



County of Fairfax, Virginia

MEMORANDUM

DATE: March 9, 2018

TO: Bryan J. Hill, County Executive

FROM: David M. Rohrer *DMR*
Deputy County Executive

SUBJECT: Review of Battalion Chief Kathleen Stanley's Complaints/Allegations
Contained in Her Letter Dated January 29, 2018

Upon receipt of Battalion Chief Kathleen Stanley's letter to Fire Chief Richard R. Bowers Jr., resigning her position as Women's Program Officer, a review of the complaints and allegations set forth in her letter was initiated. This review was conducted to determine whether the specific complaints or allegations had been reported, investigated, and reviewed in accordance with County policies and procedures. To the extent this review determined that any of the complaints or allegations had not been reported they were assigned for immediate appropriate action. This review was not intended to reopen or reinvestigate any matters previously investigated and reviewed.

While some of the concerns and allegations are specific, Battalion Chief Stanley's letter also outlined general concerns about the work climate and environment within the Fire and Rescue Department (FRD). As examples, she describes the climate as "toxic" and "negative." As more fully detailed below, the County and the FRD have previously acknowledged concerns and the need for improvement and cultural change, and work has been ongoing and the matters are being taken seriously.

In 2016, with a candid expectation of findings and recommendations, the Board directed former County Executive Edward L. Long Jr., to retain an independent, third-party consultant to perform an organizational assessment of the FRD and evaluate the work environment and culture in the FRD, focusing on issues related to discrimination, bullying, harassment, and retaliation. The scope further included an assessment of the working environment regarding equal employment issues, workforce morale, internal communications, EEO training, prevailing attitudes regarding EEO responsibilities, leadership, and the sufficiency and effectiveness of existing agency complaint and review procedures. The objective of this assessment was to make recommendations for improvement.

On February 14, 2017, the Titan Group, a division of Gallagher Benefit Services, Inc., released their *Fairfax County Fire & Rescue Department, Organizational Climate Review Report*, focusing on the workplace environment and culture in the FRD along with perceptions related to discrimination, bullying, harassment, and retaliation. To

ensure accountability and appropriate follow-up on the recommendations of the report, an Executive Review Committee was established to include the County Executive, Deputy County Executive for Public Safety, County Attorney, Director of Human Resources (DHR), the Director of the Office of Human Rights and Equity Programs (OHREP), and the Director of the Office of Public Affairs (OPA). Chief Bowers worked closely with the Executive Review Committee and was tasked with collaborating with FRD and County staff to develop and present a responsive action plan.

The Fairfax County Fire and Rescue Department Organizational Climate Review Action Plan was released by Mr. Long on July 5, 2017, with a goal for the ten workgroups to begin submitting recommendations to the Fire Chief's Office by September 8, 2017. With various members of each of the ten workgroups taking leave during July and August of 2017, some of the workgroup meetings and work were delayed. Also, although several workgroups performed well, unfortunately others required additional facilitation, guidance, and support to get started and complete their assigned work.

Prior to you starting in January 2018 as the new County Executive, two of the ten workgroups had reported their findings and recommendations to the Executive Review Committee. Upon your arrival, reports and recommendations from the remaining eight workgroups were accelerated and scheduled, and all have been completed as of March 2, 2018. The next steps are to refine the multiple recommendations and then review, categorize, prepare cost estimates, and prioritize the multiple, and then work collaboratively with the County Attorney's Office to ensure that any recommendations that will be implemented are provided to the Department of Justice for its review and recommendation.

As part of my review, DHR Director Cathy Spage and I met with Battalion Chief Stanley on February 7, 2018, to listen to her concerns and to ensure that the correct matters to which she had referred to in her letter were identified for review. Battalion Chief Stanley did not include all of the context or facts for some of the matters, including importantly that some had been previously reported and investigated. She said that she chose to focus on the climate or work environment in which the behaviors had allegedly occurred.

During my review of the allegations raised by Battalion Chief Stanley, several uniformed women in FRD contacted me and expressed their concerns that their personal matters, as reported in Battalion Chief Stanley's letter, were used without their permission and were taken out of context, specifically that their original complaints to FRD had not involved any real or perceived discrimination or harassment based on gender. These women have asked that their confidentiality be maintained.

As a reference Battalion Chief Stanley's letter is included as an attachment. Listed below, indented and in italics, are each of the specific bullets provided by Battalion Chief Stanley in her letter followed by a brief response of findings, recommendations, or

outcomes of any investigation previously completed, or recommendations or actions based on this review.

This position [Women's Program Officer] is for show, with no legitimate authority, respect, or value. Advice, advocacy and suggestions are humored, at best, and routinely dismissed.

Response: The position of Women's Program Officer, its function, and effectiveness has been added for assessment as part of the *Organizational Climate Review Action Plan*, and assigned to the Women's Initiatives Workgroup for its review, discussion, and recommendation(s), if any. In its presentation to the Executive Review Committee on February 28, 2018, this workgroup recommended that the position be retitled and refocused to advocate for all personnel, both women and men – not just women. Specifically, this workgroup recommended the establishment of a "Uniformed Work Life Officer," instead of a Women's Program Officer, to serve as a "point of contact for all employees, not just women, to come to for guidance, training, resources, and grievances." If a position is established it is important that its duties and responsibilities be well-developed, that it then be given the appropriate level of support by the Fire Chief and senior staff, and empowered to effectively perform its intended purpose.

It is important to note that the Women's Initiatives Workgroup also conducted a DHR facilitated survey as part of its work, with 346 respondents (261 men, 84 women), and has reported that although "widespread distrust of senior staff due to lack of transparency and consistency" and "personnel and personal issues" exist, these are "not gender specific." Although perhaps not gender specific, the survey results do demonstrate the need for ongoing efforts for improvements, with a focus on communications and leadership, including leadership development training at all levels.

The Women's Initiatives Workgroup also reported that several of its members were assigned to conduct personal interviews with every uniformed woman in FRD using a standard set of questions. The workgroup reported that 161 uniformed women participated in the personal interview, two elected not to be interviewed, one was inadvertently missed, and seven female recruits in the academy were not interviewed. One of the questions asked of participants was, "Have you been mistreated, harassed or denied training due to gender in the past 5 years?" More than 90% of the women interviewed reportedly responded that they had not "been mistreated, harassed or denied training due to gender in the past 5 years."

The Women's Initiatives Workgroup has also consistently stated, including during the Public Safety Committee meeting of January 30, 2018, that they believe a "wedge", as the workgroup has termed it, is being driven between the uniformed women and men of the FRD which they do not believe is warranted and they do not want. They stress that the primary focus should be on designing recommendations and change that benefit all members and the FRD. This does not mean they do not believe some strategies should not be implemented that would better support women, specifically for retention. These

include, but are not limited to, mentoring, continued evaluation and improvement of facilities, consistent research and acquisition of uniforms and equipment designed to better fit and serve women, and research of child care alternatives to support the shifts that many have to work.

Fairfax County Fire and Rescue tolerates, and often defends, sexual harassment, retaliation and a hostile work environment: "zero tolerance" is a hollow term thrown about with false commitment.

- *As an example, a seasoned Captain was publicly harassed by a superior officer, in front of a DFC [Deputy Fire Chief] and other witnesses.*
- *When she asked for an apology, the retaliation started*
- *The OHREP complaint was sustained for sexual harassment, retaliation, and hostile work environment, yet the accused is still employed and came out of this investigation unscathed; rank intact.*

Response: Neither Fairfax County nor the FRD tolerate any of form of sexual harassment, discrimination, retaliation, or hostile work environment. The County's and FRD's objective is to create and sustain an environment in which all FRD members embrace and embody a workplace culture free of harassment, discrimination, bullying, retaliation, and unbecoming conduct, and which offers equitable opportunities for all members. All persons deserve to be treated with fairness, professionalism, and respect.

All allegations of inappropriate conduct or misconduct are taken seriously, and effective August 11, 2016, Mr. Long directed that all complaints of sexual harassment or discrimination within the FRD be forwarded to and investigated by OHREP. On June 13, 2017, OHREP issued the County's Policy and Procedure on Harassment, Procedural Memorandum 39-06 (PM 39-06). Prior to its issuance, PM 39-06 had been reviewed and approved by the Department of Justice. PM 39-06 sets forth the procedures to be followed in investigating complaints of sexual harassment or discrimination. Upon OHREP's completion of its investigation, it is forwarded to the agency head, in this case the Fire Chief, for review and appropriate action, if warranted.

It is important to note that for this and other specific cases, as the County protects the privacy of individual employees and maintains the confidentiality of personnel records, only general information, findings and outcomes are provided.¹

¹ Under the Virginia Freedom of Information Act (VFOIA), personnel information concerning identifiable individuals is exempt from mandatory disclosure. Va. Code Ann. § 2.2-3705.1(1). VFOIA does provide, however, that information from inactive reports by OHREP is not exempt from mandatory disclosure so long as the information is in a form that does not reveal the identity of the parties involved or other persons supplying information. Va. Code Ann. § 2.2-3705.3(5).

The above-referenced allegation was investigated by OHREP:

Case No.: 17-001-INV
Opened: October 6, 2017
Closed: November 8, 2017

OHREP determined that the allegations against three FRD employees were substantiated.

OHREP determined that one employee subjected the complainant to a hostile work environment on the basis of gender and retaliated against the complainant in violation of PM 39-06 and that the conduct also violated the County's Standards of Conduct.

OHREP determined that a second employee failed to take appropriate action to resolve the complainant's complaint in violation of PM 39-06.

The third employee was determined to also have failed to take appropriate action to resolve the complainant's complaint.

Discipline was imposed on all three FRD employees. Two of the three employees filed grievances regarding the discipline pursuant to the County's Grievance Procedure set out in Chapter 17 of the Personnel Regulations. Those employees were entitled to hearings before the County's Civil Service Commission because their complaints were grievable as defined in Va. Code Ann. § 15.2-1507 and Personnel Regulation § 17.3-2.² In both appeals, the Civil Service Commission determined that there was not just cause to uphold the discipline imposed. Decisions of the Civil Service Commission of grievable complaints are final and binding. Va. Code Ann. § 15.2-1507(A)(10)(a)(6); County Code 3-1-10(c); Personnel Regulation § 17.12-5.

² Va. Code Ann. § 15.2-1507 mandates the County to adopt a grievance procedure and sets forth the minimum requirements for that procedure. Fairfax County has adopted such a procedure, found in Chapter 17 of the Personnel Regulations. For complaints that are grievable, the final step in the County's grievance procedure is a hearing before the Civil Service Commission. The Commission is a grandfathered hearing panel, Va. Code Ann. § 15.2-1507(A)(10)(a)(2). The Commission was established pursuant to Fairfax County Code of Ordinances (County Code) § 3-1-7. There are twelve members on the Commission, none of whom are County employees, who sit in three member panels to conduct panel hearings and decide matters determined to be grievable under the County's grievance procedure. County Code § 3-1-9(b). Under § 3-1-10(c) of the County Code, the Commission is required "[t]o act as an impartial hearing body for appeals and grievances as required by Va. Code Ann. §§ 15.2-1506 and 15.2-1507, under procedures set forth in Personnel Regulations. The Commission shall only hear an appeal of, and shall render a final and binding decision on matters determined to be grievable under the grievance procedure by sitting, hearing, and deciding such cases in panels consisting of three Commissioners."

As the employees are entitled to due process and the decisions are binding, neither the County nor FRD could take any further disciplinary or adverse personnel action against these two employees.

In another example, 3 women from on[e] station filed EEO complaints about the station captain. Even the Sustained complaints saw no action from Senior leadership.

Response: There were actually four separate complaints, each listed below, filed by the three women and all were investigated by OHREP.

Case No. 1: 17-009-INV
Opened: January 6, 2017
Closed: March 9, 2017

OHREP determined that the allegations of a hostile work environment; different terms, benefits, and conditions of employment; and retaliation were not substantiated.

Case No. 2: 17-023-INV
Opened: April 19, 2017
Closed: June 1, 2017

OHREP determined that allegations of retaliation or hostile work environment in violation of PM 39-06 were not substantiated. OHREP did determine, however, that the alleged conduct did violate the County's Standards of Conduct.

Case No. 3: 17-025-INV
Opened: April 21, 2017
Closed: June 2, 2017

OHREP determined that allegations of discrimination based on gender and retaliation in violation of the County's Standards of Conduct were not substantiated.

Case No. 4: 17-030-INV
Opened: June 1, 2017
Closed: July 14, 2017

OHREP determined that Fire Department employee failed to take appropriate action in response to the complaint in violation of PM 39-06 and the County's Standards of Conduct.

Based on its review of the OHREP findings and recommendations in the two investigations with violations that were substantiated, 17-023-INV and 17-030-INV, the

FRD determined that discipline was warranted. Before discipline could be imposed, however, the employee retired.

For awareness, although Battalion Chief Stanley's letter only mentioned the complaints filed by three women, one man also filed a retaliation complaint, Case No. 17-024-INV, with OHREP in the same time period against the same individual. OHREP determined that the allegation of retaliation in violation of PM 39-06 was not substantiated.

Senior leadership does not accept there is a culture problem. Senior leadership is perceived not to [be] held accountable, as was determined by the Cultural Assessment Survey and the "mandatory" BC meetings recently held. I watched most of senior staff denounce and deny the findings in the Cultural Assessment Survey.

The County and FRD are committed to making improvements and change to benefit all FRD members, whether uniformed, volunteer, or civilian. We need to acknowledge that change is not always readily accepted and the change process can be hard, but we have to be committed and consistent in our approach. We do need, however, to be more strategic in change management and communication. We must communicate more broadly a sense of both purpose and urgency, and it is important for us to better communicate understand the vision, the goals, and the "why." Communication should be two-way, and we also have to listen to the women and men who serve and ensure their input is considered. We need to adopt a change management model; and first focus on short-term successes, build collaboration and then build incrementally on change. We need to adopt a change management strategy that:

- Creates a Climate for Change
- Engages and Enables the Whole Organization
- Implements and Sustains the Change

We cannot expect one person or one group to accomplish this, we need to create and support a broader change management architecture, and provide additional support and expertise. We recognize that the women and men of the FRD perform their mission very well, protecting and serving our community with pride and dedication, but we cannot expect them to also be experts in change management and hold the organization solely accountable.

Several members of Senior leadership are culpable of furthering the negative environment by their direct action of bullying employees, violating R&R, SOPs and lack basic common decency towards some individuals, without being held accountable. Thus, enabling the tacit approval of such behaviors. Examples:

- *DFC [Deputy Fire Chief] threatened postpartum women with discipline if they did not report to HQ while on FMLA to sign a superfluous piece of paper: violating County Rules and*

Regulations, Fire Department S.O.P. and the Federal law, yet he received no discipline or corrective action. (tolerated)

Response: This conduct was not tolerated by FRD senior staff. When these matters were reported to an Assistant Fire Chief, he took immediate corrective action, contacting the two uniformed women identified to him as being adversely impacted to counter any directive to report and apologizing to each of the women. Unfortunately, one had already come in to sign the document. As allowed by County Personnel Regulations, he reviewed the standing FRD policy with responsible staff and conducted verbal counselling. He directed that all staff were to adhere strictly to the policy. Since that time, there have been no reported or known instances of any inappropriate directives.

A BFC [Battalion Fire Chief] denied a woman a step one grievance, and step two, which is blatantly against County Rule and Regulations and Fairfax S.O.P.s. He received no discipline or corrective action but was promoted to DFC [Deputy Fire Chief] shortly after. (tolerated, rewarded)

Response: This grievance was related to a disagreement over a class specification, misapplication and threat of progressive discipline (discipline was not imposed), and a misapplication of County grievance procedures. The grievant did subsequently receive the appropriate Step 2 hearing and a Step 3 hearing, and then filed a Request for Grievability Determination pursuant to Chapter 17 of the Personnel Regulations. Her complaints were determined to be nongrievable by the former County Executive, and the employee did not appeal this determination to the Fairfax County Circuit Court. She was frustrated with the grievance process, but did not hold the Battalion Fire Chief personally responsible or file a complaint on him. She did recommend that the County and DHR review the FRD's grievance procedures. Discipline was not warranted in this instance based solely on misinterpretations or misapplications of grievance procedures. It indicates the need for training for all levels regarding appropriate grievance procedures.

The *Organizational Climate Review Report* also identified that many FRD members did not understand FRD or County grievance procedures, and two specific related initiatives were already included in the *Organizational Climate Review Action Plan*:

- 4.10 Ensure FRD grievance policies and procedures align with County Personnel Regulations, policies, and procedures.
- 4.11 Develop and deliver ongoing training for all FRD members on the grievance procedures and the resources available.

Assistant Fire Chief firmly stated the he "was sick and tired of people hiding behind the "retaliation card" and there was NO retaliation in this department. This was stated right after a superior officer finished berating me for asking a question. (denial)

Response: This was reported to you for referral to the County's Internal Audit Office for an inquiry into the reported "berating" to determine if there is any evidence or facts to warrant further investigation. Internal Audit determined this to be unsubstantiated.³

A complaint from 9 women saying they were excluded women from overtime positions and the opportunity to train from Capt. running field training program. No corrective actions, defended by the DFC, AFC, FC even after emails and statistics were produced to show the pattern. He was promoted to Battalion Chief shortly after. (tolerate, defended and rewarded)

Response: According to Battalion Chief Stanley, this issue was addressed and corrected in January 2017 by FRD Information Bulletin 2017-001. This should be monitored to ensure equitable opportunities are provided. All FRD members, including women, should have equitable opportunities in all facets of FRD, including overtime and training.

There is a small bevy of man who regularly receive privileges exclusive to them, thus perpetuating the Good 'Ol boy network.

Response: To the extent that it exists, favoritism, special privileges for some, cliques, etc., cannot, and will not, be tolerated. All persons should be treated fairly, held to the same accountability measures, and have equitable opportunities, and this is a leadership responsibility at all levels.

Several important personnel selections (IA, Capt.) excluded uniformed women on the panel, and substituted civilian female from HR. Eliminating the uniformed women's input in our future environment of this Department.

Response: While uniformed women were not included on these two selection panels, civilian women were included to provide both subject matter expertise relevant to the positions' duties and responsibilities and a diverse panel. While it is important to have subject matter expertise and diversity on any selection panel, it would be beneficial as well for FRD to consider the inclusion of uniformed women as an intentional goal whenever possible. This serves to ensure an inclusive selection panel, and, as we have a goal to increase the number of uniformed women promoted to higher ranks in FRD, it also provides uniformed women an opportunity to engage in a different way in selection

³ Pursuant to Va. Code Ann. § 2.2-3705.7(2), Internal Audit's report to you is exempt from mandatory disclosure to protect the privacy of the individuals involved.

processes so that they themselves may be more willing to pursue and successfully compete in future selection processes. This topic will be assigned to the Women's Initiatives Workgroup for further discussion and any recommendation(s).

It has become apparent from our last few meetings that any effort on my part to better the departments diversity will be met with defense and anger. This is not a productive relationship to achieve increased inclusion and advancement for the women of this department.

I have faced overt retaliation for speaking out against the current practices, which I have brought to the attention of the FC and the Dep CoEx's, without any visible corrective action. This reinforces the current perception of retaliation for speaking up. This would not be bothersome if there was a chance at progress.

Response: This was reported to you for referral to Internal Audit for an inquiry into any specific instances of alleged "retaliation" to determine if there is any evidence or facts to warrant further investigation. Internal Audit determined that the events as described do not appear to meet the criteria for workplace retaliation.⁴

This department is not actively pursuing change: mandatory training is not change. This was reinforced 1/23/2018 meeting as I tried to demonstrate the cumulative effect of 4 recent acts, all of which decrease a diverse working environment.

There are indicators throughout our Department which indicate there is a substantial problem in our ranks, but the FD continues to march on in its tradition cadence. When this was outlined to you as an example of obstacles that we could possibly correct, it was met with defense and hostility (1/23/2018)

Response: I disagree to the extent that mandatory training is not part of the change management process. Training requirements were identified and have been implemented. I do agree with Battalion Chief Stanley to the extent that mandatory training is not the sole answer or requirement for effective change or improvements. As I previously stated, the County and FRD are committed to a cultural change. However, in order to support Chief Bowers prior to his retirement, the next Fire Chief, FRD senior staff, and, importantly, the entire organization we need to adopt an effective change management model, communicate our vision and strategy more effectively, provide appropriate support, and be consistent in our approach.

⁴ Pursuant to Va. Code Ann. § 2.2-3705.7(2), Internal Audit's report to you is exempt from mandatory disclosure to protect the privacy of the individuals involved.

County HR or FD HR has not been able to provide me with the statistical data requested to start identifying trends of the FD women. If we can identify the trends, we can start truly working on retention.

Response: This issue was assigned to FRD for follow-up, and was resolved on March 8, 2018. Although FRD and DHR staff have been assessing data, Battalion Chief Stanley has elected to perform a separate analysis and is referring here to a specific set of FRD General Orders during 2002-2006 which were no longer available for retrieval and review on the FRD intranet. The ultimate goal is to identify relevant and actionable data.

For these reasons, and so many more, the current fire department environment is such that a male Fairfax County Fire and Rescue Employee felt comfortable enough to purchase a penis shape water bottle and use it in the station. This is a sign of a real problem.

Response: These allegations were investigated by OHREP:

Case No.: 17-011-INV
Opened: January 24, 2017
Closed: February 23, 2017

This misconduct involved two uniformed men in FRD. OHREP determined that neither employee was in violation of PM 39-06, but each were found to be in violation of County Standards of Conduct, and appropriate discipline was imposed on each.

During my review process several additional concerns were brought to my attention. The first was related to a recent staff promotional process. Cathy Spage and DHR staff reviewed the process and the selection to ensure it was done in accordance with County and FRD policies. This review was completed on March 2, 2018, and DHR found that the County and FRD policies were followed by FRD in its selection of a candidate.

I was also informed of perceptions and concerns about possible undue influence regarding several Civil Service Commission appeals or decisions or improper access to investigative files. These concerns were reported to you for referral to Internal Audit for an inquiry to determine if there is any evidence or facts to warrant further investigation.

Internal Audit has been unable to substantiate any concerns into possible undue influence on the Civil Service Commission due to lack of evidence. The inquiry into any

improper access to investigative files has also been completed and was determined to be not substantiated.⁵

In summary, as always, all concerns, complaints or allegations regarding inappropriate behavior or misconduct are taken seriously and will be assigned for immediate review or investigation, and any appropriate action.

This review has been constructive, not only in terms of following up on Battalion Chief Stanley's concerns, but in opportunities to speak with many others, some who approached me and some who I approached, who also want input into decisions and change that may affect their work and the department in which they serve. Almost all have acknowledged the need for improvement or change, but not all perspectives are the same as to the scale and scope of change.

Our recent discussions with the workgroups have also been productive, although some of the recommendations need further discussion and refinement. What is consistent with either individual conversations, small group settings, or the workgroup presentations is that FRD members at all levels, whether uniformed, volunteer, or civilian, want to be engaged, want to be kept informed, and want to have input or a "voice" as we move forward. Along with the Fire Chief, FRD senior staff, the Executive Review Committee, and other key stakeholders we have a collective responsibility to ensure we move forward to achieve our goal of a positive, nurturing, healthy, rewarding, and safe work environment for the wellbeing of all FRD members.

Attachment: Battalion Chief Kathleen's Stanley's Notice of Resignation

cc: Richard R. Bowers, Fire Chief, Fire and Rescue Department
Elizabeth D. Teare, County Attorney, Office of the County Attorney

⁵ Pursuant to Va. Code Ann. § 2.2-3705.7(2), Internal Audit's report to you is exempt from mandatory disclosure to protect the privacy of the individuals involved.

Attachment

Dear Chief Bowers,

I would formally like to submit my resignation as (interim) Women's Program Officer for your approval. This is an extremely painful decision to make, as I see a great need for a women advocate, but it has become clear that my style of leadership and my views and values towards change do not coincide with yours, or the current leadership of the Department, therefore, I am not the right person to influence your direction of change. Although most of the situations I have encountered, are not exclusive to women nor are they "women" issues, they seem to effect/include women more often than men. Most of the men in this Department are amazing people who have grown tired of being compared to the few outliers who create the toxic environment, and they too, want leadership to address the negative behaviors straight on. With that said, I offer the following examples which have influenced my decision to resign:

- This position is for show, with no legitimate authority, respect, or value. Advice, advocacy and suggestions are humored, at best, and routinely dismissed.
- Fairfax County Fire and Rescue tolerates, and often defends, sexual harassment, retaliation and a hostile work environment: "zero tolerance" is a hollow term thrown about with false commitment.
 - As an example, a seasoned Captain was publicly harassed by a superior officer, in front of a DFC and other witnesses.
 - When she asked for an apology, the retaliation started
 - The OHREP complaint was sustained for sexual harassment, retaliation, and hostile work environment, yet the accused is still employed and came out of this investigation unscathed; rank intact.
 - In another example, 3 women from on station filed EEO complaints about the station captain. Even the Sustained complaints saw no action from Senior leadership.
- Senior leadership does not accept there is a culture problem. Senior leadership is perceived not to held accountable, as was determined by the Cultural Assessment Survey and the "mandatory" BC meetings recently held. I watched most of senior staff denounce and deny the findings in the Cultural Assessment Survey.
- Several members of Senior leadership are culpable of furthering the negative environment by their direct action of bullying employees, violating R&R, SOPs and lack basic common decency towards some individuals, without being held accountable. Thus, enabling the tacit approval of such behaviors. Examples:
 - DFC threatened postpartum women with discipline if they did not report to HQ while on FMLA to sign a superfluous piece of paper: violating County Rules and Regulations, Fire Department S.O.P. and the Federal law, yet he received no discipline or corrective action. (tolerated)
 - A BFC denied a woman a step one grievance, and step two, which is blatantly against County Rule and Regulations and Fairfax S.O.P.s. He received no discipline or corrective action but was promoted to DFC shortly after. (tolerated, rewarded)
 - Assistant Fire Chief firmly stated the he "was sick and tired of people hiding behind the "retaliation card" and there was NO retaliation in this department. This was stated right after a superior officer finished berating me for asking a question. (denial)
 - A complaint from 9 women saying they were excluded women from overtime positions and the opportunity to train from Capt. running field training program. No corrective actions, defended by the DFC, AFC, FC even after emails and statistics were produced to show the pattern. He was promoted to Battalion Chief shortly after. (tolerate, defended and rewarded)

- There is a small bevy of men who regularly receive privileges exclusive to them, thus perpetuating the Good 'Ol boy network.
- Several important personnel selections (IA, Capt.) excluded uniformed women on the panel, and substituted civilian female from HR. Eliminating the uniformed women's input in our future environment of this Department.
- It has become apparent from our last few meetings that any effort on my part to better the department's diversity will be met with defense and anger. This is not a productive relationship to achieve increased inclusion and advancement for the women of this department.
- I have faced overt retaliation for speaking out against the current practices, which I have brought to the attention of the FC and the Dep CoEx's, without any visible corrective action. This reinforces the current perception of retaliation for speaking up. This would not be bothersome if there was a chance at progress.
- This department is not actively pursuing change: mandatory training is not change. This was reinforced 1/23/2018 meeting as I tried to demonstrate the cumulative effect of 4 recent acts, all of which decrease a diverse working environment.
- There are indicators throughout our Department which indicate there is a substantial problem in our ranks, but the FD continues to march on in its tradition cadence. When this was outlined to you as an example of obstacles that we could possibly correct, it was met with defense and hostility (1/23/2018)
- County HR or FD HR has not been able to provide me with the statistical data requested to start identifying trends of the FD women. If we can identify the trends, we can start truly working on retention.
- For these reasons, and so many more, the current fire department environment is such that a male Fairfax County Fire and Rescue Employee felt comfortable enough to purchase a penis shape water bottle and use it in the station. This is a sign of a real problem.

There is a real need, and real potential, for the Women's Program Officer, and judging by the issues brought to my attention in the last two years, women within the department benefit from having an advocate. I have been involved with more than half of the women currently in the Department. Many of these issues have been brought forward by stand-up men in this Department who don't want to associate with these kinds of behaviors. There are so many great people who would like to see change, but it has become obvious, I am not the right choice to facilitate this change.

I would formally like to recommend BC Cheri Zosh to succeed me. She is the only other female (not in DROP) of significant rank who can sit in senior staff and strong enough to advocate for women. I will be happy to remain until my replacement is named, or I can vacate immediately, whichever is best for you.

Thank for your consideration,
Kathleen

Battalion Chief Kathleen Stanley
Fairfax County Fire and Rescue Department
Battalion Chief of Special Projects, Fire Chief's Office