive policies.

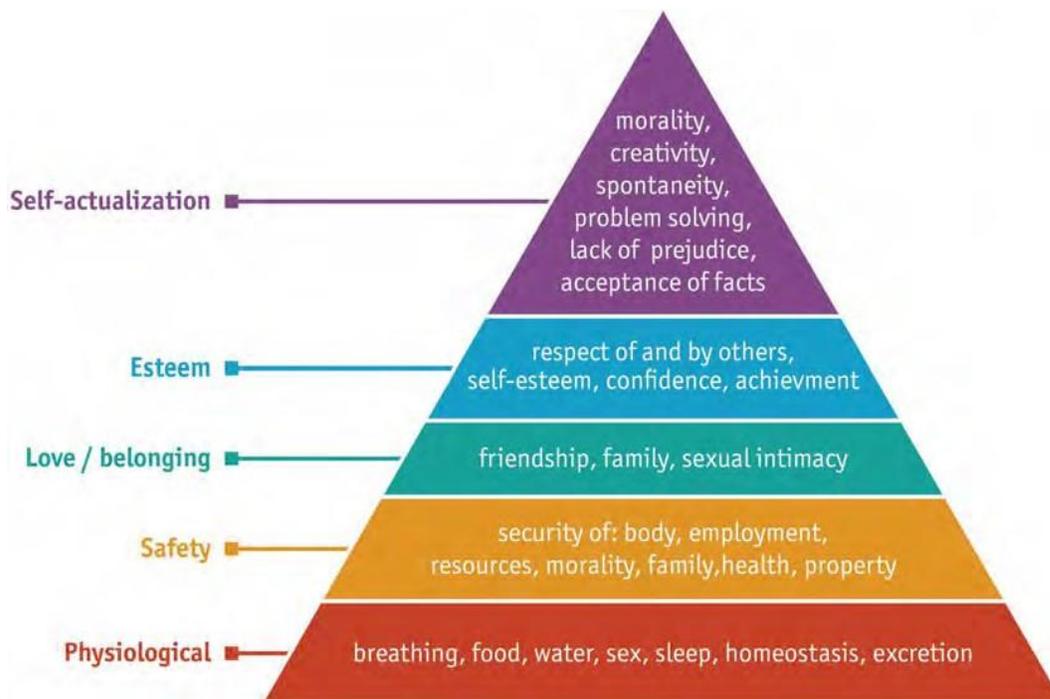
While 56% of respondents feel that promotion decisions are made fairly within the organization, over 43% of respondents disagree or strongly disagree with the statement. Promotion opportunities should be clearly outlined in policy along with requirements. When policies are clear, employees are more likely to believe that promotion decisions are made fairly.

Most respondents believe their job performance is evaluated fairly (77%). As with promotion decisions, there must be clear policies that outline exactly how job performance evaluations will be conducted. While conducting our focus groups we heard from various individuals that there is not a clear job performance evaluation system in place within RFD. Some subjects indicated that there are no quarterly or semi-annual meetings held with supervisors to review job performance. It is imperative that all organizations have systems in place that hold leaders accountable for meetings with their subordinates and provide them with a written evaluation, allowing employees to understand where they need to focus on improvement.

More than 83% of respondents feel that they are compensated relative to similar roles within the department. Pay equity is important for retention and recruitment purposes.

Just over 50% of respondents agreed with the statement that in a typical week they only feel stressed occasionally, this is great.

The firefighting profession can be very stressful in part due to uncertainty and constant change, yet only 8% of respondents indicated they always feel stressed in a typical week, while 14% indicated they feel stressed most of the time and 22% feel stressed at work about half of the time in a typical week. Considering that firefighters don't work a nine-to-five job and live together, some of the stress may be from things outside of the control of RFD, such as changing schedules, shift work, etc. Over 78% of respondents feel they are supervised about the right amount at work, which indicates a workspace that allows some sense of autonomy. The vast majority of those who completed the survey identify as male with women being the second largest segment and non-binary being at 4%.



Maslow's hierarchy of needs demonstrates the importance for humans to have a sense of belonging, physical safety, and physiological safety. As demonstrated in responses to the survey, there are some concerns about not belonging, potential esteem issues due to not receiving assistance when not meeting goals, and not being able to bring their authentic self into the workplace.

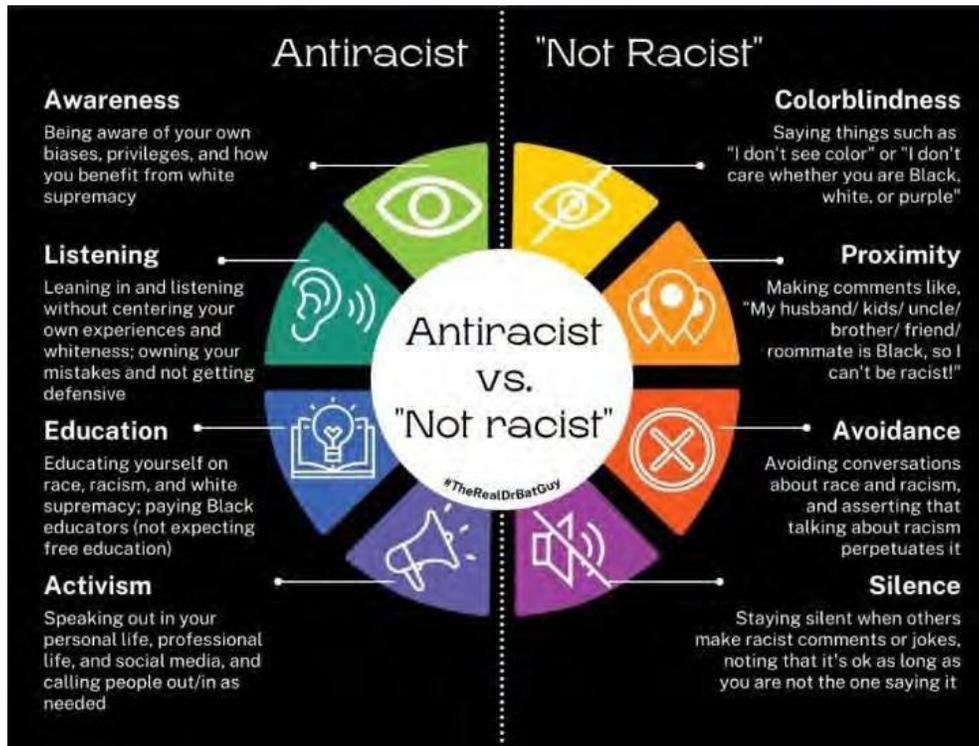
Some of the issues are due to what we believe to be a homogenous workforce. RFD lacks racial/ethnic and sex diversity. The reality is that people tend to be more comfortable with those who resemble them, and in the overall firefighter world, that continues to be male and European American (White). In the survey instrument we find that over 45% of respondents identify as White/Caucasian, the next largest group is Black or African American, followed by Hispanic or Latino and 26% preferred not to answer. Although the demographic data you gave us indicates you have one American Indian or Alaskan Native, we had over 8% check that box when identifying their ethnicity.

Two open-ended questions allowed respondents to share their feelings/ideas in their own words to the questions asked, with the first one being "Do you have any other comments, questions or concerns?" Out of 120 respondents, 61 skipped the question and 59 provided input. The responses reflected what we heard in some of the focus groups as well as what the qualitative data collected by the survey instrument document. Those responses follow:

- This is a popularity contest, and if you are not in the in crowd, the guys can be a little harder on you.
- RFD transfer policy is a joke, there is no equality in regard to transfers within the department. [ATD note: we find this sentiment in several of the survey responses.]
- We need a more stable set of upper management. More diversity in higher rank positions
- There is an inner circle within the organization that feels they can get away with being rude and disrespectful, these are people in positions of power.
- This career requires you to risk your life. I want to work next to the most qualified individuals. When we have our equipment on, we cannot see our co-workers' sex, race, religions, etc.

[ATD note: The above statement is a standard answer of someone within the DEI field that we call "not racist" as they say things such as I don't see color, avoid conversations about race and racism and asserting that talking about racism perpetuates it. Using proximity by making comments such as I have a black/Asian/Latinx friends therefore I can't be racist. Or stays silent when others make racist comments or jokes. We are not a colorblind society, and this response is but one example of people not being emphatic to the plight of some of their colleagues who deal with racist attitudes, experiences, and ideologies daily. This statement also fails to recognize the example that women have within a male dominant field. The National Fire Protection Association, in 2020 documented 9% of firefighters were women (Hodo).]

- I hope you can guide our department in the right direction and that your study helps with morale.
- It concerns me that COR allows men to belittle the female gender. The usual reasons are outranking them in position. You can file a complaint with HR, and nothing comes of it. It's concerning when another employee can yell and scream within the office and be miserable on any occasion and he/she is untouchable.
- I feel that making more of an investment in our youth in City schools about the career as a firefighter would be beneficial to our diversity.
- New people are WAY TOO sensitive for this job.
- HIRE and PROMOTE only the BEST, MOST Qualified !!!!! [ATD note: again another "not racist" comment as explained above.]
- Some errors or faults are looked at differently depending on who you are.
- Competence is the only benchmark that matters in this profession. [ATD note: again another "not racist" comment as explained above.]



Content and Graphic Sheva Guy, PhD

- I do not think the culture of the RFD is one of inclusion, and I do not think there have been any serious attempts to change that culture in any meaningful way. The system needs a serious overhaul, but given how ingrained the toxic behavior is, that task seems insurmountable. At every level, unconscious bias is running rampant. Microaggressions are not only tolerated, but most times, they are commonly accepted and overtly practiced. Microaggressions can overflow into macroaggressions and overt hostility. Upper management seems to turn a blind eye to all of it if they are handling things behind closed door, the perception is that they are not doing anything. Information is often gatekept at the lower levels, so some of it might not even reach the upper echelons, and communication in general seems to be lacking in both directions. There seems to be a major disconnect between upper management and the lower levels of employment. I do not see the culture changing in my career, and that is unfortunate as this is an amazing and fulfilling job. I am proud to be in the fire service, but I am not proud of our department in particular. I know a lot of the issues our department faces are issues with the fire service at large and are not unique to us. I also know other parts of the country are doing better with diversity and inclusion and have much healthier cultures. I wish I had solutions.

- We should hire a full-time recruiter for our department. ³
- Promotional processes and officer development programs need more support as well as outside training opportunity support.
- Please adapt any future surveys to this workplace environment. Safety for our community members and employees is our top priority.
- I am proud of the way RFD has grown and changed to be a more diverse organization. Moving forward we must emphasize performance and competency first and diversity second.
- Questions on this survey demonstrate there has been no research into the department. There are no employee evaluations so how can there be questions about them. Also, switching the order of agree and disagree from question to question is a systematic way to purposely skew answers on the survey, and call them valid when the survey is released if this is not caught by the people taking the survey. {ATD note: the comment about no employees evaluations was shared during several of the focus groups and is something that needs to be changed and written into policy.]
- These concerns are intangible and hard to measure. They are subtle and often go unnoticed, are minimized and are simply part of the overall tone that the Department only cares about one minority - African Americans. While they have similar challenges, women are "lower on the food chain" when it comes to addressing cultural and other underlying issues in the Department because, quite simply, we are not men. One female has retired from RFD. A handful that can be counted on one hand hold rank, desirable positions or are given clear respect by peers and superiors and those are not listed to by administration about concerns. ⁴
- I am uncomfortable and insulted about being asked my age, (ageism), gender, or race...if this is an impartial survey then it shouldn't matter. [ATD note: standard not racist answer and shows some fragility (Hodo).]
- Yes, you can't ask the people who created a toxic culture to fix it now. The only way it's going to be fixed is with someone from outside the fire department.
- When I answer questions that include the words coworkers, I am referring to the entire department, not only the people on my crew. Questions regarding the organization I view as the political staff upper management aspect of the department, as it heavily differs from the actual personnel "on the line" of the department. I think it is easy to get comfortable with your crew, but the department as a whole definitely needs improvement when it comes to diversity within the PEOPLE and the acceptance OF different cultures/races/ethnicities. Also, while I may be comfortable or feel okay in specific situations, that is solely because of the person I am, the person I made myself to be, and my control over what I allow from others. I can't say that is the same for others. So, while I may feel comfortable being who I am, I know from experience that is not the case for all. Therefore, there is definitely change that needs to occur.

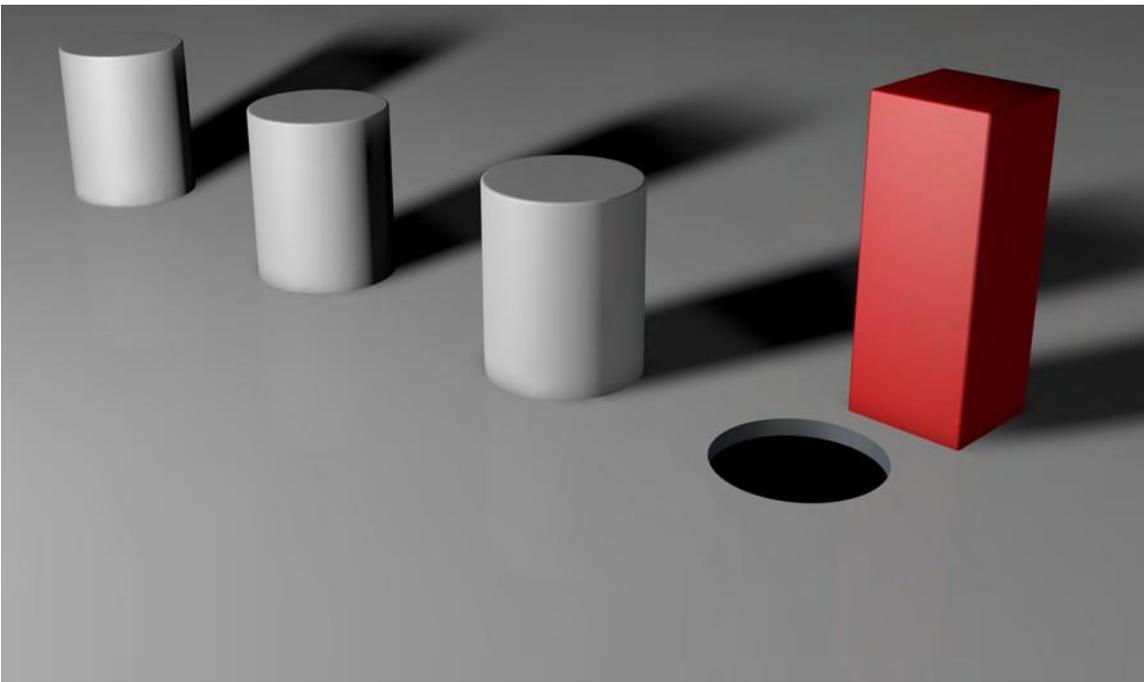
³ We heard this several times during the focus group sessions too.

⁴ This answer demonstrates the frustration felt by some RFD females.

- The administration's agenda for diversity and inclusion has resulted in a complete loss of standards in hiring practices, training, and now has cut the length of the academy. At the current rate the organization is facing long-term systemic issues and we have not entered a phase where life safety for the citizens and firefighters of the RFD is at stake. People are going to get injured, hurt, or die if something does not change immediately.
- Yes. The box is not possibly big enough to explain. Also, hard to use these generic questions to answer based on. For example, "My team" could be my immediate crew, my firehouse, my group. These make a huge difference. You should have written questions specific to the fire department.
- Why are all female officers on grps 1 and 3? Why aren't there any females on truck companies? Why are most the females on groups 1 and 3? Injuries by women on the fireground and off are not taken seriously by chiefs. Hard work by women in the FD is often overlooked and not appreciated. [ATD note: This answer demonstrates the frustration felt by some RFD females.]
- The number one priority of each employee should be their ability to safely do their job regardless of background, race, sex, etc. [ATD note: standard not racist answer.]
- You have started this questionnaire off poorly. Why was question #11 different than every other question? Every other question was Strongly agree to Strongly disagree. When you asked if Employees help each other out. You inverted the answers. It leaves us wondering if that was on purpose so that you can come back and say to your employer "See they hate each other, and no one helps each other out". You have already created doubt! What are you up to? Can we trust you or your instructors? So far, the answer is no because you tried to trick us already! If you are disingenuous with us, we will be with you! I want to see our department get stronger, smarter, and closer as a group of people who all have to do life together here! I want to be treated fairly and I want to treat people fairly. When I screw up, come down on me like a ton of bricks and make me better. I will do the same to you. If you have stuff going on in your life and you WANT help, I've got you. Because I know some day you will have me. But if you mess up and you don't want to be better. You just want to 'collect a paycheck and sit on your bum'. I have no use for you in this profession! You can tell me to be inclusive, but I do not have to respect people (of all types) who do not take this job seriously and do not perform professionally. [ATD note: this answer demonstrates a lack of trust and suspension.]
- Upper management should have to follow the same rules that they are holding their officers to uphold.
- The city is more concerned about the optics of having a diverse workforce rather than a competent fire department. Sometimes this is even to the detriment of the perspective candidate. When the exam for firefighter is administered and the results come back to the city (Mayor's office, Fire Chief's office & HR) the city should not be able to know the gender, age, race etc. of the perspective candidate. All the city needs to know is how many people scored in what brackets of the exam. The city should hire the best candidates blindly rather than looking to see how much diversity they can get into a class without violating civil service rules.



The graphic above demonstrates how bias tends to work when we think of career fields. As noted, the one that is a woman's image has items such as a blow dryer, makeup, and pen. The male image has a hammer, drill, and other mechanical equipment. We continue to see an overrepresentation of women in fields that are deemed female oriented such as secretaries, hairdressers, and teachers. The graphic below is what performance bias resembles. It is about belonging to the ingroup or the outgroup within an organization. Acknowledging that every human being has bias, we see it play out in the workplace through different types of bias. Performance bias happens when a certain career field is dominant whether it's a particular group or sex. Considering the small number of women in RFD they may be viewed as part of the outgroup, which is indicated by some of the statements made during the focus groups and as part of the open-ended questions on the survey. Performance bias is bad because people will judge those in the dominant or "in-group" on potential, while those in the out-group are judged on performance, thus creating inequity.



The first female volunteer firefighter was a slave, Molly Williams in New York who is credited with being a part of Oceanus Engine Company #11 in about 1815. As a slave she was not paid for her services or acknowledged with a pension. Women didn't integrate the field in significant numbers until after the passage of the 1964 Civil Rights Act.

A little over 43% of respondents indicated that they feel their contributions are always or most of the time recognized by RFD. More than 33% believe their contributions are only recognized occasionally and 8% don't believe they are ever recognized for their contributions. We must know how each employee likes to be recognized. Emotionally Intelligent leaders are self-aware and engage with their employees often, which gives them the opportunity to understand how and if people want public recognition or recognition behind closed doors. But when it comes to direct supervisors, we see a different response as most respondents believe their supervisor listens to employees' opinions when making decisions (55%). Almost 30% of respondents think that somewhat often their supervisor listens to employees' opinions in the decision-making process. It is important for employees to know that if they provide input, for example, into ways to effectively make working conditions safer that their supervisor will at least consider it.

When asked how much do respondents think their opinions about work matter to the department, the majority indicated a moderate amount, a little, or none at all (72%). Only 28% of respondents indicated their opinions matter a lot or a great deal to the department. To create an inclusive, effective, and efficient workforce, employees must know that they can freely contribute ideas to leadership that may improve working conditions. Most respondents indicate that they believe RFD does a good job working with the community (72%). Community engagement is a great way to recruit as well as for community members to feel comfortable speaking with firefighters about any concerns they may have within their neighborhood (e.g., abandoned buildings, homes without smoke detectors, kids setting fires, etc.). 40% of respondents indicated that the department inspires them either a great deal or a lot, while 26% are moderately inspired and 21% are only inspired a little. 14% of respondents indicated that the department doesn't inspire them at all.

Only 6% of respondents don't feel their coworkers are understanding. The vast majority agree with the statement that their coworkers are extremely understanding, very understanding, or somewhat understanding (94%). Not one person chose "not at all understanding," which indicates the relationships that are developed in RFD are strong. Empathy is when we can see things through someone else's vantage point, this question demonstrates that employees must have empathy for one another. Most respondents believe that members of the department work together extremely well or very well to reach a common goal (79%). In the fire service field, it is imperative that colleagues work well together as their lives literally depend upon one another. Just as in law enforcement and the military, trusting your colleagues is a major factor in being able to successfully do your job.

The second open-ended question allowed respondents to provide actions they would recommend to RFD to build a better workplace. Out of the 120 respondents to the online survey, 76 provided input while 44 skipped the question. The comments are below:

- Culture is very good.
- Issues are at the top with command staff.
- More communication from the top down where appropriate
- The workplace in general is very well managed and I can't think of any way that it could be bettered.

- Stop looking at everything as the "right color/gender/etc.". This is a life-or-death job, only the most qualified candidates should be in position. This departments "need" to right every wrong by putting people in place that aren't qualified to babysit a potato just because of their ethnicity is stupid, dangerous, and going to get someone killed.⁵
- Fill management positions that have been vacant for months/years. There are many supervisory positions that are open and there is no clear direction since nobody knows the direction because nobody is in that position. It's pretty hilarious actually.⁶



“You have to do something in your life that is honorable and not cowardly if you are to live in peace with yourself, and for the firefighter it is fire.”
- Larry Brown.

⁵ ATD note: This is another example of the “not racist” ideology that we have seen throughout the open-ended questions and further shows the lack of historical knowledge those on the job have about the experiences of ethnic minorities and women. The vast majority of Fire Departments were not integrated until the passage of the 1964 Civil Rights Act and even with the passage there was a lot of resistance.

⁶ This indicates a need for clear policy informing others how to move up the hierarchy of the organization.

- Declare a full-time permanent Fire Chief that is committed to empowering our Deputy Chiefs. Put an end to nepotism, favoritism, and ageism, and stop this mushroom management, where we are kept in the dark and feed manure. [ATD note: This leads to concerns about how communication is shared with those in the firehouses.]
- More vacation time.
- Train members in recruitment tactics and travel to local military bases and recruit military members that have honorable discharges and are already trained with a great deal of knowledge and experience to offer our department.
- By making sure that the same opportunities for all are fair across the board.
- Keep doing what you're doing.
- People should be judged more off of their work ethic and not if they're liked. [ATD note: another example of a "not racist" ideology, which has run throughout this survey instrument.]
- Actually, demonstrate the city's fairness policy, not just for show.
- Implement a performance review system for all employees whether you are a firefighter or a boss.
- Start holding people accountable.
- Treat and promote everyone fairly and equally.
- Treat everyone fair and equitable. Have standards they enforce. Have consequences for bad actors. Share information with everyone. Better leadership is needed. Professional development needs to exist. Succession plans need to be in place. Train supervisors how to be supervisors. Be more selective with promotions. Conducting Performance evaluations.
- Opportunity to take advanced training and be placed at busier companies earlier in career.
- People should be judged more off of their work ethnic and not if they are liked.



- More training.
- Institute a formal investment plan for continuous firehouse infrastructure upgrades and building replacement plan to improve workplace living conditions. Current building conditions are poor. Designate separate locker rooms for male and female employees in all firehouses. Establish a formal Fire Officer Development program for those who wish to advance in rank as a Fire Officer. Establish specialty training incentive program. Overall, continue to invest in the people that keep the city safe.
- Doesn't matter because it will never happen until the old guards are all gone.
- Stop the discrimination / reverse discrimination and promote based on job performance.⁷
- Increase diversity through succession planning.
- Treat everyone the same; no favoritism in any direction. We should be doing more diversity training at work.
- Check in with employees more often to address concerns and take suggestions for solutions.
- Almost anything other than what they are doing. They conform to the city training guidelines for diversity and inclusion, but that is all the training that happens. Considering that is a generic training, it really does not open any minds or meaningfully change any behaviors. The department can train Chiefs to unravel the system of favoritism and discrimination that happens almost daily. They can stop tolerating the toxic traditions of the fire service and alleviate the systemic bias ingrained in recruits right from the start. They can stop tolerating management who treats this job like a popularity contest in high school and treats people unfairly under the guise of "suitability" or "manpower."
- When it comes to diversity/ inclusion training I feel supervisors should receive additional training above the main workforce. This training would outline their role, inform them in greater detail what to do when issues arise, and clearly define their responsibility. This might have solved some of the issues our department has had over the past few years. To answer question number 27 a bit more. I feel as if our department does not have a clear defined path to promotion written out. Every so often a senior Officer or Chief will assist and encourage someone to reach out for promotion, but the department does not Officially recommend or encourage a process. In fact, only until recently do people who act out of title (firefighters acting as Lieutenants) receive training to better equip them in those positions. This training typically lags behind these individuals acting in those supervisory roles.

- Get rid of the EDCO - he is chauvinistic and harassing. Don't allow upper management to belittle the employees and if they are caught doing so, reprimand with a warning, and the 2nd offense is termination. A sexist, hostile, demeaning, and work environment is unproductive and stressful. ⁸
- Give more training on professional development and team bonding skills.
- I believe the department is doing more than enough.
- Hire based on ability to perform.
- Hire the MOST qualified applicants based on accepted firefighting standards, irrespective of ethnicity. Promote the MOST qualified employees based on accepted firefighting standards, irrespective of ethnicity.⁹
- They are headed in the right direction.
- Put people in positions that they have the skills/experience and work ethic for.
- Actually, follow through and address issues when brought up through the chain of command.
- Incompetent people should not be promoted. If job performance does not match civil service test placement, poor performers should be passed. The most Senior Management of the Department have caused harm to the Department.
- Stop making diversity an issue where it is not.
- Fairly enforce existing policies. Hold people accountable for their actions. Actually, enforce existing recruitment standards and not place political needs ahead of the safety of the public and the members of the department. Minimum of once-a-year leadership needs tools to assist them as more women come into the field. While women don't need special treatment, they do need to be treated equitable.

⁷ In the DEI field we recognize that reverse discrimination is an emotional response typically made by someone who has never dealt with not being selected based on a social construct such as gender ideology or race.

⁸ This answer indicates serious problems surrounding gender. Considering the low number of female firefighters with RFD sexual harassment training should be conducted more than a

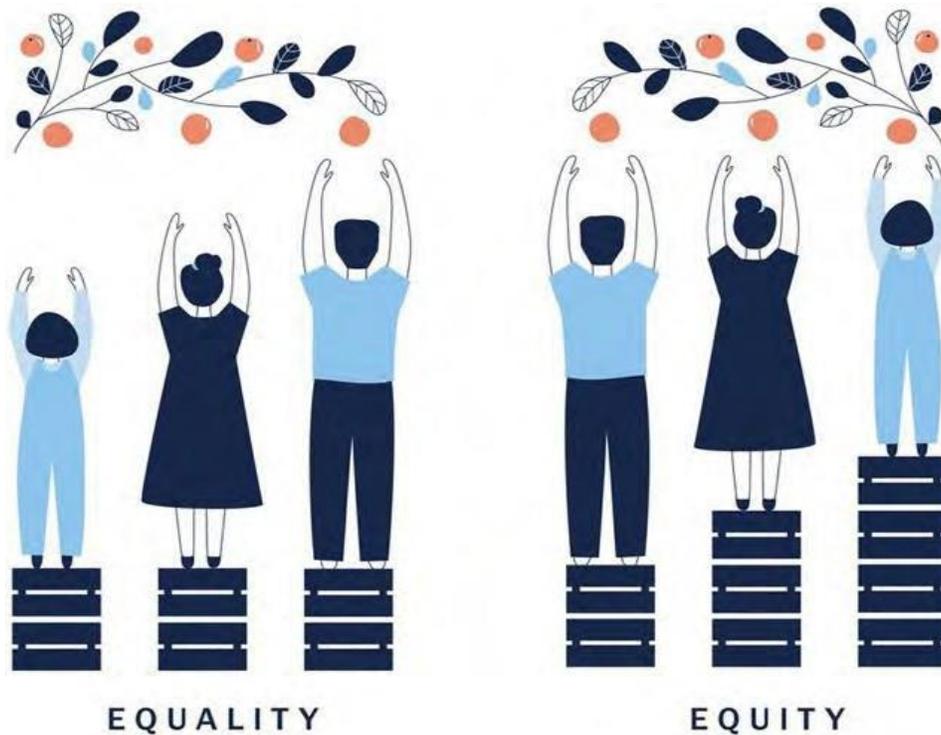
⁹ The above is another example of a "Not racist" statement.

- So many things there are too many to list. Separate changing areas for women with enforcement of this practice. Enforcement of firehouses allowing tampon disposal receptacles to remain in place. Enforcement of gender-neutral bathroom signs to remain in place. Doors on bathroom stalls. Private shower areas. No, the women should not have to change in closets while men are allowed to change freely in designated changing areas. Modesty policy for sleeping such as assigned shorts and t-shirts. Tightly-whiteys should not be allowed. Clean pillows and mattresses. Men who are held accountable for outward sexism such as telling women not to touch tools and not be "barn burners." Women's fit uniforms. It's 2023 and we really can't get women's-fit items in a timely fashion? "Gender neutral" uniforms are not gender neutral. They fit men. How about we have all the men wear women's-fit uniforms and call them gender neutral? Attention to subconscious actions such as men shutting women down in meetings and discussions. Women being allowed to compete fairly for desirable positions they are qualified for rather than not training them because they are not 'liked'. Consideration of different abilities of women in recruit academy settings. Pushups are the 'corrective action' for everything? How about making the guys do squats or sit-ups so they can be seen as weaker at times? Academy instructors have been made aware of this, but they still ignore it and think pushups are symbolic of toughness and capability of doing the job. Allowing women to work together more frequently. Getting rid of playboys and other old pornographic items from the firehouses. Desktop screensavers in public spaces should not be "hot" women. Including images of women in firehouse artwork instead of the traditional 2-white men artwork we see at so many firehouses. Teaching young men and boys that it's not appropriate to discuss their sexual escapades on a routine basis. Shall I go on?
- Additional mandatory training on diversity topics throughout the organization and organizational messaging that encourages and rewards creating inclusive work environments.



- Believe that when there are differences and specifically RACIAL (micro)aggressions in a crew or the department, it should not be taken lightly, actions after should not be passive of the issue. There needs to be more discipline when it comes to what is not allowed, otherwise it will continue to encourage the behavior. Instead of just a slap on the wrist there needs to be consequences that include educating the antagonist.
- Stop having a company dumping ground. Each area of the city deserves good fire protection. Have a program that allows all personnel, the cycle in and out of fire companies in an equitable and fair system. Have a promotion system, not based solely on an exam. There are elements in civil service law, including Rochester policy, that allows for State and national certifications and additional ways to test applicants. Allowing candidates to use the bathroom during a test to get on their phones and look up answers does not make them suitable candidates for the next higher rank. Allow everybody the opportunity to prove themselves, even if it means giving someone a second chance.
- Address issues when they are small before growing into larger problems.
- Recruit better. Mentor better. Promote based upon qualifications and ability.
- Everyone be themselves and keep positive energy, if can't do that keep it respectful and pushing.
- Replace the chief that clearly only respects those that look like her.¹⁰ Care about your employees, invest in them, train them, start listening to their ideas. The administration has an agenda which hurts its employees and does not reward the hardest working employees.
- I feel that sometimes in certain situations we fail to reward or discipline in a commonsense manner, because we're trying to be so politically correct.

¹⁰ Since the chief is an African American female, this sounds like a claim of reverse racism, which we explained is an emotional response from people who have been accustomed to always seeing those that resemble them in positions of power.



- Start treating people fairly. Follow the same rules for everyone. Stop allowing discrimination and handle complaints instead of ignoring them. Provide a safe working space. Have clear lines of communication. Have leadership that is able to manage people and not just try and be their friend. Stop allowing this to be a "good old boys club". Respect everyone brings different life experiences to the table, appreciate them. Provide facilities for women. Do something instead of providing lip service to equality and equity. Improve hiring practices by providing a recruiter and actually recruit individuals that better represent the city.
- Make more programs to encourage a more diverse work environment.
- Stop with the "good ole Boys club" and the nepotism.
- Train people with appropriate time to do the job. More access to training.
- Treat everyone based on their work ethic, skills and not on gender or ethnicity. [ATD note: Another "not racist" comment.]
- Communication from senior leadership. Fix workstations.
- If your company is going to do this training and you want it to be successful, then you need to do your research! The fire service, locally and nationally, has a culture all of its own. Unlike what the city and current RFD administration believe it is not just a "good old boys club". Whether a firefighter is male/ female or liberal/conservative or minority does not matter! They are part of our brotherhood/sisterhood that is the nation's fire service. But if you do not follow the rules here you will get someone killed in this job. We have firefighters of all sorts (young/old, majority/minority, male/female) who are doing stupid things and hiding behind "ideas, opinions, beliefs" when their colleagues call them to answer for their mistakes. The city's desire to show this inclusivity is allowing these

dangerous behaviors to continue because 'we' don't know how 'they' feel. Just do the job the right way. Follow the rules. Treat everyone uniformly more than 'fairly' (as your question was worded) because NO ONE has an equal definition of fair.

- This department needs to stop hiring people based on their gender, sexual orientation, ethnic background, political connections, nepotism and/or religious beliefs to create a "diverse" work environment. The fire department needs to start hiring candidates based off of their ability to perform the job and will actually be competent on the line.
- Continue to adapt to the changing needs of its members.
Promote diversity training,
- Offer bonuses regularly.
- Put more emphasis on the actual job requirements and less on what people look like.
- Be more transparent when dealing with personnel. When there is a problem amongst co-workers treat all members the same when investigating the issue.
- I think they are doing a good job.
- Focus on training as firefighters; hire people that can do the job regardless of race, ethnicity, sexual orientation, etc.
- Uniformed staff supervisors need to be more approachable, promote teamwork, appropriate training, and make clear expectations as to what they expect in the workplace.
- Increase the training budget for the line division.
- Value competence of candidates for employment, even when it conflicts with their DEI initiatives.¹¹
- Be more proactive and less reactive.

¹¹ A "not racist" comment

Focus Group Trends based on the questions asked (see Appendix A) Excerpts are from the focus groups that are relevant.

The following are some of the key takeaways from the focus groups. When a participant is quoted directly there are quotation marks around their comments. When there are no quotation marks, it is a summarization of what was shared with the group.

1. Why did you choose to become a firefighter?

Many respondents indicated they chose to become a firefighter because they could make a positive impact on their community. Good job with something new taking place daily.

Great benefits and you can retire after 20 years on the job.

High School offered a firefighter program during junior and senior year. Receive mentorship and firefighters come in and teach the course. The program isn't advertised enough, not sure that all high school counselors know about the opportunity. People need to understand this is not a shop class, it's a specialized career. Earlier you had to go to East high to participate in the program but now it is offered at all City high schools. [ATD note: We found that there was/is a stigma associated with the high school program as some people feel that those who come through the program circumvent the civil service test and are not qualified to be firefighters.]

Several participants indicated they chose to be a firefighter because they had family members who were or are on the job (father, brother, uncle, etc.).

Everyone truly seemed happy to be a firefighter but had issues with certain aspects of the climate, culture, hierarchy, etc.

2. How would you describe the culture within the RFD, and do you feel the culture is inclusive to all members of the department?

We heard lots of conversation surrounding the idea of color-blindness, such as "In four-person teams, we don't see race when we go into a fire, sometimes we can't even see who is with us." This is one of those "not racist" responses we saw in the online survey and heard a lot during the focus groups.

Another example, "Doesn't feel there is a racial problem." "People are too hypersensitive."

Respondents discussed a toxic climate that has been in existence for years but has not been addressed due to unstable leadership. They were not surprised by what happened with the recent lawsuit. Several people stated that they knew the captain who took his crew to the party was racist as he had said and done things before but had gotten away with it.

"We have a lot of work to do. At times it is very toxic." "Similar to locker room culture." An example: "As a Latino firefighter, it was previously--years ago, a "good ole' boys club", it has gotten a little better. Some firehouses "beat their chest" more...but some are more boisterous than others.

"No different than any other fire department. Type A personality. As a woman it is not very welcoming." Another female firefighter spoke about someone urinating in her locker a few years ago. Women must prove themselves more, lots of microaggressions, which are those everyday slights those in marginalized communities experience such as telling a woman "She's pretty strong for a girl. Another female stated, "There are no women's locker rooms...men and women sleep in the same area. It's not right...they put a sticker on the wall to designate sides....and put a portable divider in the room."

In certain situations, you must go along because you are a family. One guy refused to shake hands with another firefighter (minority), and it blew up. Biggest insult in 27 years, 3 guys at a table having a very racist conversation and one said, "you're not like them," [ATD note: prime example of a microaggression.] He was told he wasn't that black. He stated he decided to work with them although it hurt him to his core because he wants them to back him at the turn at the top of the stairs.

"We don't have a policy and if someone writes something offensive on this Facebook page or Twitter, nothing happens. Someone said people can get their shit and go back to Africa. Nothing was done. In private industry, this guy would have been fired." [ATD note: We probed the respondent about this statement but could not get the name of the firefighter who allegedly made the post on their Twitter account, we could not find out when the person allegedly made the post. Everyone in the room knew about the post but would not provide us with any more details.]

"There is no policy that prohibits these people from doing racist or sexist things. They use racist words from a song, and nothing is done. Management doesn't know these things occur. We must enforce conduct unbecoming of a fireman. If you are on the job, you serve the community and it's your job to be at work 24/7 and act appropriately."

"Have not had a Fire Chief that has lasted more than three years." Statement was made when someone stated that "there are a lot of fingers pointing back and forth. A lot of paperwork has been put on this person about inappropriate behavior, but the Fire Chief is gone, and he is the only one who can promote, demote or fire an employee."

It was explained to us that the Executive fire chief investigates and then draws the charges up for the law department to review. But due to not having a consistent Fire Chief in three years we don't see any consequences for bad behavior, racially motivated or sexually motivated (Hodo).

A participant in one of the focus groups stated, "The HS folks are still having to also prove themselves more compared to others who just come to pick up a paycheck. Maybe they don't have a good leader in the house...there are many "acting" lieutenants and leaders in the stations. No solid mentors who have the experience or leadership skills to build a positive culture in the station in the ranks."

Of course, there were respondents who thought the culture is good. Some indicated the firehouse was like being with family but noted not everyone is best friends with everyone. Some feel the department is pretty inclusive and compared it to the military (Hodo).

Statement made about RFD being cliquey. Discussed "Cabin Fever" and how when it is slow the guys get testy.

"Most people coming out of the academy are qualified, but some are not. When incidents happen, it represents us in a bad way and the response feels like punishment."

The above conversation was surrounding the high school program and when RFD focuses on bring minorities to include women on board in large numbers. It was inferred on many instances that RFD has declined as it has become more integrated/diverse-- this is an issue and one that is not unique to RFD but to many organizations as the demographics chart indicates (Hodo).

"If you can do the job people who really love the job only care about that. If you can't do the job, it doesn't matter what you look like."

3. How do you feel the RFD's diversity compares with the community it serves? Do you think this has any impact on the department?

"We don't look like the city of Rochester. That is why they keep the residency requirements. However, it fails, because people don't know about it. Even if they send people out to recruit, they may not be trained to be effective (they are voluntold) and may not even have the money to hire them...unless we are trying to replace retirees."

"We were looking to hire a full-time recruiter and another deputy lieutenant. Budget department only approved the lieutenant...but we have enough of them...we need the FT recruiter."

"The school program is for students in the Rochester school system to provide jobs and training, so they don't end up in jail. 70% of the students are minorities."

"In the last fifteen years the department has become more reflective of the community."

"With the minority thing...when you go down Lyell have/Clinton/Dewey...those people may not know about the Civil service test coming up. Many people don't even know it is a possibility for them. People said to the one female crew member, "they let you on the fire truck?" another FF responded..." yes and they even let her vote!"

"There is a big disconnect between the CITY and RFD...these people never really meet or understand each other as stakeholders. There is no collaboration or proactive alignment."

"The City is 50% minority but the depart is 20%."

"Good to have a Spanish speaker on your crew because sometimes the people don't speak English. We only have a few Spanish speakers on crew."

It is not necessarily DEI issues...there is favoritism and inconsistent treatment that only benefits the leadership in the "ivory tower."

"It's competence vs. diversity. I would rather have competent people."¹²

¹² The statement made above indicates that this person doesn't seem to think you can have both diversity and competent people, which is another example of "not racist."

4. Given our conversation today, what immediate steps do you think RFD can take towards improving diversity, equity, and inclusion?

"They need to claim responsibility for fixing the issues. They need to follow through and the Firefighters need to see that things are moving...that they have transparency and want to see results."

"Would like to see more black people on the job?"

"More training, professional development from the time you are a recruit until you are an officer." "Information about what the requirements are to progress to the next level."

"Evaluations, there are no formal evaluations."

"A full-time recruiter that has their ear to the ground, that knows and has the pride of the city."

"Department isn't set up for gender diversity. The bathrooms are not usable for women if a man is using it. Years ago, they put up Unisex signs in the bathroom."

"There is an issue with changing quarters for the women." "Require firefighters to live in the city."

5. Do you feel diversity, equity, and inclusion initiatives could impact the effectiveness or efficiency of the RFD? If so, in what ways?

"Good to have a Spanish speaker on your crew because sometimes the people don't speak English." "We have a bias in promotions. It is benefiting minorities. It's the 1 in 3 rule."

6. What do you believe could be the potential impact, positive or negative, of a more diverse and inclusive RFD?

"Personal drive is important."

"Signs on the wall for the unisex restrooms and tampon receptacles--Signs torn down, and House Captain did nothing."

"Members are too intimidated to speak out about wrongdoing. They may tell it to someone outside of their house. There are layers of leadership. A person may talk to senior managers."

"Someone said no female is going to make it through. Another female outshot the guys, and they kept trying to put her out of the academy. Someone has to stand up for other people and challenge what is happening. In 2014 some females were forced out who were qualified; complaints were made and some of the trainers were fired."

7. Some People may have concerns about diversity, equity, and inclusion initiatives. What, if any, concerns do you have and why?

"Minorities are behind."¹³

"Increase DEI by getting more money to hire more people."

"There used to be different treatment if you looked differently. Slippery slope when we just accept people based on that. In the academy it doesn't matter. I feel the city is headed in that direction."

"There was a different standard for a minority who couldn't do a skill. The minority would go through and get into the department, but the white employee would not."¹⁴

"The city doesn't wash anyone out because they need the bodies. Otherwise, people will have to work overtime."

8. In your opinion, why might some members of the RFD be resistant to the ideas of diversity, equity, and inclusion?

"People don't like change."

"You shouldn't force it on people."

9. Can you share an experience where you felt that a focus on diversity, equity, and inclusion led to a negative outcome? How do you think it could have been handled differently?

Participants shared an experience with bias training by Human Resources and indicated it went horribly. One of the trainers was called out by another and that helped the session. The group didn't go into much detail (Hodo).

"People shouldn't just be brought in to achieve diversity. They must be qualified. One man said they tell them we have spent too much money to let this person go. There are people coming in who don't know what they are doing. Some incompetent Lieutenants are sent to functioning fire stations to make them look like they know what they are doing. Its hundreds of thousands of dollars for training new recruits. Not allowed to look at subjective information on a recruit. Some recruits are going to get someone hurt. Should have to take a CPAP test to become a firefighter. The CPAP was used but weeded out too many people. Make them pass the CPAP before they go into the Fire Academy."

¹³ This statement was made by someone we could tell has a better understanding of the historical and contemporary policies that have impeded minority communities.

¹⁴ This statement indicates that the respondent doesn't believe things are equitable and that minorities are given an advantage.

"Doesn't think the department is racist. They just want everyone to do their job. Some use race or sexual orientation as an excuse. One Engine House was all African American and they had a lot of problems. They were all eventually transferred out."

"Equity board was put in place through the city of Rochester as a prior solution to previous issues, had a great idea, but then it fizzled out. Person was active on the board and recruited others to spend their time and effort but was not getting any traction or approvals."

10. **Given our conversation today, what immediate steps do you think RFD can take towards improving diversity, equity, and inclusion?**

"Apply the rules consistently. The rules changed based on the situation. The word suitability is applied a lot. Sometimes they are flexible about the rules and sometimes they are not and will follow the rule to the letter of the law."

"Hire more people to the same level it used to be. Previously had 100 people. Now only have 80. 25 people are hired each year. There is one academy a year which lasts 6 months."

"Why aren't they going into churches to find out why we don't reflect our community."
"Rochester was/is number 2 for regarding the proportion of gay residents."¹⁵

"We don't know how many (gay men) that are in the department. People know your sex and can see your race."¹⁶

"We need to be more proactive than reactive with a formal plan in place to execute these solutions."

"We will have five different chiefs within a 3-5- year period, that is a problem."

"They need to claim responsibility for fixing the issues. They need to follow through and the firefighters need to see that things are moving. We need transparency and want to see the results. "

¹⁵ The above statement was made by a person who indicated that males couldn't be out (sexual orientation) in RFD as they may not be received/treated inclusively and that is a big portion of the demographic of the community (Hodo).

¹⁶ This was a continued conversation surrounding sexuality and the ability to live your authentic life without fear of being isolated or treated poorly.

"Prioritize issues (1) Health & safety to be built up to higher standards and then you can go to recruiting, (2) Communications between Monroe County vs. City, (3) Recruiting for diversity and inclusion."

It is important to note that we had one Engagement question at the beginning to get respondents comfortable with us and the focus group process. We then proceeded to ask up to eight exploration questions and one exit question. As noted, not all focus groups got through all the questions asked as we allowed respondents to lead the conversation if they remained on topic.

Recommendations



As we review the Demographic information received, we note that there are a total of six Deputy Chiefs and all but one is European American. The interim Chief is an African American woman, Chief Teresa Everett. Deputy Chief Hudson, Executive Deputy Chief of Administration is also African American, the Executive Deputy Chief, James Hartman is responsible for Operations, which includes supervising 441 Uniformed Firefighters, who are assigned to 20 different Fire Companies working out of 15 Fire Stations--as per his LinkedIn page. Deputy Chief Jeffrey Prince, Group 1, Deputy Chief James Ryan, Deputy Chief David Kaltenbach, and Deputy Chief Edward Kuppinger (Fire Marshall).

The leadership doesn't resemble the community that RFD services. The four operational Deputy Chiefs (Prince, Ryan, Kaltenbach and Hartman) are European American males, considering conversations that took place during the focus groups this raises an issue as well as the information obtained through the online survey. We share the overarching concerns and recommend several items:

- The culture of the fire stations must be addressed as it appeared very toxic to us as we engaged with fire fighters. There is a lack of trust and transparency, which can only be addressed by leadership.
- Implement a formal evaluation process. Evaluations should be conducted biannually for each firefighter by their immediate supervisor.
- As per the respondents, some firehouses are better than others when it comes to being inclusive and others are not doing a good job at all. Sensitivity training could be beneficial to all as some things are left better unsaid. We recommend some training on the historical aspects of racism and sexism and how certain groups were prevented from entering certain fields, purchasing homes (housing covenants, etc.).
- A review should be made about the financial feasibility of hosting a fire academy. If RFD maintains the academy an analysis should be conducted regarding who is deciding who gets to stay in the academy if a cadet makes an error. There must be clear policy about if/why a cadet is dismissed, it should not be subjective.
- Create a formal Mentorship program.
- Must have a clear line of hierarchy for complaints and follow up within 14 to 21 days.
- Emotional Intelligence (EQ) training for leadership. EQ consists of self-awareness, self-management, empathy, self-motivation, and self-regulation. EQ has already been built into the response to the solicitation and will be taking place with leadership during the second phase of the contract.

- Money needs to be put into the physical aspects of the firehouses. Respondents shared that there is mold in some firehouses. Women should have their own changing space, bathrooms, and showers. No one should be working in a space that is environmentally detrimental (mold, leaks, cockroaches, etc.) to their health.
- Training should be conducted on microaggressions and implicit bias. This training can help with engagement in the firehouses between firefighters and with how they engage with the community. Training on microaggressions and implicit bias was already built into the response to the solicitation and will be taking place with the second phase of the contract.
- A review needs to be made about who gets to go to busy firehouses. Participants stated it was a popularity contest and that some firehouses see/experience more fires than others and they all want to engage and learn from the experience of fighting fires regularly. Maybe more of a rotation basis can be implemented to allow less experienced firefighters the opportunity to go to high volume firehouses.
- This contract includes creating a strategic diversity plan, which is needed if you are to address the lack of representation in RFD. It was shared that often background checks can hinder the employment of those in lower-income communities, which often happen to be communities of color. There is a direct correlation between race, which is a social construct, and socioeconomic status due to historical and contemporary policies such as lending practices, discrimination in housing, the school-to-prison pipeline, etc. This portion of the contract has allowed us to review recruitment ads, which we believe meet the standard of best practices as they include versions in Spanish, are in diverse media and use diverse methods to notify the community that opportunities exist within RFD. We must note that we find it interesting that all RFD advertisement includes people of color when a person is pictured, but that is not the true demographics within RFD. Business cards and all recruitment methods need to also be in Spanish. The business cards we were provided were only in English.
- Educate high school counselors about the great opportunities with RFD. During the focus groups some participants shared that many high school counselors don't know about the opportunity to join RFD or chose not to share the opportunity with students. Relationship building is necessary to create trust with guidance counselors.
- Discuss and dispel the stigma that is associated with the training program that is offered to high school juniors. It was clear that some of RFD personnel do not believe those who come from the local high schools/training program are qualified to be in RFD.
- Money needs to be put aside for a full-time recruiter. The recruiter ideally should be someone who came from the City of Rochester public school system as that will automatically give them social capital with students.
- Our analysis of policies is in a separate excel sheet along with recommendations.

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Appendix A

Focus Group Questions

Engagement Question:

1. Why did you choose to become a firefighter and what has been your most memorable experience in the RFD so far?

Exploration Questions:

1. How would you describe the culture within the RFD, and do you feel this culture is inclusive to all members of the department?
2. How do you feel the RFD's diversity compares with the community it serves? Do you think this has any impact on the department's relationship with the community?
3. Given our conversation today, what immediate steps do you think RFD can take towards improving diversity, equity, and inclusion?
4. Some people have reservations about the concept of diversity, equity, and inclusion. What are your thoughts or concerns about these efforts in the RFD?
5. Do you feel diversity, equity, and inclusion initiatives could impact the effectiveness or efficiency of the RFD? If so, in what ways?
6. What do you believe could be the potential impact, positive or negative, of a more diverse and inclusive RFD?
7. Some people may have concerns about diversity, equity, and inclusion initiatives. What, if any, concerns do you have and why?
8. In your opinion, why might some members of the RFD be resistant to the ideas of diversity, equity, and inclusion?
9. Can you share an experience where you felt that a focus on diversity, equity, and inclusion led to a negative outcome? How do you think it could have been handled differently?

Exit Question:

1. Given our conversation today, what immediate steps do you think RFD can take towards improving diversity, equity, and inclusion?
2. What do you think would be the most effective way to engage your colleagues who may be resistant to diversity, equity, and inclusion initiatives in the RFD?

Addendum 1

The debriefing consisted of the PowerPoint presented below, which contained insight from the climate survey and focus groups. All attendees had been provided the draft Diversity, Equity, and Inclusion: Climate Survey and Focus Group report on September 4, 2023. We understood that a new Chief would begin on September 11, 2023, we requested and understand that in the onboarding packet a copy of the contract with All Things Diverse (ATD) and the Diversity, Equity, and Inclusion: Climate Survey and Focus Group report were included. We worked with the Chief's Executive Assistant to schedule a debriefing date that was conducive to his schedule, Human Resources, and the staff of ATD. The debriefing took place on Tuesday, October 3, 2023, from 2:00pm-4:20pm.

Present

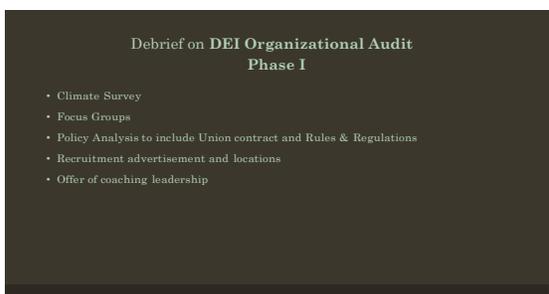
City of Rochester and RFD Staff

Chief Stefano (Steve) Napolitano
Deputy Chief Mark Hudson
Dr. Rose Nichols – Director of HR Ferman
Cepero – Deputy Director of HR Dan Butler –
Chief Equity Officer.

All Things Diverse Staff

Tammy L. Hodo, PhD. -President, All Things Diverse
John A. Taylor, Esq.-Senior Consultant, All Things Diverse
Cheryl Adas, MBA-Consultant, All Things Diverse
Gwen Taylor, Esq., Consultant, All Things Diverse

Absent: Former Interim Chief Teresa Everett, whom this project began under.



Phase I: Activities

June-July 2023

- Email sent to all RFD employees introducing company and notifying about survey.
- Survey launched with 50 questions, two being open-ended.
- July 24th survey closed with 120 responses, 87% completion rate.
- July 5-7 seven in-person focus groups held (2-hours) each.



Phase I: Activities

August-September 2023

- Reviewed all policies to include union contract and rules and regulations.
- Drafted report of survey data and focus groups.
- Provided the Diversity, Equity, and Inclusion: Climate Survey and Focus Group (Sept. 2023) to POCs.
- Provided policy analysis, Union contract and rules and regulations along with recommendations to POCs.



Climate Survey areas

- Attitudes towards diversity, equity, and inclusion as well as the culture within RFD
- Discrimination and harassment.
- Hiring and recruitment.
- Diversity training program
- Sense of Belonging
- Evaluation and Promotion



RFD DEMOGRAPHICS – CURRENT

Rank	Total Uniform Members	White	Minority	Male	Female	African American	Hispanic American	Asian	Native American
Firefighter	349	317 (92.3%)	32 (9.0%)	335 (96.0%)	14 (4.0%)	0	0	64	6
Lieutenant	74	62 (83.8%)	12 (16.2%)	70 (94.6%)	4 (5.4%)	7	5	0	0
Captain	37	32 (86.5%)	5 (13.5%)	36 (97.3%)	1 (2.7%)	4	1	0	0
Battalion Chief	11	10 (90.9%)	1 (9.1%)	11 (100.0%)	0 (0.0%)	1	0	0	0
Deputy Chief	6	5 (83.3%)	1 (16.7%)	6 (100.0%)	0 (0.0%)	1	0	0	0
TOTALS	477	435 (91.2%)	42 (8.8%)	463 (97.1%)	14 (2.9%)	14 (2.9%)	6 (1.3%)	70 (14.7%)	6 (1.3%)

City of Rochester Demographics

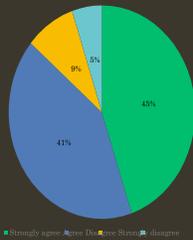
Rochester, NY Total population 2022	
White	43.10%
Black or African American	28.40%
Native American and Alaska Native	0.50%
Asian	3.50%
Native Hawaiian and other Pacific Islander	0.20%
Two or more races	6.9
Hispanic or Latin	18.70%

Recruitment Classes Demographics

Recruit Class	Total	White	Minority	Male	Female	African American	Hispanic American	Asian	Native American
2023	31	21 (67.7%)	10 (32.3%)	28 (90.3%)	3 (9.7%)	4	6	0	0
2022	24	17 (70.8%)	7 (29.2%)	24 (100.0%)	0 (0.0%)	0	5	2	0
2021	7	2 (28.6%)	5 (71.4%)	7 (100.0%)	0 (0.0%)	3	2	0	0
2020	31	7 (22.6%)	24 (77.4%)	29 (93.5%)	2 (6.5%)	14	10	1	0
2019	35	18 (51.4%)	17 (48.6%)	34 (97.1%)	1 (2.9%)	12	5	0	0
5 Year Totals	128	65 (50.8%)	63 (49.2%)	122 (95.3%)	6 (4.7%)	32	28 (21.9%)	1	0

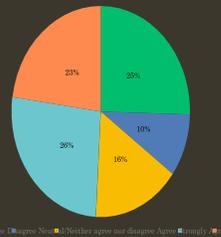
The City's policies and procedures discourage discrimination.

Answered: 116 Skipped: 4



Employees in my organization take the initiative to help other employees when the need arises.

Answered: 114 Skipped: 6



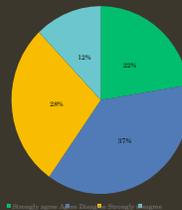
Regardless of whether your organization has one— what is your view of workplace gender diversity programs?

Answered: 107 Skipped: 13

ANSWER CHOICES	RESPONSES
Good thing	44.86% 48
Bad thing	14.02% 15
Neither good nor bad	41.12% 44
TOTAL	107

This organization has done a good job providing training programs that promote diversity, equity, and inclusion.

Answered: 107 Skipped: 13



During the debrief a few clarifying questions were asked as well as insight gained by ATD. The following is a statement made on the climate survey: “Why are all female officers on grps 1 and 3? Why aren't there any females on truck companies? Why are most the females on groups 1 and 3? Injuries by women on the fireground and off are not taken seriously by chiefs. Hard work by women in the FD is often overlooked and not appreciated.”

Deputy Chief Hudson stated that there are women on truck companies and provided the following input below via email:

“Since July 2018 female firefighters have been assigned to all 4 operational groups, prior to 2018 there have been female firefighters on 3 of 4 operations groups since 2014.”

Dr. Hodo inquired about the department initiatives regarding hiring, as she noted that RFD has hired majority male European employees. There is one Native American. It was stated that not enough people of color qualify for the positions. Dr. Hodo stated she found that hard to believe. She stated, it depends on where you are advertising and how you are getting the word out. To be a firefighter and work for the city is a covenant position that offers great career opportunities and benefits.

A discussion was had about the recruitment numbers and demographics as they are somewhat concerning. Most recruitment classes have been predominantly male and European except in 2020 when there was an increase in minority representation. It was stated by someone from the City’s team that the further you go down the list is when you find more minorities— indicating that they (minorities) were not scoring high enough to be considered unless the test scores were lower. Dr. Hodo indicated that should not be the case as it feeds into the narrative that we hear in our society which is that minorities are less qualified and cognitively inferior.

The Chief indicated the people who score the highest have had firefighting experience, so they score exceptionally better. The candidates that live in a metro area without a voluntary fire department are at a disadvantage because they have not had access to the training-this made sense to ATD and was insightful. As we began hosting in person training the week of October 22, 2023, in Rochester with RFD we have heard the Chief comments expressed by others in the class for Diversity, Equity, Inclusion and Belonging Training.

Dr. Hodo asked about bias on the test, which is often the case with standardized test as they are often geared towards Eurocentric middle class knowledge base. She then questioned the quality of education received in the Rochester public school system. It was implied by some City employees on the call that the school system in Rochester is not of a high caliber and that may cause some of the lower test scores obtain by minority applicates, who are a large portion of the school system. Dr. Hodo requested to have access to the vendor who creates the Civil Service test for firefighters as we often find racial bias in standard tests. She was provided the vendor’s name on October 12, 2023, but doesn’t have the contact information.

ATD noted that in 2020 there was a very diverse group of firefighter recruits. Dr. Hodo asked Deputy Chief Hudson for the breakdown of that class and followed up via email: “Can you provide me with the number of those who failed out of the academy in 2020, when you had the largest class of minority candidates? Please differentiate between those who failed out and those who opted out if possible as well as their ethnicity. From the information I have there were 31 total recruits with 7 being European American and 24 being minority (13 African Americans, 10 Hispanic and 1 female). Deputy Chief Hudson response is highlighted.”

Starting Demographics:

- 12 Black males
- 8 Latino males
- 6 White males
- 2 Afro-Latino males
- 1 Latina female
- 1 White female
- 1 Nepalese male

Resignations:

- 1 Latino Male resigned during the recruit class.
- 1 Afro-Latino Male graduated from the academy, but later resigned or was terminated when unable to obtain EMT certification within 1 year of hire (condition of employment)

DHRM, please verify/confirm my information

We didn't receive any clarification about why the 1 Afro-Latino Male who did graduate left RFD, if he was terminated or opted to leave of his own free will. As the information above indicates, minorities fared well in the 2020 class, which dispels the notion that because you go further down the list to gain more diversity it therefore diminishes the quality of the applicates.

Questions were asked by ATD about an evaluation system as participants of the survey and focus group discussed a lack of transparency and evaluations. We were told that the city is implementing a yearly evaluation system that will be used by RFD to assess where each firefighter is regarding job performance. Dr. Hodo will be given a demonstration of the new evaluation system on November 15, 2023.

It must be noted that there is a change in leadership within RFD as Deputy Chief Hudson retired on October 27, 2023. With the retirement of Interim Chief Everett and Deputy Chief Hudson there are no longer any women or people of obvious color within the leadership ranks of RFD as noted in the photo below.

RFD Leadership as of 10/30/2023



Pictured:

Fire Chief Stefano Napolitano

Executive Deputy Chief of Operations Robby Villa Deputy Chief Jeffrey Prince

Deputy Chief Daniel Witkowski Deputy Chief Arthur Paul Kucewicz Deputy Chief Michael Vinci

Since the draft of the initial report, Dr. Hodo and Ms. Cheryl Ada have conducted six-in-person two-hour trainings sessions on Diversity, Equity, Inclusion and Belonging (DEIB). The training took place on October 22-24th with two training sessions each day. Thus far we have provided DEIB training to 81 members of RFD.

We did attempt to gain more insight into demographics of other fire departments in urban areas with approximately the same population. After contacting thirteen different cities we found it difficult to obtain information but did receive the following insight from two Human Resource Offices:

Norfolk Fire-Rescue Demographics as of 10/30/2023 Total Sworn firefighters: 510

SEX

Female: 53

Males: 457

ETHNIC GROUP

American Indian: 6

Females: 0

Males: 6

Asian: 10

Females: 1

Males: 9

Black: 73

Females: 6

Males: 67

Hispanic: 21

Females: 4

Males: 17

White: 385

Females: 40

Males: 345

**Did Not
Specific: 15**

Akron, OH Demographics as of 10/30/2023 Total 357 firefighters

SEX

Female: 28

Males: 329

ETHNIC GROUP

African

Americans: 48

European American:281

Rochester Fire Department as of June 28, 2023 Total 477 firefighters

SEX

Female:19

Male:458

ETHNIC GROUP

Native American:

1

Asian: 6

Hispanic: 70

African American:

74

European American: 326

*Rochester didn't provide the demographics that break down sex and ethnicity.

Addendum 2

As we reviewed RFD Rules & Regulations through an antiracist lens, ATD made the following recommendations. Chief Napolitano in an email dated October 19, 2023, stated that he had no changes to Mr. John Taylor, Esq. (Senior Consultant with ATD) recommendations. The changes Mr. Taylor made are explained below.

After reviewing the Rochester Fire Department's Rules and Regulations below are my suggestions for change:

A. City of Rochester Fire Department Rules and Regulations

1. General Anti-Discrimination Clause

Article V, section 19 (page 25) of the Rules and Regulations contains a general anti-discrimination clause. It currently reads: "***During duty hours, department members shall neither unlawfully discriminate, nor promote or condone racial, sexual, or religious hatred or prejudice, by act, expression, statement, writing, or by the diffusion of information that might promote prejudice against any race, sex, color or creed.***"

First, this clause only refers to prohibited behavior occurring during "duty hours." It should be expanded to include prohibited employee behavior during off-duty hours as well, such as making harassing or discriminatory statements/remarks on social media platforms such as Facebook, Instagram, YouTube, Tik Tok, etc.

In our focus group meetings, we were made aware of highly offensive remarks and behavior made by firefighters who were not disciplined. It's not clear whether these remarks were made on duty or off duty. In any event, these kinds of statements are unacceptable, and cannot be tolerated. It's generally recognized that employers have the right to make policies restricting hate speech, bullying, retaliation, and discriminatory conduct on social media platforms; and may discipline and/or terminate employees who violate such policies.

Further, the protected classes referenced in Article V, Section 19 fall short of the protected classes mentioned in the City of Rochester's Equal Employment Opportunity Statement and need to be updated. Thus, the City of Rochester's EEO policy states in part:

"The City of Rochester remains committed to a policy of equal employment opportunity for all City employees and applicants for City employment, as established by both Federal and State law. We reaffirm our legal obligation and organizational commitment to foster an employment environment free from discrimination and to consider all employees for placement, development programs, job assignments, transfers, and promotions regardless of age, race, color, creed, sex, religion, national origin, sexual orientation, gender identity or expression, genetic information, physical

or mental disability, marital status, military status/service, or domestic violence victim status.”

Additionally, Article V, Section 19’s anti-discriminatory clause falls short of the New York State Human Rights Law. With respect to employment, the New York State Human Rights Law makes it an unlawful discriminatory practice for an employer:

[“to] refuse to hire or employ or to bar or to discharge from employment or to discriminate against an individual in compensation or in terms of conditions or privileges of employment” because of an individual's age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or status as a victim of domestic violence.”

For purpose of the City of Rochester’s Rules and Regulations I’m not persuaded that they need to reference all the protected classes mentioned in city, state, and federal law, but at a minimum, I propose modifying Article V, Section 19 of the Rules and Regulations to read as follows:

“During duty hours or non-duty hours, department members shall neither unlawfully discriminate, nor promote or condone racial, sexual, or religious hatred or prejudice, by act, expression, statement, writing, or by the diffusion of information that might promote prejudice against any race, sex, color, creed, national origin, sexual orientation, gender identity or expression, predisposing genetic characteristics, familial status.”

Fire Department Organization and Command Structure

Article 1 of the Rules and Regulations begins by setting forth broad, discretionary administrative duties and responsibilities of various Fire Department officials, from the Fire Chief down to other lower-ranking management officials.

During our focus group meetings, many employees complained that the department’s rules and regulations were not always administered by their supervisors in a fair, impartial, and consistent manner.

Accordingly, on page 4 of Article 1, under the heading, General Duties and Responsibilities of Commanding Officers, add a new section, section 5, to comport with the revised Article V, Section 19 anti-discriminatory policy, set forth above. The new section will read as follows: **“Notwithstanding anything to the contrary herein, the duties and responsibilities for commanding officers articulated in this article shall not be undertaken in an arbitrary, capricious, or discriminatory manner. Further, no subordinate shall be discriminated against in terms of promotions, transfers, discipline, or any other reason referenced in Article V, Section 19 of these Rules, and Regulations.”**

2. Article V, Section 4, (pg. 27, item #2) discusses internal departmental transfers. This section currently reads: **“Under the terms of the current union contract, transfer requests will be submitted in writing on the proper form and will be given consideration as to suitability, seniority, and Department needs.”** We heard from several firefighters during the focus group meetings that the term “suitability” had been abused in the past, permitting some supervisors to play favoritism in regard to transfers, and denying deserving individuals the opportunity to transfer.

My recommendation is to modify this section to read, ***“Consistent with Article V, Section 19, and in accord with the union contract, transfer requests will be submitted in writing on the proper form and will be given consideration as to suitability, seniority, and Department needs. Such transfer requests shall not be administered in an arbitrary and capricious manner.”***