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APRIL 2022

FOLLOW-UP TO AUDIT OF POLICIES AND PRACTICES RELATED TO DISCRIMINATION AND SEXUAL HARASSMENT WITHIN THE CHICAGO FIRE DEPARTMENT

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TO THE MAYOR, CITY COUNCIL, CITY CLERK, CITY TREASURER, AND COMMUNITY MEMBERS OF THE CITY OF CHICAGO:

The City of Chicago Office of Inspector General (OIG) has completed a follow-up to its April 2021 audit of the Chicago Fire Department's (CFD) policies and practices related to discrimination and sexual harassment. Based on the Department's response, OIG concludes that CFD has overall worked towards implementing corrective actions related to the audit findings.

The purpose of the 2021 audit was to determine whether CFD's discrimination and sexual harassment prevention, reporting, and training policies and practices complied with relevant laws and regulations. We also assessed CFD members' experiences with and views on the Department's workplace environment and culture related to discrimination and sexual harassment. Our audit found that, while CFD's policies comply with baseline federal, state, and local laws, the policies themselves, as well as the complaint process and training used to enforce and promote them, were insufficient to meet the environmental challenges posed by a command and control emergency service operation like CFD. The audit also found that the Department's culture and workplace environment may make some members vulnerable to discrimination and/or sexual harassment.

Based on the results of the audit, OIG recommended that CFD provide written guidance and training to its Internal Affairs Division (IAD) staff on processes for receiving complaints of discrimination or sexual harassment in a trauma-informed manner and referring them to the Department of Human Resources' (DHR) Diversity and Equal Employment Opportunity (EEO) Division for investigation. OIG also recommended that CFD implement training for its members, supplemental to the training provided by the EEO Division, that is tailored specifically to CFD's unique workplace environment and delivered by instructors with fire service experience. OIG also recommended that CFD appoint a diversity, equity, and inclusion (DEI) officer to work on issues of diversity, discrimination, and sexual harassment. Finally, OIG recommended that CFD develop a strategy to include more safeguards to protect reporting members and victims from potential retaliation. In its response to the audit, CFD described corrective actions it would take.

In February 2022, OIG inquired about corrective actions taken by CFD in response to the audit. Based on the Department's follow-up response, OIG concludes that CFD has fully implemented one of five corrective actions, substantially implemented two others, partially implemented a fourth, and not implemented the fifth. CFD has issued a general order with specific procedures to ensure complaints of discrimination, harassment, and retaliation are directed to the EEO Division. The Department has also developed trauma-informed training focused on sexual

harassment complaints for its IAD investigators. CFD has not implemented supplemental Department-specific training on discrimination and sexual harassment or formally created a DEI-related position, but continues with those efforts. CFD intends to undertake internal initiatives and outreach campaigns to address sexual harassment and discrimination, and to also increase diversity within the Department.

We urge the Department to fully implement a CFD-specific training on discrimination and sexual harassment to supplement the EEO training its members already receive. Once fully implemented, OIG believes the corrective actions reported by CFD may reasonably be expected to resolve the core finding noted in the audit. Below, we summarize our audit finding and recommendations, as well as CFD's response to our follow-up.

We thank the staff and leadership of CFD for their cooperation during the audit and responsiveness to our follow-up inquiries.

Respectfully,

William Marback
Interim Inspector General
City of Chicago

FOLLOW-UP RESULTS

In February 2022, OIG followed up on its April 2021 audit of policies and practices related to discrimination and sexual harassment within CFD.[1] The Department responded by describing the corrective actions it has taken and providing supporting documentation. Below, we summarize OIG's finding, the associated recommendations, and the status of CFD's corrective actions. Our follow-up did not observe or test implementation of the new procedures; thus, we make no determination as to their effectiveness, which would require a new audit with full testing.

FINDING:	CFD's policies related to discrimination and sexual harassment comply with federal, state, and local laws but are insufficient to address the unique challenges of CFD's workplace environment and culture.

OIG Recommendation 1:

OIG recommended that CFD create and implement written guidelines instructing IAD staff on how to receive, process, and refer complaints involving discrimination or sexual harassment to the EEO Division.

Status of Corrective Action: **Fully Implemented**

In October 2020, CFD issued a general order with specific procedures to ensure that complaints of discrimination, harassment, and retaliation are directed to the EEO Division rather than IAD. In addition, CFD stated that the IAD assistant commissioner regularly reviews the complaints to identify any that need to be referred to the EEO Division.

OIG Recommendation 2:

OIG recommended that CFD provide formal training to IAD staff on how to handle complaints about discrimination and sexual harassment in a trauma-informed manner.

Status of Corrective Action: **Partially Implemented**

CFD stated that it worked with the Chicago Police Department's Investigative Development Group to develop training on trauma-informed concepts for IAD investigators. Although this training focused specifically

[1] City of Chicago Office of Inspector General, "Audit of Policies and Practices Related to Discrimination and Sexual Harassment Within the Chicago Fire Department," April 14, 2021, https://igchicago.org/2021/04/14/audit-of-policies-and-practices-related-to-discrimination-and-sexual-harassment-within-the-chicago-fire-department/.

on applying these techniques to sexual harassment complaints, CFD should ensure that IAD investigators utilize the techniques for all potentially traumatic interviews, including those related to discrimination. The training has not yet been implemented but will be conducted in May 2022 and become a regular part of IAD's training curriculum.

OIG Recommendation 3:

OIG recommended that CFD, on an ongoing basis, supplement the standard EEO training with CFD-specific training on discrimination and sexual harassment. The Department could hire outside instructors, ideally with fire service experience, or use its own personnel to provide the training.

Status of Corrective Action: **Not Implemented**

CFD has not implemented training to supplement its regular EEO training on sexual harassment and discrimination. However, the Department stated that it is actively searching for training that contains relevant content and is presented by a trainer with fire-service experience, per OIG's recommendation. CFD stated that it considers such training a priority, but that it has been difficult to find training that both covers sexual harassment and discrimination and is presented by a trainer with fire-service experience.

OIG Recommendation 4:

OIG recommended that CFD appoint a DEI officer to work with the Department on issues of diversity, discrimination, and sexual harassment. Relatedly, OIG recommended that CFD continue to work closely with DHR to recruit a diverse applicant pool that reflects the racial makeup of Chicago.

Status of Corrective Action: **Substantially Implemented**

CFD attempted to create a DEI officer position, but reported that the Office of Budget and Management did not include funding for the position in CFD's 2022 budget. CFD stated that it therefore assigned DEI officer duties to an existing staff member. The Department stated that it worked with DHR to expand the role of diversity in hiring through multiple community engagement campaigns. However, CFD does not select new candidates every year, so the results of these outreach efforts will not be realized until the next hiring session. We encourage CFD to continue working with other relevant departments to hire a DEI officer and implement hiring strategies during its next candidate selection process.

OIG Recommendation 5:

OIG recommended that CFD develop a strategy to include more safeguards that further protect members from acts of discrimination, sexual harassment, and retaliation. This strategy should account for the fact that many members live together while at work and should be tailored to CFD's specific workplace. OIG also recommended that CFD work to foster a culture where victims of discrimination and sexual harassment do not fear making complaints.

Status of Corrective Action: **Substantially Implemented**

CFD's response provided documentation of internal policies and initiatives meant to bolster the Department's "zero-tolerance policy" towards sexual harassment and discrimination by its members. This includes the "Honor Our House" initiative and the adoption of a Core Values Statement. CFD stated that the "Honor Our House" initiative will include educational opportunities, training, and reminders about the Department's stance on discrimination, harassment, and retaliation. The Core Values Statement institutes guiding principles that intend to "lead all members to be a positive presence amongst each other and the communities" the Department serves.

During the course of the audit, in response to a letter of notification from OIG, CFD changed their complaint procedure to provide more anonymity for members making complaints. This change, the initiatives mentioned above, and the Department's other corrective actions show that CFD is taking steps towards implementing a strategy to protect its members from acts of discrimination, sexual harassment, and retaliation. However, an additional training specific to fire service, as described in recommendation 3, is an important part of that strategy which still needs to be implemented.

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OIG's authority to produce reports of its findings and recommendations is established in the City of Chicago Municipal Code §§ 2-56-030(d), -035(c), -110, -230, and -240.

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