



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
MAYOR

Sent via Electronic Mail

F. X. CROWLEY
PRESIDENT

May 9, 2019

ELIZABETH SALVESON
VICE PRESIDENT

DOUGLAS S. CHAN
COMMISSIONER

NOTICE OF CIVIL SERVICE COMMISSION MEETING

KATE FAVETTI
COMMISSIONER

SUBJECT: REQUEST FOR STATUS GRANT OF NEARLISTED 8321
COUNSELOR, LOG CABIN TO 8320 COUNSELOR,
JUVENILE PROBATION (PERS)

The above matter will be considered by the Civil Service Commission at a meeting to be held on May 20, 2019 at 2:00 p.m. in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

The agenda will be posted for your review on the Civil Service Commission's website at www.sfgov.org/CivilService under "Meetings" no later than end of day on Wednesday, May 15, 2019. Please refer to the attached Notice for procedural and other information about Commission hearings. A copy of the department's staff report on your appeal is attached to this email; however, a hard copy is also available for your review at the Civil Service Commission's office located at 25 Van Ness Avenue, Suite 720, San Francisco.

In the event that you wish to submit any additional documents in support of your appeal, the deadline for receipt in the Commission office is 5:00 p.m. on Tuesday, May 14, 2019 (as a reminder, we require an original and nine copies of any supplemental materials you wish to submit—all double-sided, hole-punched, paper-clipped and numbered). Again, please be sure to redact your submission for any confidential or sensitive information that is not relevant to your appeal (e.g., home addresses, home or cellular phone numbers, social security numbers, dates of birth, etc.), as it will be considered a public document.

MICHAEL L. BROWN
EXECUTIVE OFFICER

THIS DOCUMENT SUPPORTS
CALENDAR DATE 10

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You may contact me at (415) 252-3247 or at Michael.Brown@sfgov.org if you have any questions.

CIVIL SERVICE COMMISSION



MICHAEL L. BROWN
Executive Officer

Attachment

Cc: Micki Callahan, Department of Human Resources
Allen Nance, Juvenile Probation Department
Richard Frattarelli, Juvenile Probation Department
Rie Butler, Department of Human Resources
Paul Greene, Department of Human Resources
Ben Sizemore, SEIU Local 1021
Commission File
Commissioners' Binder
Chron

Staff Report

WCSC – 22 Report Transmittal

LIST OF PERSON(S) TO BE NOTIFIED

Juvenile Probation Department Status Grants

**Ben Sizemore
Field Representative
SEIU Local 1021
350 Rhode Island Street, Suite 100
San Francisco, CA 94103**

**Allen Nance
Chief Probation Officer
Juvenile Probation Department
375 Woodside Ave
San Francisco, CA 94127**

**Richard Frattarelli
Director of Human Resources
Juvenile Probation Department
375 Woodside Ave
San Francisco, CA 94127**

**Micki Callahan
Human Resources Director
Department of Human Resources
One South Van Ness Ave, 4th Floor
San Francisco, CA 94103**

**Paul Greene
Supervising Human Resources Consultant
Department of Human Resources
One South Van Ness Ave, 4th Floor
San Francisco, CA 94103**

**Rie Butler
Senior Human Resources Consultant
Department of Human Resources
One South Van Ness Ave, 4th Floor
San Francisco, CA 94103**



**City and County of San Francisco
Juvenile Probation Department**


Allen A. Nance
Chief Probation Officer


375 Woodside Avenue
San Francisco, CA 94127
(415) 753-7800

MEMORANDUM

DATE: May 6, 2019

TO: The Civil Service Commission

THROUGH: Micki Callahan
Human Resources Director 

FROM: Allen Nance
Chief Probation Officer 

SUBJECT: Request for Status Grant of Employees in Temporary Civil Service (TCS)
8320/8562 Counselor, Juvenile Hall Positions Near Listed from 8321/8564
Counselor Log Cabin Ranch (PCS) Appointments

INTRODUCTION

In consultation with Civil Service Commission Executive Officer and through a collaborative effort between Service Employees International Union ("SEIU") Local 1021, the Juvenile Probation Department (JPD), and the Department of Human Resources ("DHR"), acting under the authority of the Civil Service Commission Rule 109, Article IV Status, Sec. 109.12 Situations Not Specifically Addressed, JPD requests the Civil Service Commission grant permanent civil service ("PCS") status to the following employees with temporary civil service ("TCS") status in Class 8320/8562 Counselor, Juvenile Hall:

	<u>Name</u>	<u>Layoff Effective Date</u>	<u>TCS Appointment Date</u>	<u>Status Grant Classification</u>
1.	Tarik Winston	12/5/2018	12/5/2018	8320
2.	Liller B. Jackson	12/5/2018	12/5/2018	8320
3.	Stanley A. Williams Jr.	12/5/2018	12/5/2018	8320
4.	Joseph Avila	12/5/2018	12/5/2018	8320
5.	Kenneth W. Blackmon	12/5/2018	12/5/2018	8320
6.	Nigel L. Hicks	12/5/2018	12/5/2018	8320
7.	Carlos F. Chen	12/5/2018	12/5/2018	8320
8.	Maceo Johnson II	12/5/2018	12/5/2018	8320
9.	Steven Lin	12/5/2018	12/5/2018	8562
10.	Liddon E. Levine	12/5/2018	12/5/2018	8562

BACKGROUND

On June 22, 2018, JPD made the decision to suspend operations at the Log Cabin Ranch ("LCR") campus in La Honda, California.

The LCR campus had a history of challenges that included security issues, underutilization, aging infrastructure, and rising costs. JPD could not justify continuing operations and risking the safety of the youth and the community.

Upon the suspension of operations at Log Cabin Ranch, JPD committed to the employees impacted by the suspension to identify employment opportunities in similar existing vacant positions within the Juvenile Probation Department.

The employees listed above were permanent civil service employees in classes 8321/8564 Counselor, Log Cabin Ranch. These employees were laid-off from JPD and placed on the 8321/8564 Counselor, Log Cabin Ranch holdover roster pursuant to Rule 112.13.1 Holdover Status and Return to Duty.

Through a collaborative effort between, SEIU, JPD, and DHR, acting under the authority of the Civil Service Commission Rule 121.14.3 Layoff-Promotive Appointees, and based upon an analysis of the employees experience, work record, and similarities in duties and responsibilities of Class 8320/8562 Counselor, Juvenile Hall, the employees on the holdover roster for Class 8321/8564 were near listed to temporary civil service appointments in Class 8320/8562 Counselor, Juvenile Hall.

THE STANDARDS

Civil Service Commission Rule 121.14.3 Layoff-Promotive Appointees provides, in part: "the employee, subject to the approval of the Commission, may be appointed to a position in a class similarly related to the class from which the layoff occurred or to an appropriate lower rank class provided such action shall not adversely affect the permanent incumbents. The Human Resources Director shall designate and recommend such classes to the Commission."

Civil Service Commission Rule 109.12 *Situations Not Specifically Addressed* provides, in part: "Situations not specifically addressed in this Article will be resolved by the Human Resources Director subject to the prior approval of the Civil Service Commission."

THE FINDINGS

After consultation with the Civil Service Commission, Executive Officer and Director of Human Resources, JPD requests that all existing near listed employees with TCS appointments in the Class 8320/8262 Counselor, Juvenile appointments be granted permanent civil service ("PCS") status, per Civil Service Rule 109, Article IV: Status, and as agreed upon between JPD, SEIU Local 21, and DHR. (See Attachment A.) Status grant into the new classifications effective June 4, 2019 will not adversely affect incumbents in the classifications. Therefore, JPD requests this permanent civil service ("PCS") status be effective June 4, 2019, as outlined below, upon Commission approval.

- It is mutually agreed that employees will serve a six (6) months probationary period.
- In recognition of working six (6) months as TCS in the new classification, employees will be credited for time served and will only serve a one (1) day probationary period.
- Any portion of time served less than six (6) months will be credited towards the completion of a six (6) months probationary period.
- Seniority certification date in the new classification will be June 4, 2019.

RECOMMENDATION

JPD respectfully requests that the Civil Service Commission adopt the staff report and grant permanent status to each employee listed above in their current class, commencing June 4, 2019.

ATTACHMENTS

Attachment A: 11-30-18 Near List Agreement between JPD, SEIU Local 21, & DHR

Attachment A



City and County of San Francisco
Juvenile Probation Department

Allen A. Nance
Chief Probation Officer

375 Woodside Avenue
San Francisco, CA 94127
(415) 753-7800

Via e-mail: David.Canham@seiu1021.org

December 3, 2018

David Canham
Service Employees International Union, Local 1021
350 Rhode Island, Suite 100, South
San Francisco, CA 94103

re: **Statement of Intent - Transition from temporary appointment as an 8320 Juvenile Hall Counselor to a permanent civil service position in classification 8320-Juvenile Hall Counselor**

Dear Mr. Canham:

In October of this year, I reaffirmed my commitment to those impacted by the suspension of LCR operations and, to the maximum extent practicable, to identify employment landing opportunities in similar positions within the Juvenile Probation Department.

I am pleased to know that through a collaborative effort between, SEIU Local 1021 ("SEIU" or "Union"), the Department of Human Resources, and the Juvenile Probation Department, an agreement was reached to develop a near list within classification 8320/8562 – Juvenile Hall Counselor, to which those impacted 8321/8564 Log Cabin Ranch Counselors released from their permanent civil service positions, can be temporarily appointed as 8320/8562 Juvenile Hall Counselors here at the Juvenile Justice Center.

Pursuant to that agreement the Juvenile Probation Department commits to the following:

1. JPD agrees to petition the Civil Service Commission to grant permanent status to the subject employees in accordance with Civil Service Rule 113.14;
2. JPD agrees that any employee granted permanent status under this agreement will be required to serve a probationary period of no longer than one (1) day, in accordance with Civil Service Rule 117.1.

It is also understood that the appointments made pursuant to this action will not in any way, affect an employee's status on any holdover rosters and the rights contained therein, in accordance with Civil Service Rule 112.30. All matters regarding departmental seniority will be negotiated and determined separate from this agreement.

If there are any questions regarding the agreement, please contact Richard Frattarelli, JPD
Human Resources Department, (415) 753-7772 or by email at Richard.frattarelli@sfgov.org.

Sincerely,



Allen A. Nance, Chief Probation Officer

C: Paula Hernandez, Assistant Chief Probation Officer
Sandra Dalida, Director of Administrative Services
Luis Recinos, Director of Juvenile Hall
Richard Frattarelli, Human Resources Director
Ben Sizemore, Field Representative SEIU Local 1021
Lawanna Preston, DHR
Shawn Sherburne, DHR



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
MAYOR

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F. X. CROWLEY
PRESIDENT

May 9, 2019

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COMMISSIONER

KATE FAVETTI
COMMISSIONER

NOTICE OF CIVIL SERVICE COMMISSION MEETING

**SUBJECT: REQUEST FOR STATUS GRANT OF NEARLISTED 8564
COUNSELOR, LOG CABIN TO 8562 COUNSELOR,
JUVENILE PROBATION (SFERS)**

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MICHAEL L. BROWN
EXECUTIVE OFFICER

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CIVIL SERVICE COMMISSION

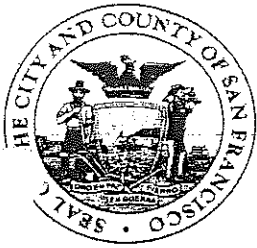


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Executive Officer

Attachment

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Rie Butler, Department of Human Resources
Paul Greene, Department of Human Resources
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**Please refer to the Staff Report under
Item #10**



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NOTICE OF CIVIL SERVICE COMMISSION MEETING

Ms. Deborah Palmer

SUBJECT: APPEAL BY DEBORAH PALMER OF THE HUMAN RESOURCES DIRECTOR'S DETERMINATION TO ADMINISTRATIVELY CLOSE HER COMPLAINT OF HARASSMENT, DISCRIMINATION AND RETALIATION.

Dear Ms. Palmer:

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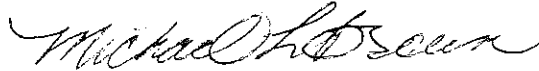
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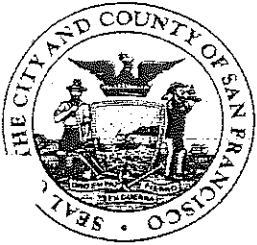
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MICHAEL L. BROWN
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Attachment

Cc: Susan Gard, Department of Human Resources
Chief Jeanine Nicholson, SF Fire Department
Linda Simon, Department of Human Resources
Jesusa Bushong, SF Fire Department
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NOTICE OF CIVIL SERVICE COMMISSION MEETING

Antenor Molloy

Subject: APPEAL BY DEBORAH PALMER OF THE HUMAN RESOURCES DIRECTOR'S DETERMINATION TO ADMINISTRATIVELY CLOSE HER COMPLAINT OF HARASSMENT, DISCRIMINATION AND RETALIATION.

Dear Mr. Molloy:

As you may be aware, Deborah Palmer filed the above-referenced discrimination complaint with the Department of Human Resources ("DHR"). The Department of Human Resources reviewed Ms. Palmer's allegations, and the Human Resources Director determined that there was insufficient evidence to establish her claims of discrimination and harassment. Ms. Palmer has appealed that determination to the Civil Service Commission.

In accordance with the City Charter and Civil Service Rules, the Commission may sustain, modify or reverse the Human Resources Director's determination; and may effectuate an appropriate remedy in the event that it finds discrimination in the work environment. Any such finding is binding on City departments. The Commission may not impose discipline on an employee, but in an appropriate case may recommend that the department consider discipline.

The Equal Employment Opportunity Division of DHR will present and defend the Human Resources Director's determination on Ms. Palmer's complaint at the Civil Service Commission meeting to be held on May 20, 2019 at 2:00 p.m. in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place. The Commission will have received the DHR staff report, which reviews the evidence pertaining to the complaint and supports the Human Resources Director's determination, in advance of the meeting. You will have an opportunity to address Ms. Palmer's allegations at the Commission meeting, if you wish to do so, although you are not required to appear. The Commission will rule on the information previously submitted and any testimony or other evidence provided at its meeting.

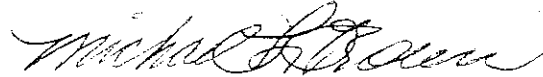
MICHAEL L. BROWN
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You may contact me at Michael.Brown@sfgov.org or (415) 252-3247 should you have any questions.

Sincerely,

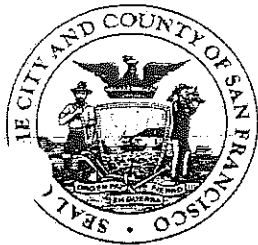
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Executive Officer

Cc: Susan Gard, Department of Human Resources
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CIVIL SERVICE COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

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NOTICE OF CIVIL SERVICE COMMISSION MEETING

Zachary Tibbits

Subject: APPEAL BY DEBORAH PALMER OF THE HUMAN RESOURCES DIRECTOR'S DETERMINATION TO ADMINISTRATIVELY CLOSE HER COMPLAINT OF HARASSMENT, DISCRIMINATION AND RETALIATION.

Dear Mr. Tibbits:

As you may be aware, Deborah Palmer filed the above-referenced discrimination complaint with the Department of Human Resources ("DHR"). The Department of Human Resources reviewed Ms. Palmer's allegations, and the Human Resources Director determined that there was insufficient evidence to establish her claims of discrimination and harassment. Ms. Palmer has appealed that determination to the Civil Service Commission.

In accordance with the City Charter and Civil Service Rules, the Commission may sustain, modify or reverse the Human Resources Director's determination; and may effectuate an appropriate remedy in the event that it finds discrimination in the work environment. Any such finding is binding on City departments. The Commission may not impose discipline on an employee, but in an appropriate case may recommend that the department consider discipline.

The Equal Employment Opportunity Division of DHR will present and defend the Human Resources Director's determination on Ms. Palmer's complaint at the Civil Service Commission meeting to be held on May 20, 2019 at 2:00 p.m. in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place. The Commission will have received the DHR staff report, which reviews the evidence pertaining to the complaint and supports the Human Resources Director's determination, in advance of the meeting. You will have an opportunity to address Ms. Palmer's allegations at the Commission meeting, if you wish to do so, although you are not required to appear. The Commission will rule on the information previously submitted and any testimony or other evidence provided at its meeting.

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NOTICE OF CIVIL SERVICE COMMISSION MEETING

Michael Mason

Subject: APPEAL BY DEBORAH PALMER OF THE HUMAN RESOURCES DIRECTOR'S DETERMINATION TO ADMINISTRATIVELY CLOSE HER COMPLAINT OF HARASSMENT, DISCRIMINATION AND RETALIATION.

Dear Mr. Mason:

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Andy Zanooff

Subject: APPEAL BY DEBORAH PALMER OF THE HUMAN RESOURCES DIRECTOR'S DETERMINATION TO ADMINISTRATIVELY CLOSE HER COMPLAINT OF HARASSMENT, DISCRIMINATION AND RETALIATION.

Dear Mr. Zanooff:

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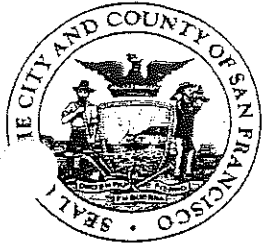
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Linda Simon, Department of Human Resources
Jesusa Bushong, SF Fire Department
Vanessa Doyle, Department of Human Resources
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CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
MAYOR

Sent via U.S. Mail

April 4, 2019

F. X. CROWLEY
PRESIDENT

ELIZABETH SALVESON
VICE PRESIDENT

DOUGLAS S. CHAN
COMMISSIONER

KATE FAVETTI
COMMISSIONER

NOTICE OF CIVIL SERVICE COMMISSION MEETING

Ms. Deborah Palmer

SUBJECT: APPEAL BY DEBORAH PALMER OF THE HUMAN RESOURCES DIRECTOR'S DETERMINATION TO ADMINISTRATIVELY CLOSE HER COMPLAINT OF HARASSMENT, DISCRIMINATION AND RETALIATION.

Dear Ms. Palmer:

The above matter will be considered by the Civil Service Commission at a meeting to be held on **April 15, 2019 at 2:00 p.m. in Room 400**, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place.

The agenda will be posted for your review on the Civil Service Commission's website at www.sfgov.org/CivilService under "Meetings" no later than end of day on Wednesday, April 10, 2019. Please refer to the attached Notice for procedural and other information about Commission hearings. A copy of the department's staff report on your appeal is attached.

In the event that you wish to submit any additional documents in support of your appeal, the deadline for receipt in the Commission office is 5:00 p.m. on **Tuesday, April 9, 2019** (as a reminder, we require an original and nine copies of any supplemental materials you wish to submit—all double-sided, hole-punched, paper-clipped and numbered). Again, please be sure to redact your submission for any confidential or sensitive information that is not relevant to your appeal (e.g., home addresses, home or cellular phone numbers, social security numbers, dates of birth, etc.), as it will be considered a public document.


MICHAEL L. BROWN
EXECUTIVE OFFICER

It is important that you or an authorized representative attend the hearing on your appeal. Should you or a representative not attend, the Commission will rule on the information previously submitted and any testimony provided at its meeting. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance. As a reminder, you are to be honest and forthright during all testimony and in all documentation that you provide to the Civil Service Commission.

All non-privileged materials being considered by the Civil Service Commission for this item are available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m.

You may contact me at (415) 252-3247 or at Michael.Brown@sfgov.org if you have any questions.

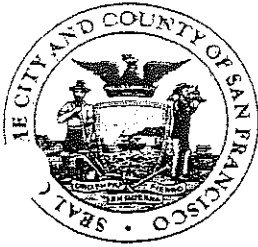
CIVIL SERVICE COMMISSION



MICHAEL L. BROWN
Executive Officer

Attachment

Cc: Susan Gard, Department of Human Resources
Chief Jeanine Nicholson, SF Fire Department
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NOTICE OF CIVIL SERVICE COMMISSION MEETING

Antenor Molloy

Subject: APPEAL BY DEBORAH PALMER OF THE HUMAN RESOURCES DIRECTOR'S DETERMINATION TO ADMINISTRATIVELY CLOSE HER COMPLAINT OF HARASSMENT, DISCRIMINATION AND RETALIATION.

Dear Mr. Molloy:

As you may be aware, Deborah Palmer filed the above-referenced discrimination complaint with the Department of Human Resources ("DHR"). The Department of Human Resources reviewed Ms. Palmer's allegations, and the Human Resources Director determined that there was insufficient evidence to establish her claims of discrimination and harassment. Ms. Palmer has appealed that determination to the Civil Service Commission.

In accordance with the City Charter and Civil Service Rules, the Commission may sustain, modify or reverse the Human Resources Director's determination; and may effectuate an appropriate remedy in the event that it finds discrimination in the work environment. Any such finding is binding on City departments. The Commission may not impose discipline on an employee, but in an appropriate case may recommend that the department consider discipline.

The Equal Employment Opportunity Division of DHR will present and defend the Human Resources Director's determination on Ms. Palmer's complaint at the Civil Service Commission meeting to be held on April 15, 2019 at 2:00 p.m. in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place. The Commission will have received the DHR staff report, which reviews the evidence pertaining to the complaint and supports the Human Resources Director's determination, in advance of the meeting. You will have an opportunity to address Ms. Palmer's allegations at the Commission meeting, if you wish to do so, although you are not required to appear. The Commission will rule on the information previously submitted and any testimony or other evidence provided at its meeting.


MICHAEL L. BROWN
EXECUTIVE OFFICER

The April 15, 2019 meeting agenda will be posted on the Civil Service Commission’s website at www.sfgov.org/CivilService under “Meetings” no later than end of day on Wednesday, April 10, 2019. Additionally, hard copies of DHR’s staff report regarding Ms. Palmer’s appeal will be available for review at the Commission’s office located at 25 Van Ness Avenue, Suite 720, San Francisco; however, you may also contact the Commission at CivilService@sfgov.org to request that a copy of the report be emailed to you instead.

You may contact me at Michael.Brown@sfgov.org or (415) 252-3247 should you have any questions.

Sincerely,

CIVIL SERVICE COMMISSION


MICHAEL L. BROWN
Executive Officer

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Chief Jeanine Nicholson, SF Fire Department
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CIVIL SERVICE COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

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COMMISSIONER

NOTICE OF CIVIL SERVICE COMMISSION MEETING

Zachary Tibbits

Subject: APPEAL BY DEBORAH PALMER OF THE HUMAN RESOURCES DIRECTOR'S DETERMINATION TO ADMINISTRATIVELY CLOSE HER COMPLAINT OF HARASSMENT, DISCRIMINATION AND RETALIATION.

Dear Mr. Tibbits:

As you may be aware, Deborah Palmer filed the above-referenced discrimination complaint with the Department of Human Resources ("DHR"). The Department of Human Resources reviewed Ms. Palmer's allegations, and the Human Resources Director determined that there was insufficient evidence to establish her claims of discrimination and harassment. Ms. Palmer has appealed that determination to the Civil Service Commission.

In accordance with the City Charter and Civil Service Rules, the Commission may sustain, modify or reverse the Human Resources Director's determination; and may effectuate an appropriate remedy in the event that it finds discrimination in the work environment. Any such finding is binding on City departments. The Commission may not impose discipline on an employee, but in an appropriate case may recommend that the department consider discipline.

The Equal Employment Opportunity Division of DHR will present and defend the Human Resources Director's determination on Ms. Palmer's complaint at the Civil Service Commission meeting to be held on April 15, 2019 at 2:00 p.m. in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place. The Commission will have received the DHR staff report, which reviews the evidence pertaining to the complaint and supports the Human Resources Director's determination, in advance of the meeting. You will have an opportunity to address Ms. Palmer's allegations at the Commission meeting, if you wish to do so, although you are not required to appear. The Commission will rule on the information previously submitted and any testimony or other evidence provided at its meeting.

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EXECUTIVE OFFICER

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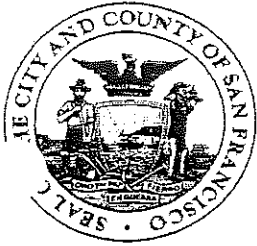
You may contact me at Michael.Brown@sfgov.org or (415) 252-3247 should you have any questions.

Sincerely,

CIVIL SERVICE COMMISSION


MICHAEL L. BROWN
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NOTICE OF CIVIL SERVICE COMMISSION MEETING

Andy Zanoff

Subject: APPEAL BY DEBORAH PALMER OF THE HUMAN RESOURCES DIRECTOR'S DETERMINATION TO ADMINISTRATIVELY CLOSE HER COMPLAINT OF HARASSMENT, DISCRIMINATION AND RETALIATION.

Dear Mr. Zanoff:

As you may be aware, Deborah Palmer filed the above-referenced discrimination complaint with the Department of Human Resources ("DHR"). The Department of Human Resources reviewed Ms. Palmer's allegations, and the Human Resources Director determined that there was insufficient evidence to establish her claims of discrimination and harassment. Ms. Palmer has appealed that determination to the Civil Service Commission.

In accordance with the City Charter and Civil Service Rules, the Commission may sustain, modify or reverse the Human Resources Director's determination; and may effectuate an appropriate remedy in the event that it finds discrimination in the work environment. Any such finding is binding on City departments. The Commission may not impose discipline on an employee, but in an appropriate case may recommend that the department consider discipline.

The Equal Employment Opportunity Division of DHR will present and defend the Human Resources Director's determination on Ms. Palmer's complaint at the Civil Service Commission meeting to be held on **April 15, 2019 at 2:00 p.m.** in Room 400, Fourth Floor, City Hall, 1 Dr. Carlton B. Goodlett Place. The Commission will have received the DHR staff report, which reviews the evidence pertaining to the complaint and supports the Human Resources Director's determination, in advance of the meeting. You will have an opportunity to address Ms. Palmer's allegations at the Commission meeting, if you wish to do so, although you are not required to appear. The Commission will rule on the information previously submitted and any testimony or other evidence provided at its meeting.

MICHAEL L. BROWN
EXECUTIVE OFFICER

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You may contact me at Michael.Brown@sfgov.org or (415) 252-3247 should you have any questions.

Sincerely,

CIVIL SERVICE COMMISSION



MICHAEL L. BROWN
Executive Officer

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COMMISSIONER

KATE FAVETTI
COMMISSIONER

NOTICE OF CIVIL SERVICE COMMISSION MEETING

Michael Mason

Subject: **APPEAL BY DEBORAH PALMER OF THE HUMAN RESOURCES DIRECTOR'S DETERMINATION TO ADMINISTRATIVELY CLOSE HER COMPLAINT OF HARASSMENT, DISCRIMINATION AND RETALIATION.**

Dear Mr. Mason:

As you may be aware, Deborah Palmer filed the above-referenced discrimination complaint with the Department of Human Resources ("DHR"). The Department of Human Resources reviewed Ms. Palmer's allegations, and the Human Resources Director determined that there was insufficient evidence to establish her claims of discrimination and harassment. Ms. Palmer has appealed that determination to the Civil Service Commission.

In accordance with the City Charter and Civil Service Rules, the Commission may sustain, modify or reverse the Human Resources Director's determination; and may effectuate an appropriate remedy in the event that it finds discrimination in the work environment. Any such finding is binding on City departments. The Commission may not impose discipline on an employee, but in an appropriate case may recommend that the department consider discipline.

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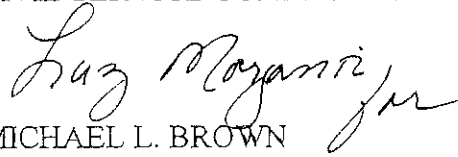
MICHAEL L. BROWN
EXECUTIVE OFFICER

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You may contact me at Michael.Brown@sfgov.org or (415) 252-3247 should you have any questions.

Sincerely,

CIVIL SERVICE COMMISSION



MICHAEL L. BROWN
Executive Officer

- Cc: Susan Gard, Department of Human Resources
- Chief Jeanine Nicholson, SF Fire Department
- Linda Simon, Department of Human Resources
- Jesusa Bushong, SF Fire Department
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APPEAL



CIVIL SERVICE COMMISSION
City and County of San Francisco
 25 Van Ness Avenue, Suite 720
 San Francisco, California 94102-6033
 Executive Officer
 (415) 252-3247

CSC Register No.
0031-19-6
 To: X M. Callahan
 CC: K. Howard
S. Gard
L. Simon
M. Valdez
J. Buchana

APPEAL TO THE CIVIL SERVICE COMMISSION

INSTRUCTIONS:

Submit an original copy of this form to the Executive Officer of the Civil Service Commission at the address above **within the designated number of days** following the postmarked mailing date or email date (whichever is applicable) of the Department of Human Resources' or Municipal Transportation Agency's notification to the appellant. The appellant's/authorized representative's original signature is required. **(E-mail is not accepted.)** It is recommended that you include all relevant information and documentation in support of your appeal.

TYPE OF APPEAL: (Check One)

- Examination Matters (by close of business on 5th working day)
- Employee Compensation Matters (by close of business on 7th working day) - Limited application
- Personal Service Contracts (Posting Period)
- Other Matters (i.e., Human Resources Director/Executive Officer Action) (30 Calendar days)
- Future Employability Recommendations (See Notice to Employee)

Deborah R. Palmer 698 2nd St S.F. CA 94107 (415) 920-2924
 Full Name of Appellant Work Address Work Telephone
H3-62 Paramedic San Francisco Fire Department
 Job Code Title Department

Residence Address City State Zip Home Telephone

Full Name of Authorized Representative (if any) Telephone Number of Representative (including Area Code)

NOTE: If this is deemed to be a timely and appealable matter, the department will submit a staff report to the Civil Service Commission to request that it be scheduled for hearing. You will be notified approximately one week in advance of the hearing date, at which time you will be able to pick up a copy of the department's staff report at the Commission's offices. If you would instead prefer Commission staff to email you a copy of the meeting notice and staff report, please provide your email address below.

Email: _____

COMPLETE THE BASIS OF THIS APPEAL ON THE REVERSE SIDE. (Use additional page(s) if necessary)

Does the basis of this appeal include new information not previously presented in the appeal to the Human Resources Director? If so, please specify.	Check One: Yes No
--	----------------------

[Signature] 11:08 AM 25 JAN 2019 01/23/19
 Original Signature of Appellant or Authorized Representative Date

State the basis of this appeal in detail. For more information about appeal rights and deadlines, please review the Civil Service Rules located on the Civil Service Commission's website at www.sfgov.org/CivilService.

I'm requesting an appeal due to the final report sent stating that none of my complaints were valid. The reasonings that were given appeared to show little regard for my complaints. Parts of my interview were left out or reworded to which then altered the perception of the information I gave. I feel that all my complaints were downplayed to seem petty upon reading the paperwork.

City and County of San Francisco
Micki Callahan
Human Resources Director



Department of Human Resources
Connecting People with Purpose
www.sfdhr.org

CONFIDENTIAL

December 27, 2018

Deborah Palmer

Via U.S. Mail

RE: Complaint of Discrimination, EEO File No. 2692

Dear Firefighter/Paramedic Palmer:

The San Francisco Charter, Section 10.103 and Civil Service Rule 303 provide that the Human Resources Director shall review and resolve complaints of employment discrimination. The Charter defines discrimination as a violation of civil rights on account of race, religion, disability, sex, age, or other protected category. The City and County of San Francisco (City) considers all allegations of discrimination a serious matter. The purpose of this letter is to inform you of my determination regarding your complaint, EEO File No. 2692.

On April 23, 2018, the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO) received your complaint alleging that Antenor Molloy, Acting Section Chief, Emergency Medical Services (EMS) Division, San Francisco Fire Department (SFFD); Zackary Tibbits, Acting Rescue Captain, SFFD; and Andy Zanooff, Assistant Deputy Chief, EMS Division, SFFD, subjected you to discrimination and harassment "possibly" based on your gender (female) and disability (on file), and retaliation (for an email sent to the Fire Commission by a member of the public concerning an equipment safety issue). Your complaint was assigned to Vanessa Doyle, EEO Programs Specialist, DHR. On August 31 and September 4, 2018, Ms. Doyle conducted an intake interview with you by phone, during which you further alleged that Michael Mason, Rescue Captain, SFFD, also subjected you to discrimination and harassment.

Thank you for bringing your concerns to my attention. I recognize that the conduct alleged was upsetting to you, and that it may have been difficult for you to make your complaint. Please be advised that based on a review of Chief Molloy's, Captain Tibbits', Chief Zanooff's and Captain Mason's alleged actions, there is no link between the conduct and comments and your gender or disability. Additionally, an email sent by a member of the public complaining about an equipment safety issue is not considered a protected activity, and thus, not within the City's EEO jurisdiction. As your allegation regarding a possible mismanagement of flex time usage and timekeeping is outside the scope of the City's EEO jurisdiction, this allegation will be forwarded to SFFD for review. Therefore, DHR EEO will administratively close your complaint without further investigation.

I. BACKGROUND AND ALLEGATIONS

Since 2007, you have been employed at SFFD as a H-3, Level 2 Firefighter/Paramedic (FF/PM). In 2015, as a reasonable accommodation, you were assigned to temporary modified duty in the Biomedical Services Division (BSD) at Station 49. You were subsequently permanently assigned to BSD as a reasonable accommodation. Chief Molloy, your supervisor since 2015, reports to Chief Zanoft. You are the only employee in BSD and are responsible for EMS logistics such as researching, ordering, testing and troubleshooting medical supplies and equipment, and coordinating repairs and special events. In June 2017, Irene Ybarra, then-H-1 Fire Rescue Paramedic, SFFD, retired and you assumed her duties in the Gurney Shop. In August 2017, SFFD placed the recruitment to fill the vacant Gurney Shop position and selected Dennis Frazer, H-3 FF/PM, SFFD.

You alleged that you were subjected to discrimination, harassment, and retaliation, as described more fully below:

A. Harassment Based on Gender and Disability

1. Storekeeper Returned to Station 49

In October or November 2017, a storekeeper got into an argument with a co-worker. After you interjected, the storekeeper told you, "I'm not talking to you!" and waved a box cutter at you. Chief Zanoft spoke to you about the incident, and the storekeeper was transferred while an investigation took place. In February 2018, the storekeeper was returned to Station 49, which you alleged created a hostile work environment based on the prior incident. Since his return, you have been "getting along really well" with him, and you think he is a "good guy."

2. Attendance and Punctuality Questioning

- On March 19, 2018, you arrived to work late because you had stayed late the night before. Captain Tibbits told you, "You're late. You're at the half hour mark, so you're AWOL." You believed using flex time as you did was standard practice, and Nick Brady, Rescue Captain, SFFD, and FF/PM Frazer also used flex time but were not questioned. You were not sure whether Captain Brady and FF/PM Frazer discussed their flex time schedules with Captain Tibbits. Captain Tibbits did not write you up as Absent Without Official Leave (AWOL).
- In March 2018, Chief Molloy instructed you and FF/PM Frazer to check in and out when arriving at and leaving the station. On March 20, 2018, you left to get coffee after you arrived at work. Captain Tibbits called and asked if you had come to work, because he did not see you check in. You alleged that FF/PM Frazer left to get breakfast after arriving at work that morning, and did not check in, but Captain Tibbits did not call him. On March 27, 2018, FF/PM Frazer arrived late to work, but Captain Tibbits did not call him. As of late March 2018, you no longer work with Captain Tibbits.

- On April 17, 2018, you stopped by Station 49 before attending a vendor expo for an overtime assignment. Captain Mason allegedly questioned another rescue captain about whether you “really came in” prior to attending the expo, and called you to ask about your whereabouts. You believed that Captain Mason was “micromanaging” you, and not subjecting others to the same scrutiny.
- On one occasion in May 2018, Captain Mason accused you of being late, and gave you a verbal coaching. You alleged you arrived to work on time, but he did not see you arrive. You believed Captain Mason was “singling [you] out and harassing [you],” because he did not hold others, such as a male co-worker of yours, to the same standard.

B. Discrimination Based on Gender and Disability

1. Work Assignments

- In 2016, while attempting to repair a bus ramp, male SFFD employees made the problem worse. In August or September 2016, when you tried to show Chief Molloy the damage done by others, he told you he needed labels made.
- In August 2017, interviews were conducted to fill the vacant Gurney Shop position, a position that works closely with you. You believed that interviews were scheduled while you were on vacation so that you would be unable to serve as a panelist.
- In August 2017, FF/PM Frazer was hired for the Gurney Shop position. He was assigned some tasks that were not offered to you, and some tasks that were previously assigned to you were reassigned to him. In February 2018, field testing began on a new ambulance and gurney. You attended a train-the-trainer training by a representative from Stryker (the gurney company). You then began training the crews. Chief Molloy decided the ambulance would be taken to the training facility at Treasure Island and FF/PM Frazer would train the new hires on the ambulance and gurney. You disagreed with this decision, as FF/PM Frazer had not yet attended a train-the-trainer training. However, you acknowledged FF/PM Frazer did attend the train-the-trainer training in late March or early April 2018 with a Stryker representative. You alleged that FF/PM Frazer was given this assignment because he was “buddies” with Captain Brady and “hung out” in Chief Molloy’s office.
- In December 2017, Chief Zanoft assigned you to coordinate crew trainings on new defibrillator monitors. After the trainings were completed, the monitors went into the field for use and evaluation by the crews. Chief Molloy assigned Captain Brady to oversee field testing of the equipment. You disagreed with the assignment of Captain Brady because he was uninterested in the new equipment, and had not been trained by the trainer. You admitted Captain Brady did attend a training session with the field representative. You believed Captain Brady was assigned this project because, “Anything [Chief] Molloy wanted, he had Nick [Brady] do.”

- In April 2017, Chief Zanoft assigned a female rescue captain, four male SFFD employees and you to work on a CPR project. In March 2018, Chief Molloy cut off your access to a computer program you used to track CPR data and you were no longer invited to CPR project meetings. You believed Chief Molloy was trying to “push you out” due to your gender and disability, and because you were vocal about safety issues with the ambulance monitors. After your access was denied, a female rescue captain and a female paramedic were reassigned to extract your data from the program.

2. Overtime Procedures and Approvals

- You alleged that “off and on” since October 2015, Chief Molloy, Captain Mason, and two other captains have not approved your overtime in a timely manner, requiring you to complete additional paperwork. You acknowledged you were compensated for all of your overtime. You believed that a male co-worker has not had any overtime approval issues. Most recently, Captain Mason approved your overtime on time, and the other two captains promptly approved your overtime after you discussed the problem with them.
- In March 2017, Chief Molloy emailed you a copy of overtime procedures for uniformed members of logistics. You believed the procedures targeted you and a female co-worker. You acknowledged that male storekeepers and other male employees at Station 49 have also been directed to follow procedures for documenting overtime.

3. IT Requests

In November 2016, you and two female co-workers used a laptop because it was questionable whether a computer could be installed in the Gurney Shop. In October 2017, FF/PM Frazer had a computer, printer, and network access installed at his work location in the Gurney Shop. You believed that you and your female co-workers were treated differently, because FF/PM Frazer’s IT requests were approved within a month of his appointment.

4. Training Opportunities

You alleged that FF/PM Frazer was offered training opportunities that were not offered to you. You provided an August 2018 email you sent to Chief Molloy, requesting to attend an Emergency Medical Services Authority (EMSA) meeting, and you acknowledged he approved you to attend EMSA meetings. You also provided a June 2018 email from Chief Zanoft to FF/PM Frazer asking if he was interested in attending an air supply technician training.

You alleged that the conduct and comments in Sections I.A-B were related to your gender because other female SFFD employees filed EEO complaints regarding gender-based discrimination. You alleged that the conduct and comments in Sections I.A-B were related to your disability because in October or November 2017, when you mentioned to Chief Zanoft that you had a reasonable accommodation, he told you, “Oh, well you’re untouchable,” meaning that you would not be reassigned to work in the field.

C. Discrimination Not Based on a Protected Category (Favoritism)

In April 2018, there were openings for two H-23 lieutenant positions at Station 49. You believed you were “more than qualified” for the positions, because they encompassed many of your current responsibilities. Chief Zanoloff encouraged you to apply, and you did, but you were not selected for an interview. Captain Molloy and Captain Brady conducted the interviews, and you believed Chief Zanoloff made selections based on their recommendations. You felt that the two male emergency medical technicians (EMTs) selected lacked logistics experience. When asked why you believed you were not selected for the positions, you responded, “That’s a really good question... It’s kind of like the Gurney Shop position. It doesn’t matter what your skills are, just that you are liked.”

D. Retaliation Based on Fire Commission Email Attributed to You

You alleged that on February 23, 2018, Chief Zanoloff informed you that a member of the public emailed the Fire Commission about a safety issue with ambulance monitors. He asked you whether you wrote the email, or knew who did, and you told him you did not. You stated that Chief Zanoloff did not believe you, because you had been vocal about the same safety concerns raised in the email. You alleged that in March 2018, days after you were questioned about the email, Chief Molloy cut off your access to a computer program you used to track CPR data, and you were no longer invited to CPR project meetings, as described above in Section I.B.1. In addition to alleging his conduct was discrimination based on your gender and disability, you alleged that it was in retaliation for the February 2018 Fire Commission email that you believed he attributed to you.

E. Third Party Complaint

In August 2017, FF/PM Frazer was selected for the Gurney Shop position, as described in Section I.B.1 above. You alleged that the selection process was unfair because FF/PM Frazer was “buddies” with the panelists, and because the panelists did not have gurney or biomedical experience. You believed another candidate was more qualified.

II. INVESTIGATIVE STANDARDS AND ANALYSIS

A. Untimely Allegations

Complaints of discrimination must be filed within 180 calendar days of the date the alleged discriminatory action took place, or the date the employee should have first become aware of the discriminatory action.

On April 23, 2018, you reported your allegations of discrimination and harassment based on your gender and disability, including the following: (1) in August or September 2016, Chief Molloy directed you to make labels when you were showing him an equipment issue; (2) in November 2016, you and two female co-workers were unable to have a computer installed in the Gurney Shop; (3) in March 2017, Chief Molloy emailed you a copy of overtime procedures; (4) in August 2017, interviews for the Gurney Shop position were conducted while you were on

vacation and you were unable to serve as a panelist. You also alleged that the August 2017 Gurney Shop position selection process was unfair, as you believed another candidate was more qualified. Due to the eight to twenty month delay in reporting these allegations, they are untimely and will not be investigated further.

B. Insufficient Allegations to Support a Discrimination Claim

To warrant further investigation, a complaint of discrimination/disparate treatment must sufficiently allege all of the following: (1) you are a member of a protected category; (2) you suffered an adverse employment action; and (3) you suffered an adverse employment action because of your membership in a protected category. An adverse employment action is any objectively materially adverse action affecting the terms, conditions, or privileges of employment. Actions considered materially adverse are those that impair a reasonable employee's job performance or prospects for advancement.

You are a member of a protected category based on your gender (female) and disability (on file). However, the conduct you described was not related to your gender or disability, and some of the conduct did not constitute an adverse employment action.

1. Overtime Approvals, Work Assignments, Procedures Issuance, and Training and IT Request Issues Were Not Adverse Employment Actions

While you were displeased that Chief Molloy, Captain Mason, and two other captains did not approve your overtime in a timely manner, it did not result in the loss of any compensation or status, and the terms of your employment did not change. You acknowledged that you were paid for your overtime and that most recently, Captain Mason has been approving your overtime on time, and two of the other captains also promptly addressed your overtime approvals after you spoke with them. Having overtime procedures issued to you by Captain Molloy is not considered an adverse employment action, and you acknowledged that male employees were also directed to follow overtime documentation procedures.

Choosing how to allocate work amongst you and your co-workers is also not an adverse employment action. As your supervisor, it was within Chief Molloy's discretion to supervise and assign your work, and to make decisions without your approval. His allocation of work assignments was not related your gender or disability. Rather, you alleged that the gurney training assignment and the field testing assignment were allocated based on favoritism, and favoritism is not a protected category. Further, you acknowledged that a female rescue captain was also assigned to the CPR project, and after you were removed from the project, two female employees were reassigned to extract your data, weighing against a link between your removal from the project and your gender.

While a denial of access to work resource and training opportunities could be considered an adverse employment action, there is insufficient information to support these allegations. The only information regarding training opportunities was one email from Chief Zanoft to FF/PM Frazer asking if he was interested in attending a training, and an email you sent to Chief Molloy

asking to attend an EMSA meeting. You acknowledged that Chief Molloy approved you to attend the EMSA meeting, and future EMSA meetings, and no additional information was provided about the training Chief Zanoft invited FF/PM Frazer to attend, such as whether you requested to attend the training, or its relevance to your job. Additionally, while you alleged it was unfair that FF/PM Frazer was provided a computer within a month of his start date, but you and two female co-workers had to use a laptop instead of a computer, you did not allege that using a laptop hindered your ability to do your job, or that you had requested or were denied access to a computer.

2. April 2018 Lieutenant Non-Selection Was Non-Discriminatory

You were subjected to an adverse employment action in April 2018 when you were not selected for a H-23 lieutenant position. While you believed you should have been selected because you had logistics experience and the position encompassed many of your current responsibilities, the non-selection was not related to your membership in a protected category. When asked why you believed you were not selected, you said that the individuals selected were chosen because they are "liked." However, as discussed above in Section II.B.1, favoritism is not a protected category.

While you may disagree with the decisions made by management, there is insufficient evidence to connect their alleged conduct to your gender, disability, or any other protected category. Therefore, your discrimination allegations will not be investigated further.

C. Insufficient Allegations to Support a Harassment Claim

To warrant further investigation, a complaint of harassment/hostile work environment must sufficiently allege all of the following: (1) you were subjected to physical, verbal, or visual conduct on account of your membership in a protected category; (2) the conduct was unwelcome; and (3) the conduct was sufficiently severe or pervasive as to alter the condition of your employment and create an abusive working environment.

You alleged that you were subjected to harassment/hostile work environment when: (1) in February 2018, a storekeeper that had previously yelled and waved a box cutter at you in October or November 2017 was allowed to return to Station 49, and (2) when between March and May 2018, Captain Tibbits and Captain Mason accused you of being late on two occasions, and questioned your whereabouts on two occasions. However, the conduct and comments you described are not related to your gender or disability.

Although you believed returning the storekeeper to Station 49 three or four months after your altercation with him created a hostile work environment, you did not allege that his return was related to your gender, disability, or any other protected category. You stated that Chief Zanoft met with you after the altercation, and the storekeeper was transferred while an investigation was conducted. Further, you stated that since his return to Station 49, you have been "getting along really well" with him, and you think he is a "good guy."

You alleged that your male co-workers were not held to the same attendance and punctuality standards that you were. However, the only information to support this was that a male co-worker was not questioned about arriving late on one occasion, and leaving the station on a break on another occasion, and that two male employees were not questioned about their use of flex time, but you did not know whether Captain Tibbits was aware of their flex time scheduling. There is no information to link this allegation to your disability. As your allegation regarding a possible mismanagement of flex time usage and timekeeping is outside the scope of the City's EEO jurisdiction, this allegation will be forwarded to SFFD for review.

Discussing your whereabouts and attendance with you on four occasions over a three month period was also unrelated to your gender or disability. As supervisors, Captain Tibbits and Captain Mason were responsible for monitoring the attendance of subordinates. Furthermore, you acknowledged that you were not subjected to disciplinary action as a result of the questioning, and as of late March 2018, you no longer work with Captain Tibbits.

As the conduct you described is not related to your gender or disability, your harassment/hostile work environment allegations will not be investigated further.

D. Insufficient Allegations to Support a Retaliation Claim

To warrant further investigation, a complaint of retaliation must sufficiently allege all of the following: (1) you engaged in a protected activity; (2) you suffered an adverse employment action; and (3) there is a causal link between the protected activity and the adverse employment action. An employee engages in a protected activity when they oppose conduct that they reasonably and in good faith believe to be discriminatory, or when they file a charge, testify, assist, or participate in an investigation of discrimination.

You alleged that you were subjected to retaliation for an email sent by a member of the public to the Fire Commission, which was attributed to you. However, being suspected of writing an email, which you did not write, is not a protected activity. Even if you were suspected of writing the email, the content of the email did not allege any discriminatory conduct, rather, it related to an equipment safety issue.

Because you did not engage in a protected activity, your retaliation allegation is not within the City's EEO jurisdiction and will not be investigated further.

III. HUMAN RESOURCES DIRECTOR'S DETERMINATION

Based on the information you provided, it is my determination that your complaint, EEO File No. 2692, will not be investigated further and is administratively closed.

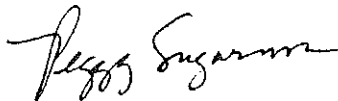

The decision of the Human Resources Director is final, unless it is appealed to the Civil Service Commission and is reversed or modified. A request for appeal must be received by the Civil Service Commission at 25 Van Ness Avenue, Room 720, San Francisco, CA 94102, within 30 calendar days from the postmarked mailing date of this letter.

Deborah Palmer
EEO File No. 2692
Page 9 of 9

For your information, you may file a complaint of employment discrimination with the California Department of Fair Employment and Housing or the United States Equal Employment Opportunity Commission. Contact these agencies directly for filing instructions and deadlines. We appreciate that you reported your concerns so that they may be reviewed.

Please feel free to contact Linda Simon, Director, EEO and Leave Programs, DHR, at (415) 557-4837, should you have any questions.

Sincerely,

 on behalf of 

Micki Callahan
Human Resources Director

c: Joanne Hayes-White, Fire Chief, SFFD
Jesusa Bushong, Department Personnel Officer, SFFD
Linda C. Simon, Director, EEO and Leave Programs, DHR

STAFF REPORT

NOTIFICATIONS

Deborah Palmer
(Appellant)

[REDACTED]
[REDACTED]

Antenor Molloy
(Respondent)

[REDACTED]
[REDACTED]

Zackary Tibbits
(Respondent)

[REDACTED]
[REDACTED]

Andy Zanoff
(Respondent)

[REDACTED]
[REDACTED]

Michael Mason
(Respondent)

[REDACTED]
[REDACTED]

Joanne Hayes-White
Fire Chief
San Francisco Fire Department
698 Second Street
San Francisco, CA 94107

Jeanine Nicholson
Deputy Chief of Administration
San Francisco Fire Department
698 Second Street
San Francisco, CA 94107

Jesusa Bushong
Department Personnel Officer
San Francisco Fire Department
698 Second Street
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Linda C. Simon
Director, EEO and Leave Programs
Department of Human Resources
1 South Van Ness Avenue, 4th Floor
San Francisco, CA 94103


Susan Gard
Chief of Policy
Department of Human Resources
1 South Van Ness Avenue, 4th Floor
San Francisco, CA 94103

Vanessa Doyle
EEO Programs Specialist
Department of Human Resources
1 South Van Ness Avenue, 4th Floor
San Francisco, CA 94103

CIVIL SERVICE COMMISSION REPORT

MEMORANDUM

TO: Civil Service Commission

THROUGH: Micki Callahan, Human Resources Director 

THROUGH: Linda Simon, Director, EEO and Leave Programs

FROM: Vanessa Doyle, EEO Programs Specialist

DATE: April 4, 2019

EEO FILE NO: 2692

REGISTER NO: 0031-19-6

APPELLANT: Deborah Palmer

I. AUTHORITY

The San Francisco Charter, Section 10.103 and Civil Service Commission (CSC) Rule 303 provide that Human Resources Director shall review and resolve employment discrimination complaints. Pursuant to CSC Rule, Section 303.3, the CSC shall review and resolve appeals of the Human Resources Director's determinations.

II. BACKGROUND

Since 2007, Appellant Deborah Palmer has been employed with the San Francisco Fire Department (SFFD) as a H-3, Level 2 Firefighter/Paramedic (FF/PM). Since 2015, FF/PM Palmer has been assigned to the Biomedical Services Division (BSD) at Station 49, initially as a temporary modified duty assignment, and later as a permanent reasonable accommodation. Also since 2015, FF/PM Palmer has reported to Antenor Molloy, Acting Section Chief, Emergency Medical Services (EMS) Division, SFFD. Chief Molloy reports to Andy Zanooff, Assistant Deputy Chief, EMS Division, SFFD.

A. Appellant's Complaint, EEO File No. 2692

On April 23, 2018, FF/PM Palmer submitted a written complaint to the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO) alleging that Chief Molloy, Chief Zanooff, and Zackary Tibbits, Acting Rescue Captain, SFFD subjected her to discrimination and harassment "possibly" based on her gender (female) and disability (on file), and retaliation (for an email sent by a member of the public, to the Fire Commission, concerning an equipment safety issue). See Exhibit A.

FF/PM Palmer's complaint was assigned to Vanessa Doyle, EEO Programs Specialist, DHR. On August 31 and September 4, 2018, Ms. Doyle conducted an intake interview with FF/PM Palmer by phone, during which she further alleged that Michael Mason, Rescue Captain, SFFD, also subjected her to discrimination and harassment. See Exhibit B. On September 10, 2018, FF/PM Palmer submitted additional documentation to Ms. Doyle. See Exhibit C.

1. Harassment Allegations

FF/PM Palmer alleged that she was subjected to harassment based on her gender and disability as follows: (1) in February 2018, a storekeeper that had previously yelled and waved a box cutter at her in October or November 2017 was allowed to return to Station 49, and (2) between March and May 2018, Captain Tibbits and Captain Mason accused her of being late on two occasions, and on two other occasions questioned her whereabouts. See Exhibit B.

2. Discrimination Allegations

FF/PM Palmer alleged that she was subjected to discrimination based on her gender and disability as follows: (3) in 2016, Chief Molloy was dismissive when FF/PM Palmer tried to show him damage done to a bus ramp and asked her to make labels; (4) in August 2017, FF/PM Palmer was unable to participate as a panelist in interviews for a vacant Gurney Shop position because they were conducted while she was on vacation; (5) after Dennis Frazer, H-3 FF/PM, SFFD, was selected to fill the Gurney Shop position, he was offered assignments not offered to FF/PM Palmer, and some of FF/PM Palmer's assignments were reassigned to him, including training others on a new ambulance and gurney; (6) Chief Molloy assigned Nick Brady, Rescue Captain, SFFD, to oversee field testing of new defibrillator monitors, which FF/PM Palmer disagreed with because Captain Brady seemed uninterested in the equipment and was not trained by a field representative until after the assignment; (7) Chief Molloy cut off FF/PM Palmer's access to a computer program she used to track CPR data and she was no longer invited to CPR project meetings; (8) intermittently since October 2015, four captains did not approve FF/PM Palmer's overtime in a timely manner, but she alleged a male co-worker did not have problems with his overtime approvals; (9) in March 2017, Chief Molloy sent FF/PM Palmer a copy of overtime procedures, which she believed targeted her and a female co-worker, but she acknowledged male employees were also directed to follow procedures for documenting overtime; (10) in November 2016, FF/PM Palmer and two female co-workers used a laptop because it was questionable whether a computer could be installed in the Gurney Shop, but in October 2017, after FF/PM Frazer was hired for the Gurney Shop position, a computer, printer and network access was installed at his work location; and (10) FF/PM Frazer was offered training opportunities not offered to her. Regarding this allegation, FF/PM Palmer submitted an email she sent to Chief Molloy requesting to attend an Emergency Medical Services Authority (EMSA) meeting, which she acknowledged was approved, and an email from Chief Zanooff to FF/PM Frazer asking whether he was interested in attending an air supply technician training. See Exhibits B and C.

FF/PM Palmer alleged that she was subjected to discrimination not based on a protected category (favoritism), when in April 2018, she was not selected for a H-23 lieutenant position. FF/PM Palmer alleged that the two emergency medical technicians (EMTs) selected for the positions lacked logistics experience, but were chosen because they "are liked." See Exhibit B.

3. Retaliation Allegation

FF/PM Palmer alleged that she was subjected to retaliation based on an email sent by a member of the public, to the Fire Commission, concerning an equipment safety issue, when in March 2018, Chief Molloy cut off her access to a computer program used to track CPR data and stopped inviting her to CPR project meetings. See Exhibit B.

4. Third Party Complaint

In addition to the above listed allegations, FF/PM Palmer further alleged that FF/PM Frazer's selection for the Gurney Shop position was unfair, because he was "buddies" with the panelists, and because the panelists did not have gurney or biomedical experience. FF/PM Palmer alleged another candidate was more qualified for the position. See Exhibit B.

B. Human Resources Director's Administrative Closure

In a letter dated December 27, 2018, the Human Resources Director informed FF/PM Palmer that based on the information she provided, her allegations were insufficient to raise an inference of discrimination, harassment or retaliation. Therefore, her complaint was not investigated further and was administratively closed. See Exhibit D. FF/PM Palmer's allegations regarding mismanagement of flex time usage and timekeeping were forwarded to SFFD for review. See Exhibit E.

III. ISSUE ON APPEAL TO THE CIVIL SERVICE COMMISSION

On January 25, 2019, FF/PM Palmer appealed the Human Resources Director's Determination. In her appeal, FF/PM Palmer alleged that the analysis of the administrative closure letter "appeared to show little regard for [her] complaints," and that parts of her intake interview had been left out or reworded, which "altered the perception of the information [she] gave." See Exhibit F. The issue on appeal is whether the Human Resources Director appropriately administratively closed FF/PM Palmer's complaint without further investigation.

IV. INVESTIGATION STANDARDS AND ANALYSIS

A. FF/PM Palmer's Untimely Allegations

Complaints of discrimination must be filed within 180 calendar days of the date the alleged discriminatory action took place, or the date the employee should have first become aware of the discriminatory action.

On April 23, 2018, FF/PM Palmer first reported the following discrimination and harassment allegations: (1) in August or September 2016, Chief Molloy directed her to make labels when she tried to show him damage done to a bus ramp by male employees; (2) in November 2016, FF/PM Palmer and two female co-workers were unable to have a computer installed in the Gurney Shop; (3) in March 2017, Chief Molloy emailed FF/PM Palmer a copy of overtime procedures; (4) in August 2017, interviews for the Gurney Shop position were conducted while

FF/PM Palmer was on vacation and she was unable to serve as a panelist. FF/PM Palmer also alleged that the August 2017 Gurney Shop position selection process was unfair, as she believed another candidate was more qualified. On appeal, FF/PM Palmer has provided no justification for her delay in reporting these allegations. Due to the eight to twenty month delay in reporting these allegations, these allegations are untimely and do not warrant further investigation.

B. FF/PM Palmer Did Not Sufficiently Allege a Harassment Claim

To warrant further investigation, a complainant of harassment must sufficiently allege all of the following: (1) the complainant was subjected to physical, verbal, or visual conduct on account of their membership in a protected category; (2) the conduct was unwelcome; and (3) the conduct was sufficiently severe or pervasive as to alter the terms and conditions of their employment and create an abusive working environment.

FF/PM Palmer alleged that she was subjected to harassment/hostile work environment, as described in Section II.A.1 above. However, the conduct and comments she described are not objectively related to her gender or disability.

Although FF/PM Palmer alleged that returning the storekeeper to Station 49 three or four months after her altercation with him created a hostile work environment, she did not allege that his return was related to her gender, disability, or any other protected category. FF/PM Palmer stated that Chief Zanoft met with her after the incident, and the storekeeper was transferred while an investigation was conducted. Further, FF/PM Palmer stated that since his return to Station 49, she has been "getting along really well" with him, and that she thinks he is a "good guy."

FF/PM Palmer alleged she was harassed when she was questioned about her attendance and punctuality on four occasions in a two month period, and claimed that her male co-workers were not held to the same standards that she was. However, the only information she provided to support this allegation was that FF/PM Frazer was not questioned about arriving late on one occasion, and leaving the station on a break on another occasion, and that Captain Brady and FF/PM Frazer were not questioned about their use of flex time, but she did not know whether Captain Tibbits was aware of their flex time scheduling. There is no information to link this allegation to FF/PM Palmer's disability.

This allegation was referred to the SFFD for review as it is outside the scope of the City's EEO jurisdiction. Upon review by SFFD, it was found that Captain Brady is officially on a 4/10 schedule, contrary to FF/PM Palmer's assertion that he was scheduled to work five days a week and used flextime to only work four days, and that FF/PM Frazer's use of flextime was in accordance with department policy.

Discussing FF/PM Palmer's whereabouts and attendance with her on four occasions over a three month period was also unrelated to her gender or disability. As supervisors, Captain Tibbits and Captain Mason are responsible for monitoring the attendance of subordinates. Furthermore, FF/PM Palmer acknowledged that she was not subjected to disciplinary action as a result of the questioning, and as of late March 2018, she no longer works with Captain Tibbits.

As there is no information to support that the conduct described by FF/PM Palmer is related to her gender or disability, or that it is sufficiently severe or pervasive as to alter the conditions of her employment and create an abusive working environment, her harassment/hostile work environment allegations do not raise an inference of harassment warranting further investigation.

C. FF/PM Palmer Did Not Sufficiently Allege a Discrimination Claim

To warrant further investigation, a discrimination complaint must sufficiently allege all of the following: (1) the complainant is a member of a protected category; (2) the complainant suffered an adverse employment action; and (3) the complainant suffered an adverse employment action because of her membership in a protected category. An adverse employment action is any objectively materially adverse action affecting the terms, conditions, or privileges of employment. Actions considered materially adverse are those that impair a reasonable employee's job performance or prospects for advancement.

FF/PM Palmer is a member of a protected category based on her gender (female) and disability (on file). However, the conduct she described was not related to her gender or disability, and some of the conduct did not constitute an adverse employment action.

1. Overtime Approvals, Work Assignments, Procedures Issuance, and Training and IT Request Issues Were Not Adverse Employment Actions

While FF/PM Palmer was displeased that Chief Molloy, Captain Mason, and two other captains did not approve her overtime in a timely manner, it did not result in the loss of any compensation or status, and the terms of her employment did not change. FF/PM Palmer acknowledged that she was paid for her overtime, and that Captain Mason and two other captains resolved the issue after she spoke with them. Having overtime procedures issued to her by Captain Molloy is not considered an adverse employment action, and FF/PM Palmer acknowledged that male employees were also directed to follow overtime documentation procedures.

Disagreement with how work is allocated amongst employees is also not an adverse employment action. As FF/PM Palmer's supervisor, it was within Chief Molloy's discretion to supervise and assign her work, and to make decisions without her approval. FF/PM Palmer provided no information to support that his allocation of work assignments was related to her gender or disability. Rather, FF/PM Palmer alleged that the gurney training assignment and the field testing assignment were allocated based on favoritism, and favoritism is not a protected category. Further, FF/PM Palmer acknowledged that a female rescue captain was also assigned to the CPR project, and after she was removed from the project, two female employees were reassigned to extract FF/PM Palmer's data, weighing against a link between her removal from the project and her gender.

While a denial of access to work resource and training opportunities could be considered an adverse employment action, there is insufficient information to support these allegations. The only information provided by FF/PM Palmer regarding training opportunities was one email from Chief Zanoft to FF/PM Frazer asking if he was interested in attending a training, and an email FF/PM Palmer sent to Chief Molloy asking to attend an EMSA meeting. FF/PM Palmer

acknowledged that Chief Molloy granted approval for her to attend the EMSA meeting, and future EMSA meetings. No additional information was provided about the training Chief Zanoloff invited FF/PM Frazer to attend, such as whether FF/PM Palmer requested to attend the training, or its relevance to her job. Additionally, while FF/PM Palmer alleged it was unfair that FF/PM Frazer was provided a computer within a month of his start date, but she and two female co-workers had to use a laptop instead of a computer, FF/PM Palmer did not allege that using a laptop hindered her ability to do her job, or that she had requested or was denied access to a computer.

2. April 2018 Lieutenant Non-Selection Was Non-Discriminatory

FF/PM Palmer was subjected to an adverse employment action in April 2018 when she was not selected for a H-23 lieutenant position. While she believed she should have been selected because she had logistics experience and the position encompassed many of her current responsibilities, she did not allege that the non-selection was related to her membership in a protected category. When asked why she believed she was not selected, she said that the individuals selected were chosen because they are “liked.” However, as discussed above in Section IV.B.1, favoritism, on its own, is not a protected category.

Therefore there is no information to connect the alleged conduct to FF/PM Palmer’s gender, disability, or any other protected category. On appeal, FF/PM Palmer has provided no additional information to conclude otherwise. Therefore, FF/PM Palmer’s discrimination allegations do not raise an inference of discrimination requiring further investigation.

D. FF/PM Palmer Did Not Sufficiently Allege a Retaliation Claim

To warrant further investigation, a complaint of retaliation must sufficiently allege all of the following: (1) the complainant engaged in a protected activity; (2) the complainant suffered an adverse employment action; and (3) there is a causal link between the protected activity and the adverse employment action. An employee engages in a protected activity when they oppose conduct that they reasonably and in good faith believe to be discriminatory, or when they file a charge, testify, assist, or participate in an investigation of discrimination.

FF/PM Palmer alleged that she was subjected to retaliation for an email sent by a member of the public, to the Fire Commission, which she alleges was attributed to her. However, the content of the email did not allege any discriminatory conduct, rather, it related to an equipment safety issue.

Because FF/PM Palmer did not engage in a protected activity, her allegation does not raise an inference of retaliation warranting further investigation.

E. FF/PM Palmer’s Provided No Information Regarding Her Complaint on Appeal that Parts of her Intake Interview were Left Out or Reworded

In her January 25, 2019 letter of appeal, FF/PM Palmer claimed that parts of her intake interview were left out or reworded, which she alleged altered the perception of the information she provided. However, she failed to provide any information regarding this allegation, such as the

specific statements she made that she believed were missing or altered. As explained above, FF/PM Palmer's allegations did not raise an inference of harassment, discrimination or retaliation warranting further investigation, and on appeal, she has failed to provide any additional information to conclude otherwise.

V. RECOMMENDATION

For all the reasons set forth above, the Human Resources Director's decision should be upheld and the appeal should be denied.

VI. APPENDIX/ATTACHMENTS TO REPORT

Attached to this report are the following exhibits:

- Exhibit A: Complaint submitted to DHR EEO by Appellant, dated April 23, 2018, pp. 9-12.
- Exhibit B: Notes from Appellant's Intake Interview by Vanessa Doyle, dated August 31 and September 4, 2018, pp. 13-32.
- Exhibit C: Documents submitted by Appellant to Vanessa Doyle on September 10, 2018, pp. 33-89.
- Exhibit D: Human Resources Director's Letter of Determination to Appellant, dated December 27, 2018, pp. 90-99.
- Exhibit E: Letter from Linda Simon, Director, EEO and Leave Programs, DHR, to Chief Joanne Hayes-White, SFFD, dated December 27, 2018, pp. 100-102.
- Exhibit F: Appellant's Letter of Appeal, dated January 25, 2019, pp. 103-105.
- Exhibit G: Notice of Receipt of Appeal and Acknowledgment Letter to Appellant, dated January 29, 2019, pp. 106-109.

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EXHIBIT A

Complaint submitted to DHR EEO by Appellant, dated April 23, 2018

Deborah Palmer



18 APR 23 PM 1:00

DSW # [REDACTED]
H3-L2
SFFD Station 49 EMS Logistics/ Biomedical & Gurney Shop Technician

Please allow this letter to serve as my complaint of gender and disability discrimination and retaliation based on an email sent to the SFFD Fire Commission on 2/22/2018 from an SF resident. I have worked for the SFFD since 02/2007 and have been in my assigned position in EMS Logistics/ BioMed since 10/2015.

This all has occurred at SFFD Station 49 at 1415 Evans Ave San Francisco, CA 94124.

The individual(s) involved are:
A/SC Antenor Molloy

Witnesses to event/ incidents and continuous patterns of behavior are:
Irene Ybarra
Michelle Estrada

My complaints of the most recent discrimination and retaliation includes the following:

- 1) Patterns of increasing discrimination possibly due to gender and/or disability
- 2) Job duties are being gradually decreased, despite "expert" status as well as part of my job description.
- 3) Random, questionable disciplinary actions without merit and possible lost promotion being the most qualified for the position.
- 4) "Rule changes" for me versus male counterparts
- 5) Being excluded from training despite being involved in developing initial training and policy.
- 6) Retaliation/ accusation assuming I sent an e-mail to the Fire Commission and/ or possible retaliation for bringing to light a significant fault with an extremely important piece of life saving equipment.

Some examples of the ongoing discrimination, retaliation and harassment:

1) 12/4/2017: When field testing for a new piece of equipment began and EMS Chief Zanoft allowed me to be the lead for setting up and coordinating training of the crews participating with the Physio Control trainer. After the first session A/SC Molloy decided that A/RC Nick Brady would run and handle the brief overview testing after the training sessions even though he had not been trained by the trainer and Brady voicing that he "doesn't like change and would not like to switch equipment." Then on 2/2018 field testing began for a new ambulance and gurney. A/SC Molloy allowed Dennis Frazer to be the lead with everything regarding this testing without issue or A/RC Brady being involved in the training or testing. Molloy even allowed Frazer to train new hires still in the academy on the new ambulance and gurney without any official training himself but after watching Youtube videos. EMS Chief Zanoft wanted that training to continue without any official training from the Stryker gurney trainer. I had to continuously insist that a train the trainer course was needed for the safety of the crews and patients. I feel that the difference in how training the crews was discrimination based on my gender as all the others involved were males. Dennis Frazer was never required to be formally trained by the original developer of the gurney shop/ EMS Logistics program, retired Paramedic Irene Ybarra. There was also signs of sexual bias by Molloy. Paramedic Irene Ybarra and EMT Michelle Estrada both retired early due to the discrimination and harassment.

2) 02/23/2018- Present: This started after I was called in Chief Zanoft's office and told to close the door. Zanoft then handed me a print out of an e-mail forwarded to him by the Fire Commission Secretary that was sent to the SFFD Fire Commission the night before and forwarded to him by the commission secretary. It was signed by a person named [REDACTED]. Zanoft asked if I wrote this and when I answered "No", he then asked if I know who did and I told him "no". He then stated that it had to be someone from THIS station due to the contents of the e-mail. Since then I have been retaliated against by being excluded from meetings & training, reducing a large portion of my duties and access to programs that are needed to do the job esp investing equipment malfunctions that affect patient care, as I am the only one trained as a certified Zoll technician, being singled out by A/RC Zach Tibbits at station. I have been in this position since 10/2015. I was part of the development of training policies before Chief Zanoft was assigned and that was recognized and approved by retired EMS Chief Jeff Myers and retired Support Services Chief Ken Lombardi. I was involved with assisting the RFP for monitor/ defibrillators, researching & setting up field trials of CPAP, IO, stair chairs, ordering medical supplies for the SFFD, handling recall of equipment and medication shortages, and working closing with multiple vendors for the products we use. I truly feel that I am being pushed out by A. Molloy due to my gender and my disability of [REDACTED] caused by 2 high profile incidents 6 days apart while on duty with SFFD and the accusation of writing an e-mail to the fire commission.

3) 02/26/2018: A male storekeeper, George Watkins, was allowed to return back to Station 49 after his 3rd physically treating incident of a uniform member of the SFFD with the last two incidents requiring SFPD to be called out. By

administration allowing him back it is creating a hostile work environment especially with the last incident being directed at me with a box cutter.

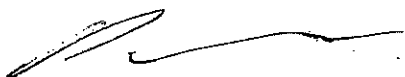
4) 03/19/2018: A/RC Tibbits approached me stating the per A/SC Molloy I'm need to check in every morning so it can be documented in the station journal. Along with that only Tibbits has now started to lock the second BioMed door by the mailboxes. Later that day A/SC Molloy called me to his office and asked for the door to be closed. He then informed that I need to check in with the station captain in the morning so it can be documented in the journal but there are male employees that are listed in HRMS as supposed to be on duty but are actually off duty and are not required to have their on and off duty times written in the station journal.

4b) 03/20/2018: I arrived at 0600 and started working on one of the new Sprinter ambulances. At approx 0615 Frazer arrived at work and then walked to breakfast to a near by cafe. I walked to get coffee at approx 0630 and when I started to walk back to station at approx 0640 I received a call from Tibbits asking if I had come to work. Around 0700 Frazer came back from breakfast and I asked if Tibbits called him at all about showing up late or going for breakfast and he said "no".

4c) 03/27/2018: Frazer arrived to work at 0700. He stated that his alarm didn't go off. I asked him if Tibbits called him to see if he was coming in and Frazer stated "no". I also asked the OD Lt. Landivar to see if in the journal Frazer and my arrival had been documented in the journal and it had not. Also A/RC Nick Brady is on the schedule to be working M-F 0800-1500 but he pulls 4 10hr days Mon-Thurs and doesn't come into work on Fridays but is still on the schedule as being at work. Also A/SC Molloy frequently does not have my OT entered in a timely manner with multiple occasions missing the pay period and having to send e-mails regarding the issue with no real resolve. I feel that I'm being singled out and discriminated against by mainly by A/SC Molloy along with A/RC Tibbits. While the other males at work can come and go without incident my attendance is scrutinized more closely without justification

I would like to have my duties and access back to what it was so I can continuing doing the job I've been doing very well and that I take great pride in. I would also like to have the above named attend a workshop or class about discrimination, harassment and retaliation in the workplace.

Thank You,
Deborah Palmer



4/23/18

EXHIBIT B

Notes from Appellant's Intake Interview by Vanessa Doyle, dated
August 31 and September 4, 2018



CONFIDENTIAL

**DHR EEO INVESTIGATION OF EMPLOYMENT DISCRIMINATION COMPLAINT
INTAKE INTERVIEW NOTES**

Name: Deborah Palmer	EEO File No.: 2692
EEO Investigator: Vanessa Doyle	Department: FIR
Others Present: None	Date & Time: August 31, 2018, 2:30PM and September 4, 2018, 2:30PM
Location: Phone call - [REDACTED]	Pages: 19

I. BACKGROUND INFORMATION - COMPLAINANT

Since February 26, 2007, Ms. Palmer has been employed at the San Francisco Fire Department (SFFD) as a H003, L2 Firefighter Paramedic. Since October 2015, Ms. Palmer has been assigned to the biomedical division at SFFD, and no longer works in the field. In the biomedical division at SFFD, Ms. Palmer handles Emergency Medical Services (EMS) logistics, such as working with medical supply vendors and ordering medical supplies and durable medical equipment. Ms. Palmer also researches and field tests new medical equipment, and troubleshoots equipment issues and coordinates repairs. Additionally, she is assigned to coordinate logistics for special events and is responsible for the geriatric unit.

Ms. Palmer works at Station 49, located at 1415 Evans Avenue in the Bayview. Her schedule is Monday to Friday, 6AM to 2PM. Ms. Palmer clarified that she "pretty much never gets off on time," because there is so much work to do, but she receives overtime pay.

Since April 2015, Ms. Palmer has been supervised by Antenor Molloy, H033 EMS Captain, SFFD. Molloy is an Acting Section Chief. Chief Molloy reports to Andy Zanoft, H053 EMS Chief, SFFD. Ms. Palmer was assigned to temporary modified duty as an accommodation from April to October 2015, which is when she first began reporting to Caption Molloy. She was hired on permanently to her current position in the biomedical division after making a reasonable accommodation request. Ms. Palmer said it was difficult to get her position, because Jeffrey Myers, then-H053 EMS Chief, SFFD, and Chief Molloy wanted to hire a man for that position: Steve Shaw, then-H003 Firefighter Paramedic, SFFD. As of February 3, 2018, Mr. Shaw retired from SFFD, and as of February 14, 2017, Chief Meyers retired from SFFD. Mr. Shaw was in another light duty assignment at the time, and they wanted to hire him for the position on the biomedical team, otherwise he would be assigned to go back on duty in the field. Ms. Palmer got an attorney, and her attorney sent a letter to Jesusa Bushong, 0931 Manager III, SFFD

Human Resources. Shortly thereafter, Ms. Palmer's reasonable accommodation was approved, and she was appointed to a permanent position in the biomedical division.

Ms. Palmer is the only employee in the biomedical division, but she works most closely with Dennis Frazer, H003 Firefighter Paramedic, SFFD, who is in charge of the gurney shop. Mr. Frazer works the same days and hours as Ms. Palmer. Before Mr. Frazer was appointed to his current role, Ms. Palmer was responsible for both the biomedical division and the gurney shop. Mr. Frazer is not trained in biomed, but he and Ms. Palmer have a lot of overlapping responsibilities. Aside from Mr. Frazer, when asked who she works with most often, Ms. Palmer listed the following individuals:

- Craig Gordon (*unable to locate in Peoplesoft*): Rescue Captain at Station 49
- Eddy Alexander, H003 Firefighter Paramedic, SFFD: Acting Rescue Captain at Station 49
- Michael Mason, H033 EMS Captain, SFFD: Rescue Captain that Ms. Palmer is "having problems with."
- Lawonda Anderson, H033 EMS Captain, SFFD: Rescue Captain
- Tina Sebert (*unable to locate in Peoplesoft*): Rescue Captain that rotated out of Station 49
- Jared Cooper, H003 Firefighter Paramedic, SFFD: Acting lieutenant
- Ryan Jamison H003 Firefighter Paramedic, SFFD: Acting lieutenant
- Nalongo Connelly (*unable to locate in Peoplesoft*): Senior administrator at headquarters
- Lynn Pankratius, 1822 Administrative Analyst, SFFD: Works at headquarters

Ms. Palmer also works "hand in hand" with the following civilian storekeepers, as she handles supplies and ordering: Eduardo "Eddy" (last name unknown), Jose Saul, Juan Gutierrez, and George Watkins.

II. BACKGROUND INFORMATION – RESPONDENTS

A. Antenor Molloy, H033 Captain, Emergency Medical Services, SFFD – Background

Ms. Palmer met Chief Molloy in April 2015, when she began reporting for him while she was on a modified duty assignment. Ms. Palmer works with Chief Molloy daily. He checks in with her about anything that needs to be done with ambulance monitors, and asks her to do research related to inventory and fulfill inventory requests. Chief Molloy also approves Ms. Palmer's overtime and vacation requests. Ms. Palmer said she does not always work with Chief Molloy one-on-one, usually another captain, Mr. Frazer, or someone else is with them.

Ms. Palmer and Chief Molloy attend station meetings once a week with all of the officers. She said the station meetings do not always happen when scheduling gets too crazy. In August 2018, Ms. Palmer began attending meetings held by the Emergency Medical Services Advisory Committee (EMSA), which are also attended by Chief Zanoloff, Chief Molloy, other SFFD employees that work at headquarters, and employees of private medical companies. The meetings are held every two months.

When asked to describe her relationship with Chief Molloy, Ms. Palmer said, "Generally, it is OK. For the most part, we work together OK. The main problem is that I'm held to a different standard than the rest of the guys." Ms. Palmer said that she has mentioned that to Chief Zanoft, and it gets "blown off." She believed Chief Zanoft backs his "right-hand man" (Chief Molloy) over her.

When asked what she reported to Chief Zanoft about Chief Molloy, Ms. Palmer said that two other females that she previously worked with retired: One no longer wanted to work with Chief Molloy, and another retired early due to difficulties she was having. After they left, Ms. Palmer was running the gurney shop and the biomedical division together. Previously, Irene Ybarra, then-H001 Fire Rescue Paramedic, SFFD, had been responsible for the gurney shop, prior to her retirement. After she retired in June 2017, the department decided to open up the position right after Ms. Palmer left for vacation in August 2017.

Although the department had a two week notice of her vacation, Ms. Palmer believed that interviews for the gurney shop position were scheduled while she would be gone so that she could not participate as a panelist. The panelists were Clinton Bailey, H003 Firefighter Paramedic, SFFD, a then-field paramedic, who is now a training captain on Treasure Island, and Nick Brady, H003 Firefighter Paramedic, SFFD, who is a training captain. Ms. Palmer believed that they did not know anything about gurneys or the biomed division. She believed that they selected Mr. Frazer because they were buddies. Ms. Palmer believed another candidate, Ted Ackerson, H003 Firefighter Paramedic, SFFD, was more qualified. Mr. Ackerson had a gurney technician certificate, had helped her in the gurney shop, and had previously worked in electronics and computers, but was not selected.

Ms. Palmer told Chief Zanoft that she felt the hiring was unfair, and Chief Zanoft said, "That's not true." Prior to the interviews, Chief Zanoft had shown Ms. Palmer a list of the candidates (about seven or eight), and asked her who she would not want to hire. Ms. Palmer named two individuals that she would not want to hire for the position, and one of them was Mr. Frazer. Thereafter, Ms. Palmer emailed Chief Molloy and Chief Zanoft about how she felt that the hiring for the gurney shop position had been unfair. Chief Zanoft responded, "You need to be careful, because emails can become public." That Ms. Palmer responded that it was OK if the email came out, because it "would show what you guys did."

B. Zackary Tibbits, H033 Captain, Emergency Medical Services, SFFD - Background

Ms. Palmer met Captain Tibbits in 2007, and they worked on and off together on the ambulance until 2010. Ms. Palmer and Captain Tibbits were never regularly assigned partners, but they sometimes filled in when their partners were out. After he was promoted to Captain, Ms. Palmer only worked with Tibbits when he was assigned to Station 49 from January or February to March 2018. In March 2018, Captain Tibbits asked for a transfer, and was reassigned to doing training on Treasure Island after making a switch with Captain

Anderson. Since Captain Tibbits was transferred to Treasure Island in March 2018, Ms. Palmer had not worked with him.

From January or February 2018 to March 2018, when Captain Tibbits was assigned to Station 49, Ms. Palmer only worked with him eight to ten times. During that time period, Captain Tibbits was a Station Captain at Station 49. When asked to describe her interactions with Captain Tibbits during that time period, Ms. Palmer said they were like, "Hey, how are you?" When a monitor or gurney needed to be fixed, Ms. Palmer asked Tibbits to call dispatch the pull the rig in. Ms. Palmer also check with Captain Tibbits about things that needed to be fixed, for him to communicate to dispatch.

III. ALLEGATIONS: DISCRIMINATION AND HARASSMENT BASED ON GENDER AND DISABILITY, RETALIATION BASED ON EMAIL SENT TO SFFD FIRE COMMISSION BY A SF RESIDENT

A. December 4, 2017: Field test for new equipment

According to her April 23, 2018 written complaint, Ms. Palmer alleged that in December 2017, Chief Zanoft allowed her to be the lead for setting up and coordinating training of the crews when field testing for a new piece of equipment began. She alleged that after the first session, Chief Molloy decided that Captain Brady would run and handle the overview testing after the training sessions. Ms. Palmer alleged that Captain Brady had not been "trained by the trainer" and he said that he "doesn't like change and would not like to switch equipment."

Ms. Palmer said that the new piece of equipment that the crews were being trained on was a new defibrillator monitors. This brand had not been previously used by SFFD, but was widely used elsewhere. Ms. Palmer did all of the research on the new monitors, talked to the vendor, and coordinated approval with Chief Zanoft. The sales rep/technician conducted the trainings, and trained Mr. Palmer and all of the crews on how to use the monitors.

After all crew members had been trained, the monitors went into the field for use with each crew. At the end of every tour, the crews wrote evaluations on how they felt about using the monitors. Chief Molloy assigned Captain Brady to oversee the field testing and paperwork. At the time of his assignment, field testing had already begun, so field testing had to start over. Ms. Palmer acknowledged that Captain Brady did attend a training session with the field rep, but he appeared to have no interest in the new monitors. Captain Brady said, "It seems like a good piece of equipment, but I don't like change." Captain Brady had limited time, and SFFD wanted to complete the testing quickly.

Chief Zanoft told Ms. Palmer, "You were supposed to run this, you were in charge." Ms. Palmer told him, "Well Molloy is a Captain, and he appointed Nick [Brady]. I'm asking for your help." Chief Zanoft told Ms. Palmer to "handle it." Ms. Palmer was frustrated because Chief Zanoft later asked her "Why are the monitors out there already?"

When asked what the typical protocol was for new field equipment to be tested and crews to be trained on using it, Ms. Palmer said that there was not any, as they had not obtained new equipment in years. Before she retired, Irene Ybarra had written the protocol on trainings, and Ms. Palmer learned everything from Ms. Ybarra. Ms. Palmer described Ms. Ybarra as a "strong person," who had about 15 years seniority over Chief Molloy, so he did not say anything about how she ran things.

When asked why she believed Chief Molloy appointed Captain Brady to oversee the testing of the new monitors, Ms. Palmer said that she did not know, but that there was kind of a pattern of "Anything Molloy wanted, he had Nick [Brady] do it," even tasks that were outside the scope of Captain Brady's role.

B. February 2018: Field test for new equipment

According to Ms. Palmer's April 23, 2018 written complaint, in February 2018, field testing began for a new ambulance and gurney. She alleged that Captain Malloy allowed Dennis Frazer to be the lead for everything regarding the field testing, without Captain Brady being involved. Mr. Frazer's to train new hires in the academy on the new ambulance and gurney without any official training, but from watching Youtube videos. Ms. Palmer alleged Chief Zanoft wanted Mr. Frazer's trainings to continue without any official training from the gurney trainer. Ms. Palmer continuously insisted that a "train the trainer" course was needed for the safety of crews and patients.

Ms. Palmer said that with the new ambulances, they were unable to use their old gurneys because of the way the ambulance in configured. The new gurneys are "power gurneys" and no longer require lifting because they lift into the ambulance by pushing a button. Mr. Frazer and Captain Brady were very outspoken about not wanting the new gurneys, because the old gurneys folded into chairs, and the new ones did not. Chief Zanoft said that crew members needed to learn how to use the new gurneys. A representative from Stryker (the gurney company) did a "train the trainer" training with Ms. Palmer, and did regular trainings for the crews. Ms. Palmer was present at the crew trainings.

About two weeks into training the crews on the new gurney, Chief Molloy put a stop to it. Ms. Palmer arrived to work one day, and the new ambulance was gone. She was told that it was taken to the training facility on Treasure Island, and Mr. Frazer was showing the new hires how to use the new ambulance and gurney. Ms. Palmer asked Molloy whether Brady would be doing the new gurney training, since he was already doing the new monitor field testing. Chief Molloy replied, "No, Frazer will handle this." Mr. Frazer had not participated in the "train the trainer" training with Ms. Palmer, or the training of the other crews with the company representative. Ms. Palmer acknowledged that she heard Mr. Frazer watching Youtube videos on the new gurney, and that in late March or early April, he did a "train the trainer" training with a Stryker sales rep. The only employees who took a "train the trainer" course on the new gurney were Ms. Palmer and Mr. Frazer.

I told Ms. Palmer that in her April 23, 2018 written complaint, she alleged a train the trainer course was only conducted after she continuously insisted, and she believed that the way the crews were trained was discrimination based on her gender, as the others involved were male. I asked Ms. Palmer why she believed it was discrimination based on her gender that a "train the trainer" course was not taught sooner. She responded, "That's a good question. I had to jump through hoops. Gurney is a big deal, people have lost their lives. Molloy was just like, 'Frazer can handle that, not a big deal.'" Ms. Palmer also said that Mr. Frazer and Captain Brady "hang out a lot." When Mr. Frazer was initially appointed to the gurney shop position in August 2017, he moved himself upstairs at Station 49, away from the gurney shop, to closer to Captain Brady, and "hung out a lot" with Captain Brady and Chief Molloy. As Ms. Palmer works downstairs in the gurney shop alone, she had to run up and down the stair to see him. In October 2017, Chief Zanoft told Mr. Frazer to move back downstairs.

C. February 23, 2018 – Present: Chief Zanoft questioned CP about email from a member of the public, CP subsequently excluded from meetings, trainings, assignments reduced

In her April 23, 2018 written complaint, Ms. Palmer alleged that Chief Zanoft questioned her about an email forwarded to him by the Fire Commission Secretary that was sent to the SFFD Fire Commission, and signed by a person named [REDACTED].

Ms. Palmer said that the email was sent by [REDACTED] late at night, and apparently it had been inappropriate for the Fire Commission Secretary to forward the email to Chief Zanoft first thing, before the Commissioners had seen it. On February 23, 2018, Chief Zanoft called Ms. Palmer into his office, and asked her to close the door. He asked her, "Did you write this?" Ms. Palmer said she did not. Chief Zanoft asked her, "Do you know who wrote it?" Ms. Palmer said she did not. Chief Zanoft asked Ms. Palmer if Joanna (another SFFD employee assigned to light duty at that time) wrote it. Ms. Palmer, said "No." Chief Zanoft told her, "Someone here must have written this."

The email stated that [REDACTED], who identified herself as an SF resident, had concerns about the monitors being used in ambulances, and that she had talked to SFFD crew members about them. Ms. Palmer did not know how [REDACTED] found out about the monitors, but thought she might have asked about them on a call. [REDACTED]'s email had to do with treating pediatric patients, as the old monitor could not treat pediatric patients properly. [REDACTED]'s email said that cardiac arrest is the second leading cause of death in pediatric patients, and that the state in making EMS guidelines for children now.

Ms. Palmer believed Chief Zanoft thought she wrote the email because she had been "pretty vocal" about her concerns about the monitors. Ms. Palmer told Chief Zanoft, Chief Molloy and the crews that the old monitors could not work in a certain way on pediatric patients, and she wanted the crews to understand the difference. Ms. Palmer said that she did not wrote the

email, and if it had been her, she would have just put her name on it, because she was already vocal about the issues with the monitors.

When asked why she thought Chief Zanoft questioned her about the email, Ms. Palmer responded, "Because of what was in it," as the questioning of the monitors was similar to what Ms. Palmer had been telling the crews and being vocal about.

In her April 23, 2018 written complaint, Ms. Palmer alleged that since she was questioned by Chief Zanoft about the email, she was subjected to retaliation by being excluded from meetings and trainings, having her duties and access to programs reduced, and being singled out by Captain Tibbits at the station.

When asked what meetings she had been excluded from, Ms. Palmer said she had started collecting data on CPR calls where the new monitors were used. In April 2017, a CPR group was put together to try to make a good case for getting mechanical CPR devices. Chief Zanoft and Chief Molloy assigned the following individuals to work on the CPR group: Ms. Palmer, Mr. Frazer, Captain Malloy, Captain Brady, and Kurt Thompson (a longtime medic), and Ada Wong (acting Captain). Some of the members of the CPR group had access to a program called ESO, in order to pull the charts of the patients that the crews worked with. The group met on ad hoc basis and did not have regularly scheduled meetings.

Within a few days of the February 23, 2018 email questioning, Ms. Palmer was pulled off the group. When asked how she was pulled off the group, she said that she had still been collecting information on CPR data, and when she went to sign in to ESO, she was able to log in, but could no longer access anything. Ms. Palmer had previously had access to ESO, and she had asked for a higher level of access to pull analytics, which Chief Zanoft approved in May or June 2017. After Ms. Palmer discovered she was unable to access anything in ESO, she thought it was a system glitch since she had previously had problems with it. Ms. Palmer went to Chief Zanoft's office and said, "I went into ESO, and had problems with it." Chief Molloy, who was also in Chief Zanoft's office responded, "You don't have access, you never were going to have access, stop asking about it. The discussion is over. You are not going to have access to ESO." Chief Molloy did not give Ms. Palmer a reason for denying her access to ESO.

After Ms. Palmer's access to ESO was cut off, it took away all of her data, which was given to Captain Brady. Captain Brady previously came downstairs to talk to Ms. Palmer about the CPS stuff, but stopped. Ms. Palmer is no longer asked to pull calls, and not invited to meetings about the monitors and CPR anymore. Ms. Palmer is now only involved when something needs to be repaired. When asked whether the CPR group still met, Ms. Palmer said that during weekly Station 49 meetings, CPR was mentioned, so she knew data was still being compiled.

When asked why she believed her access to ESO was cut off, Ms. Palmer said that Chief Molloy voiced something at one point, while Ms. Ybarra was working there, about Ms. Palmer not having access to ESO, because she had been vocal about them having only a 12% accuracy rate

with CPR. Once Ms. Palmer had access to ESO, she began being vocal about the stats, and about wanting to get access to a mechanical CPR device.

Ms. Palmer also stated that the timing of her access to ESO being cut off was right after [REDACTED]'s email to the Fire Commission, and she did not think that Chief Zanoft believed she had nothing to do with the email. She also believed that it had not been well received that she was pointing out the weaknesses for the old monitors that had been used. Ms. Palmer believed that "politics were at play" with not wanting to deviate away from the old monitors. Ms. Palmer acknowledged that Chief Zanoft was on board with the new monitors, and assigned her to write the new RFP for the new monitor bid in January or February 2018. However, a new EMS Administrator (that does not work for SFFD) had been trying to "strong-arm" the whole county to stick with the old monitors. After Ms. Watson's email came out, the Commission had to acknowledge the problems with the old monitors.

Ms. Palmer believed Chief Molloy cut off her access to ESO, because he told Ms. Palmer that he never wanted her to have access. Ms. Palmer acknowledged that a Chief would have to call IT to give permission to make changes to ESO access. Captain Brady, Kurt Thompson, and Chief Molloy all had access to ESO. Ms. Palmer was not sure whether Mr. Frazer had access to ESO, but later said that he did.

Mr. Frazer never really participated in the CPR group, but everything that Ms. Palmer was a part of, Mr. Frazer was a part of. However, there were some things that Mr. Frazer did, that Ms. Palmer was not involved with. For example, Mr. Frazer had been assigned to work certain events that Ms. Palmer was not assigned. Also, Mr. Frazer worked with the central shop on making ambulance modifications, which Ms. Palmer had previously done with Ms. Ybarra and Michelle (former SFFD employees). These changes in Ms. Palmer's work assignments occurred after Mr. Frazer was appointed to the gurney tech position in August 2017.

When asked why she believed Mr. Frazer was given certain assignments, that she was not given, Ms. Palmer said she thought it was because he was already buddies with Captain Brady, and Mr. Frazer, Captain Brady and Captain Malloy hung out in Captain Malloy's office. Meanwhile, Ms. Palmer was downstairs at Station 49 by herself, "working [her] ass off." Ms. Palmer believed that Mr. Frazer "took over the gurney shop," and was doing assignments on his own that had previously been shared by Ms. Palmer, Ms. Ybarra and Michelle.

Ms. Palmer said she felt like her, Ms. Ybarra and Michelle "had to fight to get those assignments," whereas Mr. Frazer just got them assigned to him. When asked in what ways she felt that her, Michelle and Ms. Ybarra "had to fight to get assignments," Ms. Palmer said that someone that worked in the Bureau of Suppression had previously been in charge of ordering medical supplies. Ms. Palmer, Michelle and Ms. Ybarra had to advocate for ordering their own medical supplies, because they needed someone who worked in EMS to know what to order. They were approved to order medical supplies thereafter.

When asked whether Mr. Frazer was given his assignments because he was hired into a position that did not previously exist, Ms. Palmer said, "No." She said, "Yes, he came on board, but he was given all these other things, and I was left out. Whereas before, I shared a lot of responsibilities with Michelle and Irene [Ybarra]."

D. CP "Pushed Out" by Molloy due to Gender and [REDACTED] Disability

In her April 23, 2018 complaint, Ms. Palmer alleged that she felt like she is being "pushed out" by Chief Molloy due to her gender and [REDACTED] disability caused by two high profile incident occurring six days apart while on duty, and the accusation of writing the email to the Fire Commission.

Ms. Palmer said that the two "high profile" incidents were the July 6, 2013 Avianca crash at SFO and the July 12, 2013 shooting at the 888 Brannan diamond center. When asked to describe the specific conduct or comments from Chief Molloy that made her feel like she was being pushed out, Ms. Palmer said it was the access to ESO. Chief Zanoft and Chief Meyers said "Yes" to her accessing ESO, but Chief Molloy was the only one that had a problem with it.

When asked who she knew that had access to ESO, Ms. Palmer listed the following individuals: Captain Brady, Captain Ada Wong (acting captain, female), Kurt Thompson, Mr. Frazer, Nicholas "Izzy" Iquerno (assigned to medical records on light duty [REDACTED]), and a couple of people who were on light duty assignments over the years.

When asked why these individuals were given access to ESO, Ms. Palmer said that the captains had access to it so that they could look at IV rates, or if there was a problem on a call, they can pull a "call out" to change the parameter if needed. Ms. Palmer was not sure why Mr. Thompson had access, but believed Mr. Iquerno and others on light duty had access when they were assigned to medical records.

When asked why she needed access to ESO, Ms. Palmer said that if someone said there was a problem with the equipment, she could pull the records from the time period to take a look. She also used it to track monitor data, especially when CPR was being used, or for heart attacks. Ms. Palmer had access to ESO when she started working in the Biomedical division on her light duty assignment. She did not have access to ESO while she was working in the field.

Ms. Palmer said that her access to ESO was cut off in early March 2018, a week or two after [REDACTED]'s email was sent to the Fire Commission. Ms. Palmer logged in to the system, but she was blocked from accessing any data. She figured it was a program glitch since she previously had issues with ESO, so she emailed Chief Zanoft to get her access back, and then went to Chief Zanoft's office. That is when Chief Molloy told her, "You don't have access. You don't need access. Don't ask again." Chief Zanoft never responded to her email, and Ms. Palmer did not follow up with him about it again.

When asked about being excluded from the CPR group, Ms. Palmer said that she was not told that she was no longer a part of it, but she just was not invited to certain meetings that other members of the CPR group attended. She was also no longer asked or told anything about the CPR group. Ms. Palmer was the only person in the group trained on the monitor functioning (she had attended a training in Massachusetts). Captain Brady, Chief Molloy and Chief Zanoft were the individuals primarily involved with the CPR group. Ms. Palmer was not sure why Mr. Frazer and Mr. Thompson were in the CPR group, and was not sure whether they also stopped meeting with the CPR group. Ms. Palmer later stated that Captain Ada Wong was also part of the CPR group.

Between May and June 2018, a few rescue captains in the field (Kevin Chicker, Jeff Cobins, not sure who else) came in to Station 49 and Captain Brady trained them on how to pull CPR info off of the monitors, which is what Ms. Palmer had previously done with the monitors. Ms. Palmer had previously worked with Joanna Sokol, H3 paramedic, SFFD, while Ms. Sokol was on light duty on the monitor date. Ms. Sokol was really good with statistics. After Ms. Palmer's access to ESO was pulled, Captain Ada Wong called Ms. Sokol to try to get the data that Ms. Sokol and Ms. Palmer worked on for the CPR group. Captain Wong was promoted to an acting captain in early 2018.

When asked what assignments she used to do, that she no longer does, Ms. Palmer listed the following:

- Being involved with the CPR group
- Pulling calls off of the monitors for CPR data
- Being in charge of Multi Casualty Transportation (MCT). MCT uses old MUNI busses that can carry multiple people. Ms. Palmer was taught by a muni yard mechanic to drive the busses, so she could apply for her license. Ms. Palmer was also responsible for tracking supplies for MCT, keeping and performing maintenance on vehicles. These tasks were reassigned to Mr. Frazer.
- Special events: Ms. Palmer is usually not involved, or told whether anything is needed for special events. Mr. Frazer just shows up with what is needed as he is given the assignments by Chief Molloy. Ms. Palmer said that the preparations for Super Bowl 50 had been assigned to Irene Ybarra and Michelle, but she is now not a part of special events.

Ms. Palmer said that the above listed reassignments happened gradually, over time. Chief Zanoft told Ms. Palmer that she would still be the gurney lead, but Chief Molloy would assign things to Mr. Frazer.

When asked why believed the conduct and comments she described were related to her gender, Ms. Palmer said that she believed that she was "not the only one" that had been subjected to sex-based discrimination at SFFD. She said that Ms. [REDACTED] had filed an EEO complaint against Molloy and other SFFD employees. When asked why she believed her

allegations specifically related to her gender, she said it was due to her past history with Molloy. When asked for clarification, Ms. Palmer said that some of her assignments that she got from other supervisors, including Chief Zanoff, Lieutenant Ken Lombardi (now retired), Chief Dave Franklin, and Chief Melanie Brandon, had been redistributed to others by Chief Molloy. Ms. Palmer said that without really discussing it with her, the next thing she knows, someone else is given those assignments.

When asked for more specific information on why she believed Chief Molloy's conduct and comments towards her was related to her sex, Ms. Palmer said that in 2016, she had the owner/builder of the geriatric bus ramp come train her on how to do maintenance. Often, when it broke, male acting captains or guys on light duty, or Chief Molloy, tried to fix it, but just made it worse. Once, in August or September 2016, while Michelle still worked at SFFD, Ms. Palmer was working on repairing the ramp. Ms. Palmer tried to show Captain Malloy the damage that the other guys on the crew did to the ramp, but he told her that he needed labels made.

When asked why she believed the conduct and comments she described were related to her [REDACTED] disability, Ms. Palmer said that she just feels "like there is some scooting around." Ms. Palmer has a reasonable accommodation, and told Chief Molloy in August or September 2015 that the reason for her RA is her [REDACTED] disability.

When Chief Zanoff was his promotion to chief, Irene Ybarra still worked with Ms. Palmer. Chief Zanoff made no effort to talk to Ms. Palmer and Ms. Ybarra, or learn about what they did. Chief Zanoff was not previously aware of Ms. Palmer's RA. In October or November 2017, when Ms. Palmer mentioned something to him about being accommodated, Chief Zanoff replied, "Oh, well you're untouchable." When asked what she believed Chief Zanoff meant, Ms. Palmer said that there has been a past history of older medics that have been pulled out of the field and now do teaching, but if at any point the department wants to put them back in the field, they can. So basically, because Ms. Palmer is accommodated, she can't be sent back into the field.

When asked why she believed Chief Molloy's conduct and comments, specifically, related to her disability, Ms. Palmer said she thought it was a mixture of both being a female and being accommodated.

E. February 26, 2018: George Watkins allowed to return to Station 49

In her April 23, 2018 written complaint, Ms. Palmer alleged that on February 26, 2018, George Watkins was allowed to return to station 49 after his third physical incident with a uniformed member of the Fire Department. She alleged that administration allowing him back created a hostile work environment.

In October or November 2017 (a few days after UPS shooting in San Francisco), George Watkins (storekeeper, SFFD) got into an argument with Michael Duerix (storekeeper, SFFD) over gloves in the storeroom. Mr. Watkins requires non-latex gloves, and they had been out of them for a few weeks. Mr. Duerix asked Mr. Watkins, "Are you out of gloves?" After Mr. Watkins said "Yes," Mr. Duerix asked him, "How long?" Mr. Watkins told him, "It's your job to know when I'm out of gloves." They began arguing back and forth. Ms. Palmer observed the argument from a nearby corner, where she was not close to an exit. She saw Mr. Duerix walk out, and Mr. Watkins was behind him with an open boxcutter in his hand. Ms. Palmer told Mr. Watkins, "George you gotta let them know, so they can let me know to order more gloves." Mr. Watkins turned to Ms. Palmer, said, "I'm not talking to you!" and waved the box cutter in her face. SFPD was called out, put Mr. Watkins in handcuffs, and made him sit down. Chief Zanoff spoke to Ms. Palmer about the incident, and Mr. Watkins was transferred to Treasure Island while an investigation took place.

On February 26, 2018, Ms. Palmer was told that Mr. Watkins would be returning to Station 49 the following Monday. She was upset that she was not told that he would be returning sooner, and she alleged that there were past instances in which he was confrontational with others at work. After Mr. Watkins returned, Ms. Palmer discussed what happened with him. She said that they have been "getting along really well," and have worked together one-on-one at times, and everything has been good. Ms. Palmer said "It's really cool we get along. He's a good guy."

F. March 19, 2018: Captain Tibbits and Chief Molloy tell CP to check in each morning so it can be documented in the station journal

In her April 23, 2018 written complaint, Ms. Palmer alleged that on March 19, 2018, both Captain Tibbits and Chief Molloy told her that she needed to check in every morning so that it could be documented in the station journal.

Ms. Palmer said that in the past, she used to be able to use flex time if she needed to leave early, and she would just come in early the next day. When asked whether there was an official policy around using flex time, Ms. Palmer said it had just been "standard practice" but there was no written policy. For example, Captain Brady is scheduled to work Monday through Friday, but in actuality he usually worked longer shifts Monday through Thursday, and did not work on Friday. When asked if she had to check in with anyone when she wanted to use flex time, Ms. Palmer said she usually checked in with Chief Molloy, or if it was just a half hour, she would just say "Bye" to everyone and explain what she was doing.

Once Captain Tibbits started working at Station 49 in January or February 2018, Chief Molloy instructed him to monitor the comings and goings of employees. On March 19, 2018, Ms. Palmer stayed at work late, and told Tina Sebert (Rescue Captain, Station 49) that she would come in later the next day. Cameras were recently installed at Station 49, but Ms. Palmer believed they were supposed to be used for safety, and not discipline. The next morning, when she arrived at work, Captain Tibbits met her at the gate and said, "You're late, you're AWOL."

You're at the half hour mark, so you're AWOL." Ms. Palmer believed that Captain Tibbits was "pushing" her on the issue, and she responded, "Talk to Tina [Sebert], this is something that has always been done," and walked away.

Captain Tibbits subsequently talked to Chief Molloy about what happened, and Chief Molloy pulled Ms. Palmer into his office and closed the door. Chief Molloy told her that from now on, she needed to check in with the station captain when arriving and leaving work. Ms. Palmer had not been previously told that she needed to check in or out. She said "it's a small shop," so the captains always knew where they were, and she already said "Good morning" and "Goodbye" to everyone when she arrived and left.

When asked whether she thought Captain Tibbits was aware of the flex time practice at Station 49, Ms. Palmer said "Yes," because he knew that Captain Brady was working 4/10s. Mr. Frazer also mentioned that on occasional Fridays, he was leaving early to hang out with his son, but Ms. Palmer did not believe that this was mentioned to Captain Tibbits. However, Ms. Palmer said that since Mr. Frazer rode a really loud Harley that rumbles every time he leaves the station, Captain Tibbits should have known that he was leaving early. Ms. Palmer acknowledged that she was not sure whether Mr. Frazer or Captain Brady discussed their schedules with Captain Tibbits, but she did not believe their flex time was reflected in HR timekeeping.

When asked whether others were required to check in in the mornings, Ms. Palmer said that Molloy told her that both she and Mr. Frazer would be required to check in and out. When asked why only her and Mr. Frazer were instructed to check in and out, Ms. Palmer said that Chief Molloy told her that if there was a fire, they would need to be able to find them. Ms. Palmer said that Tina Sebert was the nighttime Rescue Captain, and the other rescue captains were also not required to check in or out, but the rescue captains were the individuals that Ms. Palmer and Mr. Frazer were supposed to check in and out with.

G. March 20, 2018: Captain Tibbits questions CP about arriving to work, Mr. Frazer arrives late, and was not questioned.

In her April 23, 2018 written complaint, Ms. Palmer alleged that on March 20, 2018, after arriving at work at 6AM and leaving to get coffee, she got a call from Captain Tibbits asking if she had come to work. Ms. Palmer alleged that Mr. Frazer arrived to work at 6:15AM and then left to get breakfast, but Captain Tibbits did not call him about showing up late or going to get breakfast.

Ms. Palmer said that she felt like she was the only one that was being held to the standard of checking in and out. The morning of March 20, 2018, Ms. Palmer arrived to work on time, pulled up out front, and was talking to others. Mr. Frazer rolled up on his Harley at 6:15AM, changed, and left to get breakfast. Ms. Palmer then left to get coffee. Captain Tibbits called Ms. Palmer to ask if she had come to work. Ms. Palmer told him, "I was at work at 6, I was talking to people right in front of your office." Ms. Palmer said that she saw Captain Tibbits

before she left to get coffee. Captain Tibbets and the other rescue captains were doing flextime by starting work at 6AM instead of 7AM, in order to get off an hour early. Ms. Palmer said that although Captain Tibbets called her and asked if she had come to work, Mr. Frazer was not questioned about coming in late. Ms. Palmer asked Mr. Frazer if he got a call from Captain Tibbets, and he said, "No."

When asked whether she had checked in when she arrived that day, Ms. Palmer said that she did check in with Captain Tina Sebring. She did not think Mr. Frazer checked in with anyone because she saw him roll in and go straight to the locker room to change. When asked whether she is allowed to leave during her shift to get coffee or breakfast, Ms. Palmer said that she is, and she usually tries to see what everyone is doing for lunch, and ask others if they want anything. When she takes such breaks, she needs to tell the rescue captain on duty.

When asked why she thought Captain Tibbets called her to ask whether she arrived at work, Ms. Palmer said that it probably stemmed from the day before, when he told her that she was AWOL, and kept pushing her on the issue. Ms. Palmer was not written up as AWOL, just verbally admonished by Captain Tibbets. Chief Molloy told Ms. Palmer that if Captain Tibbets wanted to, he could have written her up for being AWOL. Ms. Palmer was not aware of Captain Tibbets calling other employees to ask about their whereabouts.

When asked whether Captain Tibbets questioned her about her whereabouts on other occasions, Ms. Palmer said that after the March 20, 2018 phone call from Captain Tibbets, she did not really leave the station as much. Although her position is mobile, she "stayed put" and asked others to bring equipment to and fro. As of late March 2018, Captain Tibbets no longer works at Station 49.

H. March 27, 2018: CP alleged that Mr. Frazer arrived to work at 7AM, but Captain Tibbits did not call him

In her April 23, 2018 written complaint, Ms. Palmer alleged that on March 27, 2018, Mr. Frazer's alarm did not go off and he arrived at work at 7AM. When she asked him whether Captain Tibbits called him about it, he said "No." Ms. Palmer said that she asked Lieutenant Landiver if her arrival and Mr. Frazer's arrival were documented in the journal, and he said they were not.

Ms. Palmer said she asked Mr. Frazer if he told anyone that he was coming in late, and he said that he did not. Initially only Ms. Palmer and Mr. Frazer were told to check in and out with the station captains (for it to be documented in the station journal), but then the storekeepers were also told to check in and out. Previously, the storekeepers were not able to work overtime, but that changed once they became short-staffed. At that point, Chief Molloy told everyone, "If you are working overtime, make sure it gets documented in the journal."

Ms. Palmer said that after she kept asking about it, the requirement that she had to keep checking in and out "trickled away." She said it did not change overnight, but it had by May or early June 2018. Now only when Ms. Palmer, Mr. Frazer or the storekeepers work overtime, does it need to be documented in the station journal.

I. **Chief Molloy frequently does not have CP's overtime entered in a timely manner**

In her April 23, 2018 written complaint, Ms. Palmer alleged that Chief Molloy frequently does not have her overtime entered in a timely manner.

Ms. Palmer said that this has been ongoing, off and on, since October 2015. Ms. Palmer has written emails to Chief Molloy, and they have had multiple talks, about entering her overtime on time. She said that Michelle and Irene Ybarra also had a difficult time with Chief Molloy correctly entering their time.

Ms. Palmer also had a hard time getting Captain Mason (Station 49 Rescue Captain) to correctly enter her overtime. On April 17, 2018, Ms. Palmer drove her personal vehicle to an overtime assignment for the Granger Expo. The assignment was to tour their factory, and meet with vendors. She stopped at the station to pick up a few things on the way. At 7:30AM that morning, Captain Mason called Ms. Palmer to ask about her whereabouts. Lawanda (another Station 49 rescue captain) showed Ms. Palmer a text message that Captain Mason sent her to see if Ms. Palmer really came in. Ms. Palmer had to send an email to Chief Molloy, Chief Zanoloff and Captain Mason to get her overtime approved for the assignment. When asked whether she was eventually paid the overtime for the assignment, Ms. Palmer said that she was, after "poking at him" and going back and forth.

Ms. Palmer said that when Irene Ybarra worked at SFFD before her retirement, she led the way in arguing about overtime, since she had seniority. Recently, Ms. Palmer has had to remind Chief Molloy to put in her overtime. On one occasion in June 2018, Jerry Zoffa was working at Station 49 as a fill-in Captain. Ms. Palmer filled out her overtime paperwork before she left, and said "Good night." Captain Zoffa told her, "I'll you down in the journal." However, he forgot to document her overtime in the journal, so Chief Molloy would not approve her overtime. Captain Zoffa had to later fill out a "general form" to approve Ms. Palmer's overtime, which she did get paid for. Ms. Palmer does not believe that Mr. Frazer has issues with his overtime.

When asked why she believed Chief Molloy did not enter her overtime in a timely manner, Ms. Palmer responded, "I do not know. Except to cause a bigger headache on my end. A few times he didn't enter it, general forms had to be written to payroll in order to get it." Ms. Palmer said that when overtime is not submitted on time, it might take a few weeks to get. She said that this also happened a lot to Irene Ybarra.

J. **Recent Disciplinary Action**

In her April 23, 2018 written complaint, Ms. Palmer alleged that she had been subjected to random, questionable disciplinary actions.

When asked to provide more information on the disciplinary acts she mentioned in her complaint, Ms. Palmer said one day in May 2018, Captain Michael Mason (the Rescue Captain on duty that day) accused Ms. Palmer of being late, when she wasn't. Ms. Palmer was supposed to be at work at 6AM, and Captain Mason came to talk to her at 7:30 or 8AM because he did not see her arrive at work. Ms. Palmer said that she sometimes enters the station through a side gate, or talks to others when she gets to work that have questions for her. Ms. Palmer told Captain Mason that she was there on time. Captain Mason told Ms. Palmer that he would document it as a verbal coaching. Ms. Palmer told Captain Mason, "You are singling me out and harassing me, because you are not holding everyone to that standard." This incident occurred after Ms. Palmer was no longer required to check in and out. Ms. Palmer believed that meanwhile, Mr. Frazer "came and went and no one said anything to him."

When asked whether Ms. Palmer had been subjected to any other discipline, she said, "Just 'talking tos,'" when Chief Molloy or Chief Zanoloff have called her in to talk to her. After the April 17, 2018 incident in which she attended the Granger Expo, but Captain Mason questioned her whereabouts, Chief Molloy pulled Ms. Palmer into his office. She told Chief Molloy that it was frustrating to have Captain Mason micromanage her, when others were not getting the same scrutiny. Captain Mason was temporarily reassigned to another firehouse in the field, but was scheduled to return to Station 49 in September 2018. Ms. Palmer said that Captain Mason has "reigned it in" after he had an altercation with a female medic a few months ago. Lately, Ms. Palmer has had no incidents with Captain Mason approving her overtime, and he has documented her comings and goings properly in the station journal.

K. April 2018 Non-Selection

In April 2018, there was an opening for two H3-23 lieutenant positions at Station 49. Ms. Palmer believed that she was more than qualified, as the positions encompassed everything she did in her current role. Chief Zanoloff encouraged Ms. Palmer to apply, and she did, but she was not selected for an interview. Chief Molloy described the position as "lieutenants for logistics," and told Ms. Palmer she would need to show them how to order medical supplies. Ms. Palmer told Chief Molloy that she did not feel comfortable showing them how to order medical supplies. She believed that prior to medical supply orders being assigned to Ms. Palmer and Ms. Ybarra, things "were going pretty poorly" when the EMTs were ordering supplies. Ms. Palmer believed that the medics should be ordering pharmaceuticals and supplies. Chief Zanoloff stopped the assignment of medical supply orders and gurney and monitor-related tasks from going to the new lieutenants.

When asked for a description of the role of the lieutenant positions she applied for, Ms. Palmer said that it was not well defined, but it dealt with watching over ambulances, moving crews in

and out of them, sending the ambulances to the central shop for repairs, and assisting the station captain.

Ms. Palmer said that seven or eight candidates were invited to interview for the positions, she was not selected for an interview. Captain Malloy and Captain Brady were both involved in the interviews, and Ms. Palmer believed that Chief Zanoff made selections based on Captain Malloy's recommendations from the interview process. Ms. Palmer said that two EMTs with no logistics experiences and no experience with rigs were selected for the positions: Jarred Cooper, who Ms. Palmer described as "a really good guy," and Jason Landovar, who was injured on July 4, 2018, so Ryan Jamison was assigned to be the acting lieutenant since then.

When asked why she believed she was not selected for the position, Ms. Palmer said, "That's a good question. It's kind of like the gurney shop position [Mr. Frazer's position]. It doesn't matter what your skills are, just that you are liked." Ms. Palmer said that when Chief Meyers was the EMS chief, and Ms. Ybarra ran logistics, she wrote the station and EMS policies. Ms. Palmer said that Captain Malloy tried to stop some of it, but Chief Meyers trusted Ms. Ybarra and went with her decision. Since Ms. Ybarra retired, Ms. Palmer feels like she is a "sitting duck." When asked what she meant, Ms. Palmer said that she sits near an equipment cage with thousands of dollars worth of monitors. Ms. Ybarra did not allow access to the cage to be given out. Once she left, Captain Malloy gave keys to the cage to everyone. On some occasions, monitors that did not work were taken out into the field, or the cage door was left wide open.

IV. REPORTING

On April 23, 2018, Ms. Palmer reported her concerns in a letter to DHR EEO. When asked if she had previously reported her concerns, she said that she had previously told Chief Zanoff that she wasn't able to access the ESO system, as she already described. She also told Chief Zanoff about her issues getting her overtime approved in a timely manner. Ms. Palmer said that when she told him about her overtime issues, he either blew it off, or told her to talk to Molloy or Mason to fix it.

When asked why she chose to report her concerns at this time, Ms. Palmer said the "final straw" was when she attended the Granger Expo in April 2018, and Captain Mason questioned her about her whereabouts. She said that she has also been frustrated with the overtime issues, and assignments being handed over to Mr. Frazer. Ms. Palmer believed that Mr. Frazer could leave early on Fridays, Captain Brady can work a 4/10 schedule, and no one says anything. Ms. Palmer did not believe that Mr. Frazer had issues with his overtime.

Over the last three years, Ms. Palmer estimated that she had to approach her captains about her overtime approvals about 15 times. She had issues getting her overtime approved in a timely manner with the following captains: Jeff Cobin, Captain Mason, Craig Gordon, and Chief Molloy. Ms. Palmer said that when she talked to Captain Cobin and Captain Gordon, they helped the situation, and made sure her overtime was entered in a timely fashion.

V. IMPACT

When asked how the conduct and comments she described had affected her, Ms. Palmer said that she loves what she does, and loves helping the crews, but feels like she deals with "Jekyll and Hyde." When asked what she meant, Ms. Palmer said that Chief Zanoft will say one thing, and Chief Malloy will say something else. Ms. Palmer will talk to Chief Zanoft about something, and he will tell her, "Go talk to Malloy." Ms. Palmer said that she has gotten "way better" at communicating with Mr. Frazer, and he checks in with her about what he is doing, and asks her for her help and suggestions.

When asked whether she has gone to a healthcare provider for the conduct she described, Ms. Palmer said that she did through her WC case, and has [REDACTED], but she is "kind of closing the case." Ms. Palmer said that her treatment is for her [REDACTED], not as a result of Captain Malloy's conduct and comments.

When asked whether she took any time off work as a result of the conduct, Ms. Palmer said she took a couple of days off in March, a week off in July, and a few days off in August. Since the beginning of 2018, she estimates she has taken about a month off of work.

VI. REMEDIES

When asked how she would like to resolve her complaint, Ms. Palmer said that she wants to "have things go back to the way they were." Specifically, Ms. Palmer wants to have her ESO access back, and be part of working on CPR data and investigations. She also wants Captain Malloy, Captain Mason, and Chief Zanoft to take an "eye opening class," such as a discrimination or communications training.

When asked whether she wished to be appointed to the lieutenant position that she was not selected for, Ms. Palmer said that if there was a step-up in her career, it would have been the lieutenant spot. She said, "At this point, I'm happy where I am. But at that time, I felt more qualified than anyone that applied." Ms. Palmer said that the only individuals that had rig and logistics experience were her, Irene Ybarra, and Michelle. The lieutenant positions were assigned to do a lot of what Ms. Ybarra did before she retired. Michelle and Ms. Palmer worked under Ms. Ybarra. Ms. Palmer said that the other applicants for the lieutenant positions were from ambulance field crews.

VII. MISCELLANEOUS

When asked whether she had any documents related to what we discussed, Ms. Palmer said she would forward me email related to her complaint.

On September 10, 2018, Ms. Palmer dropped off a packet of documents for my review, which are saved in the file. In the documents she sent, Ms. Palmer added the following additional allegations:

- *When it was only Ms. Palmer, Ms. Ybarra, and Michelle working together in the gurney shop, she purchased a laptop for the gurney shop, and emailed Molloy on November 3, 2016, asking for wireless network access. She alleged that this showed she "couldn't get a computer." However, in October 2017, one month after Mr. Frazer started working in the gurney shop, he was able to get a computer installed in the gurney shop and have access to a printer.*
- *A sticky note said "just a few emails where Frazer was offered trainings but not me, and he was able to do things I wasn't." She provided an August 2018 email exchange with Chief Molloy, where she requested to attend the EMSA Committee Meeting on August 22, 2018, and he responded that he needed to discuss it with her before making a decision. In her intake interview, Ms. Palmer said that in August 2018, she began attending EMSA meetings. She also provided a June 12, 2018 email from Chief Zanoloff to Frazer asking if Frazer was interested in attending an air supply technician training.*
- *A sticky note said "This unofficial procedure not approved by EMS Chief or signed by anyone, is aimed solely at Ybarra and I the only 2 females." The document was a March 22, 2017 email from Molloy stating, "Here is a copy of new procedure we discussed earlier." The document attached was "OT procedure for uniformed members of logistics," and states that uniformed members of biomed/logistics must report to the station chief or station officer when arriving and leaving, so that it can be documented in the station 49 journal for overtime, but a general form to the ADC of EMS documenting overtime would still be required.*

When asked whether she filed complaints with the EEOC or the DFEH, Ms. Palmer said that she filed something with the DFEH in August 2018.

When asked whether she filed a grievance or a lawsuit regarding what we discussed, Ms. Palmer said she did not. She said that she asked her union if they could help, or "step in between," but it wasn't a priority because they were busy with the mayoral race.

VIII. CONCLUSION

When asked whether there was anyone else I should speak to that would have knowledge of what we discussed, Ms. Palmer said "Michelle and Irene [Ybarra]." She said that they are both retired, but she can provide me with their contact information.

I reminded Ms. Palmer not to talk about the information we discussed with anyone. I also reminded Ms. Palmer that there is no retaliation for participating in the interview, and if she believes she is experiencing retaliation to contact me, or her department personnel officer.

EXHIBIT C

Documents submitted by Appellant to Vanessa Doyle on September 10, 2018

ePR

&

ESO

emails

most had no responses

DEPARTMENT OF
EMERGENCY MEDICAL SERVICES
SAN FRANCISCO FIRE DEPARTMENT
2017 SEP 10 AM 10:15

Palmer, Deborah (FIR)

From: Zanoff, Andy (FIR)
Sent: Tuesday, May 23, 2017 10:27 AM
To: Palmer, Deborah (FIR); Wong, Ada (FIR); Brady, Nicholas (FIR); Thomason, Kirt (FIR)
Cc: Molloy, Antenor (FIR); Bonn, Christopher (FIR)
Subject: Quality of CPR project

Importance: High

Ada, Debbie, Nick, and Kirt,

The four of you are being tasked with a group project. You are already doing some of the work on an individual basis, I need you to summarize your work and findings.

We need to understand the quality of CPR that is being administered to patients during the course of a 40-minute resuscitation attempt. You have the defibrillator downloads for almost two months' worth of data.

I need you to analyze that data, and to develop a report and a medium for representing your findings.

I envision the primary document will be a chart that will represent Quality over Time. It should reflect a single line graph; either flat (meaning the CPR quality stays consistent throughout the Code), a decreasing line (meaning the CPR quality drops off over time), or something that looks like Atrial Flutter (meaning the quality goes up and down). But never mind what I think, you four should come up with a way to show your findings.

Based on your report, we will – or will not – pursue an automatic CPR device for the field.

Please update me and Chief Molloy by Friday, May 26th with your plan, and your anticipated timeline for completion.

AZ

Andy Zanoff, Assistant Deputy Chief
Emergency Medical Services Division
San Francisco Fire Department
1415 Evans Avenue
San Francisco, CA 94124
415-558-3646

Palmer, Deborah (FIR)

From: Palmer, Deborah (FIR)
Sent: Thursday, April 20, 2017 9:46 AM
To: Mora, Jesus
Subject: ESO log-in

Good Morning Jesus,

Chief Zanoft has approved for me to have the Analytics option added on my home screen in the ESO program. Would you be able to add me or is there someone else I should talk to?
Have a great day!

Thank You,
Debbie Palmer

Palmer, Deborah (FIR)

From: Palmer, Deborah (FIR)
Sent: Tuesday, June 06, 2017 2:11 PM
To: Mora, Jesus
Subject: ESO

Tracking:	Recipient	Read
	Mora, Jesus	Read: 6/6/2017 2:27 PM

Good Morning Jesus,

Hector stopped by today and I was able to show and explain to him about the ESO set-up. On Thursday ESO was set-up with the admin but on Friday and yesterday I was out sick. I came in early today to start changing what was needed for ESO and the monitor to talk to each other but the admin was gone so I just wanted to give a heads up on that. Hector thought I should send this picture to show the current set-up. Hope you have a great day.

Thank You,
Debbie Palmer



Scheduled Maintenance - 6/13/2017 from 2:00 AM to 6/13/2017 6:00 AM Central

 EHR

 FIRE

 REPORTS

 ANALYTICS

Quick Links

ESO Suite Upgrade

Messages

FROM	MESSAGE	D.
!!! WONG, WEI YEN ADA	Happy Friday! Please remember to force update ESO Suite (typing your DSW and pw and clicking the circular arrows in the upper right corner). Thank you and have a safe day!	Jur

Filter by...



1-11

Equipment, FireEMS (FIR)

From: [REDACTED]
Sent: Thursday, November 30, 2017 9:48 AM
To: Equipment, FireEMS (FIR)
Cc: Wong, Ada (FIR)
Subject: ESO Physio Cloud Interface - Admin Setup/User Guide
Attachments: ESO Physio Cloud Admin Setup.pdf; ESO-EHR-Cardiac-Monitor-Cloud-Tutorial.pdf

Your request for the ESO Physio Cloud interface is in progress. You should be hearing from Physio Control soon. They have advised that their turnaround can take up to 2 weeks, but is often completed sooner.

In the meantime, please take the time to setup your LifePak monitors in ESO Admin.

You will find the Admin Config Guide attached as well as an end user guide.

If you have any questions, please don't hesitate to reach out.

[REDACTED]
Technical Analyst
ESO Solutions
[REDACTED]

Equipment, FireEMS (FIR)

From: Wong, Ada (FIR)
Sent: Tuesday, January 16, 2018 9:16 PM
To: Brady, Nicholas (FIR)
Cc: Equipment, FireEMS (FIR)
Subject: Re: ESO monitor download form cloud

It should. I saw it before but the last version I saw before I left did not have it. I think Debbie was talking with ESO about accessing it so I wasn't sure if they were working on it. Sorry for delay.

From: Brady, Nicholas (FIR)
Sent: Thursday, January 4, 2018 9:36:37 PM
To: Wong, Ada (FIR)
Cc: Equipment, FireEMS (FIR)
Subject: ESO monitor download form cloud

Ada,

Should the new ESO version have the option to choose form "[REDACTED]"? when attempting download cardiac monitor data from the cloud?

Nicholas Brady
Acting Rescue Captain
Training/ CQI
San Francisco Fire Department
1415 Evans Ave.
San Francisco, Ca 94124
415 920 2907- Office
415 416 0637-Cell

The information contained in this transmission may contain privileged and confidential information, including patient information protected by federal and state privacy laws. It is intended only for the use of the person(s) named above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Palmer, Deborah (FIR)

From: Palmer, Deborah (FIR)
Sent: Friday, March 09, 2018 10:02 AM
To: Molloy, Antenor (FIR)
Subject: ESO question

Good Morning,

Can my previous ESO status that I've had for the last couple of years be reinstated please?

Thank You,
Debbie Palmer

Sent from my iPhone

Equipment, FireEMS (FIR)

From: Equipment, FireEMS (FIR)
Sent: Tuesday, March 13, 2018 8:33 AM
To: Molloy, Antenor (FIR)
Subject: RE: Manual CPR

Morning Chief,

Could I please have my access back to ESO?

Debbie Palmer- H3L2 Paramedic
San Francisco Fire Department
EMS Logisitics- BioMed
1415 Evans Ave
San Francisco, CA 94124-1706
(415) 920-2924 Office #
(415) 314-4946 Cell #
FireEMS.Equipment@sfgov.org

From: Molloy, Antenor (FIR)
Sent: Thursday, March 08, 2018 11:03 AM
To: Equipment, FireEMS (FIR) <fireems.equipment@sfgov.org>
Subject: Manual CPR

Debbie,
Let me know what you need to clean this up.

Tony Molloy
A/Sect. Chief
EMS Operations
Office (415) 920-2914
Cell (415) 238-5274
Antenor.Molloy@sfgov.org



Just some
examples
of projects
that I had
handled / in charge
of

9/10/2018

Mail - STN49 Gurney Shop - Outlook

RE: Bin Exchange Trial Period

Gonzales, Mark (FIR) <mark.gonzales@sfgov.org>

Mon 4/18/2016, 11:43 AM

To: STN49 Gurney Shop <Gurneyshop49@outlook.com>

Cc: Lombardi, Ken (FIR) <ken.lombardi@sfgov.org>; Molloy, Antenor (FIR) <antenor.molloy@sfgov.org>; Wong, Vin (FIR) <vin.wong@sfgov.org>; Myers, Jeff (FIR) <jeff.myers@sfgov.org>

Good morning Irene,

Thanks for the comprehensive overview of where our logistics program is at and where it needs to go.

Jeff, Ken and Tony,

We need to meet this week to reinforce the plan going forward. We can do it at Station 49.

Ginny,

Please set up the meeting.

Thanks,

Mark A. Gonzales
Deputy Chief of Operations
San Francisco Fire Department
698 2nd Street, San Francisco, CA. 94107-2015
Direct (415) 558-3402
mark.gonzales@sfgov.org

From: STN49 Gurney Shop [mailto:Gurneyshop49@outlook.com]
Sent: Monday, April 18, 2016 10:56 AM
To: Gonzales, Mark (FIR)
Cc: Lombardi, Ken (FIR); Molloy, Antenor (FIR); Wong, Vin (FIR); Myers, Jeff (FIR)
Subject: Bin Exchange Trial Period

Good Morning Chief,

I apologize for the delay in this E-mail you requested.

I am glad I had the opportunity to give you a brief run down of the system when you were here.

As you know, we have initiated a "field trial period" for the 'Bin Exchange' program at Station 49.

The trial was originally set to last over 6 weeks, involving 6 Dynamic Ambulances.

During the 6 week trial, that began 04/04/2016, the crews are to pull into the Station 49 warehouse, stop their vehicle and self exchange supply bins, "jump kits" and portable or main oxygen cylinders.

All items are strategically placed in close proximity to where the Ambulance comes to a stop w/in the warehouse, thereby eliminating

unnecessary movement to other locations w/in the warehouse and hopefully cutting down time to go "in-service"

We have also created a means of tracking /tally count of supplies used

We are now entering the third week of the trial and have come up with the initial impressions of the program.

Who is currently monitoring the bin project and re-wrapping the bins?:

-Due to reluctance and resistance to participation from the current storekeepers, the bin exchange system is being monitored and maintained by myself, EMT Michelle Estrada, PM DEbbie Palmer

EMT Ryan Jaimeson. Which we are happy to step up, however, this is taking us away from the other laundry list of tasks we do on a daily basis.

The time involved with this program, for the 6 units enrolled, is currently 5 hours per shift period, days, swing nights. This includes assisting the crews with the exchanges, and re-packing and wrapping the bins. Then placing them for the next units. And refilling any oxygen cylinders.

044

****The 'trial period' was do to last until mid May. I'm not sure that full inception should happen w/out the extra resources anticipated with the hiring of the '1936- Senior Storekeeper'****

Crew Involvement :

-Crews have been generally receptive to the program. As with anything new or altered from the daily norm, there will be huff and grumble from some.

Fortunately, we have seemed to smooth those issues over.

-Crew are however, still, in my opinion, over using bins and not utilizing their "jump kits", which contain all items needed for any nature of call.

My advice to the crews, has been to utilize what is in the "jump kits" before opening the wrapped bins on the shelves. The reason for this, is 2 fold,

-Medications and equipment, in the jump kits, will not expire prior to use at the fast rate they are now, because nobody uses the contents of there bags.

-This practice would and should, also encourage the use of the long established, but drastically under utilized 'cache houses' Waste of expired medication and equipment is even more of a problem at the cache house.

Other Issues:

-Other issues include some units being resistent to entering the warehouse with their unit. This is important, because it keeps a flow and

keeps the otherwise crowded yard from becoming congested.

-Lack of oversight participation by RC4.

-Employee Motorcycle parking in the warehouse. Employees believe the department should be providing them indoor parking for their motorcycles. That is great in a perfect world, but once all yunits are involved in this system, this will be greatly problematic. Efforts have been made to inform both crew members and RC's, however, this has been met with resistance.

-Crews are still allowing Engines to "re-stock" from the ambulance. There is no control over this and it often leaves a crew with diminished supply amounts, extended out of service time and again, lack of re-stocking from 'cache houses'

-No personnel to maintain weekend crews. Currently being done on OT basis.

-Unmonitored supply area lends to 'free access' to 'jump kits' and oxygen cylinders by engine crews. RC's will not tell them they cannot take those things.

Possible improvements:

-There needs to be a more effective way to let the store keepers know they are now expected to assist with this process. Telling them has not worked.

-The total number of personnel needed at time of full inception, should be 4 per 8 hour shift, in order to cover days, swings and nights.

-Radio should be paramount in directing the crews to do 'cache house' restock from closest cache house. Not soley STN49.

-Cache House re-stock needs to be the new standard. We are loosing too much time to 'out of service' time and too much money to expiring medications and supplies.

-Engines re-stocking from the ambulance needs to go away.

This is just a quick summary of the system in its infancy stage.

I believe this is a good system and will over time be widely successful, with ironing out the rough spots

Thank you for taking the time and interest in this matter.

Should you have any questions or concerns, please feels free to contact me.

Respectfully,

Irene Ybarra

Irene Ybarra MICP, - Biomed/ Gurney Shop Manager.
Lead FERNO Certified Gurney Technician
San Francisco Fire Department
1415 Evan St. San Francisco Ca. 94124
Cell # 530-304-9588
Email Gurneyshop49@outlook.com

Palmer, Deborah (FIR)

From: Zanoff, Andy (FIR)
Sent: Friday, June 09, 2017 4:22 PM
To: STN49 Gurney Shop; Palmer, Deborah (FIR)
Subject: Equipment Project

Deb,

Please use the County Policy list, or our own internal Daily Check list (from HRMS), to determine stocking quantities for the ambulances.

Also include in your assessment the stock and inventory rotation of the Red Bags.

Maybe we need to go back to the work-out-of-the-bag, stock-the-bag-from-the-shelf, stock-the-shelf-from-Logistics model...

Also, please update me on the status of your CPAP circuit trials. I can't specify what to purchase until you complete that. I want to move on this, as I think the ALS Engine patients will benefit greatly from early CPAP.

AZ

Andy Zanooff, Assistant Deputy Chief
Emergency Medical Services Division
San Francisco Fire Department
1415 Evans Avenue
San Francisco, CA 94124
415-558-3646

Equipment, FireEMS (FIR)

From: [REDACTED]
Sent: Monday, October 16, 2017 4:02 PM
To: Equipment, FireEMS (FIR); Zanoﬀ, Andy (FIR)
Cc: [REDACTED]
Subject: RE: ZOLL Representation

Hello Chief Zanoﬀ and Debbie,

I hope you both are well and thank you for the time to discuss the diﬃculties you have been having with your ZOLL Representation. I just want to reiterate that we are committed to you as a customer and want to make sure you are happy with the arrangement we come up with.

Copied on this email is our Strategic Account Manager [REDACTED]. From this point forward he will be your point of contact for everything ZOLL. (of course you can always contact me as well) [REDACTED] has been with ZOLL for over 15 years and brings a wealth of knowledge about the industry.

Would you be available to meet on 10/26,10/27 or anytime the week of 10/30? We would like to introduce ourselves and make a plan for moving forward.

Thank you for your time,

[REDACTED]
Regional Manager West
[REDACTED]

www.zoll.com

An Asahi Kasei Group Company

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-----Original Message-----

From: Equipment, FireEMS (FIR) [mailto:fireems.equipment@sfgov.org]
Sent: Wednesday, October 11, 2017 8:58 AM
To: [REDACTED]
Subject: RE: ZOLL Representation

Hi [REDACTED],

I talked to Andy regarding our conversation and let him know that you would like to talk to him. Here is the information for EMS Chief Andy Zanoﬀ:

E-mail: andy.zanoﬀ@sfgov.org
Office #: (415)558-3646

Equipment, FireEMS (FIR)

From: Equipment, FireEMS (FIR)
Sent: Wednesday, January 24, 2018 8:14 PM
To: [REDACTED] FireEMSGurney
Cc: Molloy, Antenor (FIR); Zanoﬀ, Andy (FIR)
Subject: RE: Stryker Gurney/Stair Chair Maintenance Course

Good Evening,

I would like to put this out there that you can ask me any questions you have as well. I have been coordinating getting this trial going which has been moving pretty fast with a lot of moving parts and people to confer with and if I have not given the information out quick enough for that I'm sorry but I have been working closely with [REDACTED] for many months now even before the Sprinters came into the picture and having separate communication is causing confusion. Most of the communication has been via phone calls not e-mail. The final green light for the Power Load install came before I left work Friday night after talking with Leader and Chief Zanoﬀ. I did relay the info to Dennis and during the meeting to which nothing further was asked. So I will be more than happy to answer what I can and to keep the lines of communications open that goes both ways. I would like to please be included with any communication with [REDACTED] or anything that has to do with Stryker as well.

Thank You,
Debbie Palmer-Paramedic
San Francisco Fire Department
Stn 49-EMS Logistics
1415 Evans Ave
San Francisco, CA 94124
Cell- (415)314-4946
Office- (415)920-2924
fireems.equipment@sfgov.org
deborah.palmer@sfgov.org

From: [REDACTED]
Sent: Wednesday, January 24, 2018 8:10 AM
To: FireEMSGurney <fireemsgurney@sfgov.org>
Cc: Molloy, Antenor (FIR) <antenor.molloy@sfgov.org>; Palmer, Deborah (FIR) <deborah.palmer@sfgov.org>
Subject: Re: Stryker Gurney/Stair Chair Maintenance Course

Hello Dennis,

Thanks for getting back to me.

The installer is set to arrive shortly after your delivery on Monday. The delivery is scheduled to be 8:30am.

We will not be installing antlers on Monday. I have asked the installer to install a plate that would hold a safety bar in the event that you do not want/like/need the Power Load and want to go back to using an antler. The antler itself screws into the floor plate he will install. The safety bar then fixes to the plate he'll install in the wall. Hope that makes sense – I can show you on my van when I'm there.

We didn't swap out any gurneys – I was there this week to drop off 3 more – so each unit has two gurneys – one main, and one back up. Three are mirror copies, and the fourth one has fewer upgrades to it. But they all work in the Power Loads. I also left each gurney with a charger, and two new batteries. Batteries take a couple of hours to fully charge, but once they are on the gurney, in a Power Load, they will be receiving charge as long as the car engine is on or the vehicle is plugged into a shore line.

In the event that you need to contact service if you cannot reach me, please note the following:

To Schedule a Service Technician:

1. Call [REDACTED] (M-F 8am-6pm EST)
2. Hit Option 2 to get either Technical Support or to Dispatch a Field Service Rep
3. Hit Option 1 to dispatch a Field Service Rep
4. Provide the operator with the following:
 - a. Account Number: [REDACTED]
 - b. Serial Unit(s) needing attention or repair
 - c. Summary of the issue
 - d. Good call back contact and phone number

[REDACTED] is your technician and while he is local – we route all calls through STRYKER as they are logged for quality. Once a service call has been logged, our goal is to reach out to whomever the contact was on the ticket within 2 hours and be on site in less than 2 days. If it is an issue with a Power Load – that time is expedited. If something is needed off hours – please call me or [REDACTED] directly.

Please let me know if you have any further questions. I'll be on site Monday so look forward to seeing you all again.

Thank you!

[REDACTED]

[REDACTED]

From: FireEMSGurney <fireemsgurney@sfgov.org>
Date: Wednesday, January 24, 2018 at 7:40 AM
To: [REDACTED]
Cc: "Mollóy, Antenor (FIR)" <antenor.molloy@sfgov.org>
Subject: RE: Stryker Gurney/Stair Chair Maintenance Course

Thanks for getting back to me [REDACTED]. I know you're typically mobile so, no worries, I expected it would take a bit before you would be IFO your computer. Sorry I missed your call, I was on my motorcycle at the time. I assumed that would be the case regarding maintenance training, makes sense, I was getting different information at this end so I wanted to reach out. Also, it's my understanding that an installer is coming out in the near future for the Sprinters lock down rails and antlers? Can you confirm the date and time? There are a couple of people that may be interested in being present and I need to offer them the opportunity.

I noticed that the gurney that had been here last week was swapped out, will the two that are present now remain, or will they be frequently swapped out? Lastly, I just want to confirm that there will be an additional spare available, that we will secure here in the event of a failure, and I'll need the contact info for whom ever will handle repairs/service.

Thanks so much [REDACTED]!

Dennis Frazer
San Francisco Fire Department
EMS Division/Station 49
Logistics/Gurney Shop
Cell: (628) 249-0525
dennis.frazer@sfgov.org
FireEMSGurney@sfgov.org



From: [REDACTED]
Sent: Tuesday, January 23, 2018 5:04 PM
To: FireEMSGurney <fireemsgurney@sfgov.org>
Cc: Molloy, Antenor (FIR) <antenor.molloy@sfgov.org>; [REDACTED]
Subject: Re: Stryker Gurney/Stair Chair Maintenance Course

Hello Dennis,

Sorry for the delayed response – I've been in the van much of the day. ☺

As this is a trial, I'll need to ask whether or not we can authorize you to work on the equipment prior to purchasing it. I believe there might be some issues tied to liability – so let me get back to you with the details. In general, however, it is not uncommon for STRYKER to train folks to do their own service and maintenance.

Thanks for your patience as I find some answers for you!

[REDACTED]

[REDACTED]

From: FireEMSGurney <fireemsgurney@sfgov.org>
Date: Tuesday, January 23, 2018 at 11:49 AM
To: [REDACTED]
Cc: "Molloy, Antenor (FIR)" <antenor.molloy@sfgov.org>
Subject: Stryker Gurney/Stair Chair Maintenance Course

Hi [REDACTED],

I just wanted to touch base with you regarding a gurney and stair chair repair/maintenance course for the Stryker. As I am the designated person for the department regarding the care and maintenance of our gurney "fleet", which will include the Stryker model, I'd like to get brought up to speed as soon as possible. Can you please advise as to when the next opportunity to be trained will take place? I'd like to have this completed prior to the Stryker's going into service in the field if at all possible.

Moving forward, to improve communications with all involved, please include me in all future communications regarding Stryker equipment and services as it pertains to our department. Thank you [REDACTED] hope your day is going well and I'm looking forward to hearing back from you.

Dennis Frazer
San Francisco Fire Department
EMS Division/Station 49
Logistics/Gurney Shop
Cell: (628) 249-0525
dennis.frazer@sfgov.org
FireEMSGurney@sfgov.org



Palmer, Deborah (FIR)

From: Zanoff, Andy (FIR)
Sent: Friday, February 16, 2018 3:39 PM
To: Corso, Mark
Cc: Palmer, Deborah (FIR)
Subject: RE: SFFD Term Contract Request - Defibrillators
Attachments: SFFD Defib Specifications_AZ & DP.docx

Mark,

We have some edits to the bid list.

Please review and advise.

AZ

From: Zanoff, Andy (FIR)
Sent: Tuesday, February 13, 2018 08:00
To: Molloy, Antenor (FIR) <antenor.molloy@sfgov.org>
Subject: FW: SFFD Term Contract Request - Defibrillators

From: Corso, Mark
Sent: Tuesday, February 13, 2018 00:03
To: Kyaun, Florence (ADM) <florence.kyaun@sfgov.org>
Cc: Zano, Andy (FIR) <andy.zanoff@sfgov.org>
Subject: RE: SFFD Term Contract Request - Defibrillators

Hi Florence. As discussed, attached are initial specifications for the defibrillators, as well as the most recent BAA we have received from our City Attorney. The BAA is for a different contract, but is updated from our previous versions a few years ago, so it should serve as a current template.

Please let us know what else you need from us. Thanks.

Mark Corso
Finance Division
San Francisco Fire Department
Tel (415) 558-3417
Fax (415) 558-3455

From: Kyaun, Florence (ADM)
Sent: Monday, February 12, 2018 9:47 AM
To: Corso, Mark <mark.corso@sfgov.org>
Cc: Zano, Andy (FIR) <andy.zanoff@sfgov.org>
Subject: RE: SFFD Term Contract Request - Defibrillators

Hi Mark- Yes that works. Please call [REDACTED] using Participant Code [REDACTED]

Thank you,
Florence

Florence Kyaun
Principal Administrative Analyst
Office of Contract Administration
City Hall, Room 430
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
(415) 554-6263 (Direct)
florence.kyaun@sfgov.org



From: Corso, Mark
Sent: Monday, February 12, 2018 9:43 AM
To: Kyaun, Florence (ADM) <florence.kyaun@sfgov.org>
Cc: Zano, Andy (FIR) <andy.zano@sfgov.org>
Subject: RE: SFFD Term Contract Request - Defibrillators

Hi Florence. Does 11:00 am today work?

Mark Corso
Finance Division
San Francisco Fire Department
Tel (415) 558-3417
Fax (415) 558-3455

From: Kyaun, Florence (ADM)
Sent: Monday, February 12, 2018 9:11 AM
To: Corso, Mark <mark.corso@sfgov.org>
Cc: Zano, Andy (FIR) <andy.zano@sfgov.org>
Subject: RE: SFFD Term Contract Request - Defibrillators

Hi Mark,

I'm available any time today before 3pm or Tues & Thurs mornings. We can use OCA's conference line.

Thank you,
Florence

Florence Kyaun
Principal Administrative Analyst
Office of Contract Administration
City Hall, Room 430

1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
(415) 554-6263 (Direct)
florence.kyaun@sfgov.org



From: Corso, Mark
Sent: Sunday, February 11, 2018 10:00 PM
To: Kyaun, Florence (ADM) <florence.kyaun@sfgov.org>
Cc: Zanoft, Andy (FIR) <andy.zanoft@sfgov.org>
Subject: SFFD Term Contract Request - Defibrillators

Hi Florence. The Fire Department would like to request OCA move forward with a term contract for defibrillators. This has come up in our monthly meetings previously, but we have done a review of what we need and feel that we are ready to move ahead, and so I wanted to see if you and your staff had some time for a meeting/call to discuss. We have previously mentioned current defibs that are already on City term contracts, but those are not what we are discussing here, as our apparatus are stocked with pre-hospital care defibrillators, which are quite more complex than what is currently on contract as well as being quite a bit more expensive (\$25-\$30K most likely).

Please let us know if you have some time to discuss how to proceed. Thanks.

Mark Corso
Finance Division
San Francisco Fire Department
Tel (415) 558-3417
Fax (415) 558-3455

Palmer, Deborah (FIR)

From: Zanoff, Andy (FIR)
Sent: Wednesday, February 21, 2018 9:11 PM
To: Palmer, Deborah (FIR)
Subject: FW: Term contract - Defibrillators
Attachments: Attachment A-Specs.docx; Specs from Hartsville SC 2017 Bid.pdf; Specs from Merced County 2009 Bid.pdf; Specs from Miller County MO 2014 RFP.pdf

Deb,

Please review the Hartsville 2017 bid. I am thinking about just copying it wholesale and using it for our bid proposal.

Not the preamble part, the specifications part.

Can you please call this place (they are in South Carolina) and find out who won this bid and what monitor they use?

AZ

Andy Zanooff, Assistant Deputy Chief
EMS Division
1415 Evans Avenue
San Francisco, CA 94124

From: "Sanchez, Daniel (ADM)" <daniel.j.sanchez@sfgov.org>
Date: Wednesday, February 21, 2018 at 15:11
To: Mark Corso <mark.corso@sfgov.org>
Cc: Andy Zanooff <andy.zanooff@sfgov.org>, "Rivera, Anthony (FIR)" <anthony.rivera@sfgov.org>
Subject: RE: Term contract - Defibrillators

Hello Mark,

Yes, I will be working with you all on this purchase.

Thank you for the revised specifications. I have incorporated them into the attached Specification Attachment which I will use in our solicitation. I did a little research for past Defibrillator specifications and found the three attached specification examples. Do we need to have the detail contained in those examples? Or are our specifications sufficient?

A couple questions:

- Do we currently have these defibrillators and are looking for a source of back up devices? Or we seeking to overhaul our current defibrillator collection?
- Is there a specific brand we are seeking? If so, what is it?
- Are these devices usually purchased directly from the manufacturer or a reseller?
- I see that we are asking for some "services." Do we need services other than repairs and training?

Thank you.

Daniel J. Sanchez
Office of Contract Administration

City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 430
San Francisco, CA 94102-4685
Phone: 415-554-6735
E-mail: Daniel.j.sanchez@sfgov.org

From: Corso, Mark
Sent: Wednesday, February 21, 2018 9:29 AM
To: Sanchez, Daniel (ADM) <daniel.j.sanchez@sfgov.org>
Cc: Zanoft, Andy (FIR) <andy.zanoft@sfgov.org>; Rivera, Anthony (FIR) <anthony.rivera@sfgov.org>
Subject: Term contract - Defibrillators

Good morning Daniel. I was told yesterday at our meeting with OCA that you have been assigned the term contract for defibrillators. We have made a couple of minor modifications to the specifications we had previously sent Florence, and I have attached those here. If you have any questions or need any additional information, please feel free to reach out and we are happy to discuss. Thank you in advance for your help on this.

Mark Corso
Finance Division
San Francisco Fire Department
Tel (415) 558-3417
Fax (415) 558-3455

Palmer, Deborah (FIR)

From: Zanoff, Andy (FIR)
Sent: Thursday, February 22, 2018 9:43 PM
To: Palmer, Deborah (FIR); Equipment, FireEMS (FIR); Molloy, Antenor (FIR); Brady, Nicholas (FIR); Wong, Ada (FIR)
Subject: Defib Bid Specs
Attachments: SFFD Defibrillator bid.docx

Importance: High

All,

Please review the attached.

If I missed something, please advise soonest.

AZ

Andy Zanoff, Assistant Deputy Chief
EMS Division
1415 Evans Avenue
San Francisco, CA 94124

This unmedical
procedure not
approved by EMS
Chief or signed by
anyone, is aimed
solely at Ybarra
aI the only 2
females

Palmer, Deborah (FIR)

REGISTRATION
RECEIVED
FIRE DEPARTMENT
FIREMAN RESOURCE

From: Equipment, FireEMS (FIR)
Sent: Monday, September 10, 2018 8:57 AM
To: Palmer, Deborah (FIR)
Subject: Fwd: OT
Attachments: ATT00001.htm; Effective immediately.docx; ATT00002.htm

2018 SEP 10 AM 10:45

Sent from my iPhone

Begin forwarded message:

From: "Molloy, Antenor (FIR)" <antenor.molloy@sfgov.org>
Date: March 22, 2017 at 11:07:37 PDT
To: "Equipment, FireEMS (FIR)" <fireems.equipment@sfgov.org>, STN49 Gurney Shop
<Gurneyshop49@outlook.com>
Subject: OT

Here is a copy of new procedure we discussed earlier.

Tony Molloy
A/Sect. Chief
EMS Operations
Office (415) 920-2914
Cell (415) 238-5274
Antenor.Molloy@sfgov.org

OT procedure for uniformed members of Logistics

Effective immediately

1. When a uniformed member of Bio-Med/ Logistics shows up early to work to complete a task, they will report to the Section Chief of EMS Operations. If the Section Chief is unavailable the member will report to the Station 49 Officer.
2. The Station 49 officer will note the member is present by making an entry in the Station 49 journal.
3. When a uniformed member of Bio-Med/ Logistics stays late at work to complete a task they will report to the Section Chief of EMS Operations. If the Section Chief is unavailable the member will report to the Station 49 Officer.
4. The Station 49 officer will note the member is leaving by making an entry in the Station 49 journal.
5. When a uniformed member of Bio-Med/ Logistics reports to work on an off day to complete a task they will report to the Section Chief of EMS Operations. If the Section Chief is unavailable the member will report to the Station 49 Officer at the start and completion of their task.
6. The Station 49 officer will note the member is leaving by making an entry in the Station 49 journal.
7. A General Form to the ADC of EMS documenting overtime is still required.

This is just
a few of the OT
issues. I unfortunately
did more verbal
communication vs.
email/documentation.

Palmer, Deborah (FIR)

SEARCHED
SERIALIZED
INDEXED
10 SEP 10 AM 10:44

From: Palmer, Deborah (FIR)
Sent: Friday, February 05, 2016 1:16 PM
To: Molloy, Antenor (FIR)
Cc: Neuneker, Rob (FIR)
Subject: Super Bowl OT

Tracking:	Recipient	Read
	Molloy, Antenor (FIR)	Read: 2/5/2016 1:20 PM
	Neuneker, Rob (FIR)	

Hi Chief,

Last week Irene talked to Chief Myers and he approved me to receive OT. I turned in a general form for OT on Friday 01/29/2016 for 8hrs of OT and documented on the GF that it was approved by Chief Myers. I was wondering if maybe it got lost or misplaced and I need to rewrite the general form for the OT?

Thank You,
Debbie Palmer- H3L2 Paramedic
San Francisco Fire Department
BioMedical Services
1415 Evans Ave
San Francisco, CA 94124-1706
(415) 920-2924 Office #
FireEMS.Equipment@sfgov.org

Palmer, Deborah (FIR)

From: Palmer, Deborah (FIR)
Sent: Sunday, January 15, 2017 4:48 PM
To: Myers, Jeff (FIR)
Cc: Molloy, Antenor (FIR)
Subject: OT in HRMS

Tracking:	Recipient	Read
	Myers, Jeff (FIR)	Read: 1/16/2017 9:21 AM
	Molloy, Antenor (FIR)	

Good Afternoon,

I would like to know what can be done about OT being entered when both of you have left for the day or are not in on the Friday ending the pay period? This last Friday 01/13 and today Sun 01/15 I have OT that needs to be entered before 0800 Tues 01/17 at the absolute latest (due to the holiday) but it would usually be a Monday or it will not make it onto that pay period. This was not an issue with the previous RCs but with the new station captains I have now need to worry about my OT making it in on time. Is it possible that they can be instructed to please just enter it in when both of you are not here or just enter it and then turn it in to you? I'm just not sure what has changed to cause this.

Thank You,
Debbie Palmer

Equipment, FireEMS (FIR)

From: Equipment, FireEMS (FIR)
Sent: Friday, February 10, 2017 1:59 PM
To: Molloy, Antenor (FIR)
Subject: OT & gators

I printed out a new OT sheet with the right hours. Sorry about that. I did notice though that Thursday 2/02----- 0400-0600 was not entered and that was on the sheet. The gators are all set with everything including batteries. Hope you have a good weekend.

Thank You,
Debbie Palmer- H3L2 Paramedic
San Francisco Fire Department
BioMedical Services
1415 Evans Ave
San Francisco, CA 94124-1706
(415) 920-2924 Office #
(415) 314-4946 Cell #
FireEMS.Equipment@sfgov.org

Palmer, Deborah (FIR)

From: Palmer, Deborah (FIR)
Sent: Thursday, December 07, 2017 3:45 PM
To: Molloy, Antenor (FIR)
Subject: FH time

Hi Chief,

I turned in paperwork to use FH time for tomorrow Fri 12/08 but I guess you guys were at training all day. I need tomorrow off so I'm not sure what to do. And I also turned OT paperwork in. Since having my OT entered late again (I turned paperwork in Fri and then again Monday), is it ok if the Capt can enter it first and if there is a problem can be handled after?

Thank You,
Debbie Palmer
Sent from my iPhone

9/10/2018

Mail - STN49 Gurney Shop - Outlook

Gurney shop

Molloy, Antenor (FIR) <antenor.molloy@sfgov.org>

Wed 1/11/2017, 9:14 AM

To: Neuneker, Rob (FIR) <rob.neuneker@sfgov.org>

Cc: STN49 Gurney Shop <Gurneyshop49@outlook.com>

Rob,

FYI In speaking to Chief Myers we have concluded that we need an authorized Ferno Tech to assist in the Gurney shop while one of our members is off. Ted Ackerson has agreed to come in on Friday for OT and Chief Myers has agreed this is needed. I will be entering Ackersons OT on Friday.

Tony Molloy

A/Sect. Chief

EMS Operations

Office (415) 920-2914

Cell (415) 238-5274

Antenor.Molloy@sfgov.org



Palmer, Deborah (FIR)

From: Equipment, FireEMS (FIR)
Sent: Monday, September 10, 2018 8:59 AM
To: Palmer, Deborah (FIR)
Subject: Fwd: Entered OT

Sent from my iPhone

Begin forwarded message:

From: "Zhao, Michelle (FIR)" <michelle.zhao@sfgov.org>
Date: October 18, 2017 at 09:21:51 PDT
To: "Equipment, FireEMS (FIR)" <fireems.equipment@sfgov.org>
Cc: "Yee, Connie (FIR)" <connie.yee@sfgov.org>
Subject: RE: Entered OT

Hi Debbie,

I'm afraid it's too late. Please submit a general form for the late entry through the Chain of Command. When our office receive the approval, we'll process the underpayment.

Thanks,
Michelle

From: Equipment, FireEMS (FIR)
Sent: Tuesday, October 17, 2017 7:20 AM
To: Zhao, Michelle (FIR) <michelle.zhao@sfgov.org>
Subject: Entered OT

Good Morning Michelle,

My OT wasn't entered until late yesterday afternoon for the 2 weeks prior (Oct 2-13), is that too late for the pay period cut-off?

Thank You,
Debbie Palmer- H3L2 Paramedic
San Francisco Fire Department
EMS Logistics- BioMed
1415 Evans Ave
San Francisco, CA 94124-1706
(415) 920-2924 Office #
(415) 314-4946 Cell #
FireEMS.Equipment@sfgov.org

Palmer, Deborah (FIR)

From: Palmer, Deborah (FIR)
Sent: Thursday, April 19, 2018 6:42 AM
To: Mason, Michael (FIR); FireStation49Officer; FireStation49Lt
Cc: Molloy, Antenor (FIR)
Subject: Tuesday 04/17/2018

Tracking:	Recipient	Read
	Mason, Michael (FIR)	Read: 4/19/2018 7:14 AM
	FireStation49Officer	
	FireStation49Lt	
	Molloy, Antenor (FIR)	Read: 4/19/2018 11:03 AM

Good Morning,

On Tuesday April 17th I stopped by around 0530station to pick up my uniform shirt prior to driving out to Grainger in Patterson in my personal vehicle that was approved by EMS 1. If there is any doubt that I stopped at station please check the camera at the Evans gate. I pulled in, parked by the gas pumps, was at station for approx. 10-15min prior to driving out the Fairfax gate. Please feel free to ask me any questions you might have. Have a great day.

Thank You
Debbie Palmer- H3L2 Paramedic
San Francisco Fire Department
EMS Logisitics- BioMed
1415 Evans Ave
San Francisco, CA 94124-1706
(415) 920-2924 Office #
(415) 314-4946 Cell #
FireEMS.Equipment@sfgov.org

Just a few
emails where
Frazer was offered
training but not me
& he was able to
do things I wasn't

Palmer, Deborah (FIR)

From: Palmer, Deborah (FIR)
Sent: Tuesday, August 21, 2018 6:47 AM
To: Molloy, Antenor (FIR)
Subject: RE: EMS Agency Meeting

SEP 10 AM 10:45

Ok. If I can't go on duty I'd like to take 2 hours of IDV from 1200-1400 please. Since it's open to everyone and I always miss the meetings working M-F, I'd like to be able to finally attend one.

-----Original Message-----

From: Molloy, Antenor (FIR)
Sent: Monday, August 20, 2018 4:07 PM
To: Palmer, Deborah (FIR) <deborah.palmer@sfgov.org>
Subject: RE: EMS Agency Meeting

We need to discuss this before I make a decision.

Tony Molloy
A/Sect. Chief
EMS Operations
Office (415) 920-2914
Cell (415) 238-5274
Antenor.Molloy@sfgov.org

-----Original Message-----

From: Palmer, Deborah (FIR)
Sent: Monday, August 20, 2018 3:09 PM
To: Molloy, Antenor (FIR)
Subject: EMS Agency Meeting

Hi Chief,

I'd like make a request to attend the EMSA Committee Meeting on Wednesday Aug 22nd 1300-1500 please.

Thank You,
Debbie Palmer

Sent from my iPhone

Equipment, FireEMS (FIR)

From: FireEMSGurney
Sent: Wednesday, June 13, 2018 6:04 AM
To: Zanoﬀ, Andy (FIR)
Subject: RE: General Order 18 A-50, Air Supplied Technician Training.

I am interested Chief, it isn't showing up on my HRMS however, I'll keep checking in case it hasn't been added yet.

Dennis Frazer-Paramedic
San Francisco Fire Department
EMS Division/Station 49
Logistics/Gurney Shop
1415 Evans Ave.
San Francisco, CA 94124
Cell: (628) 249-0525
dennis.frazer@sfgov.org
FireEMSGurney@sfgov.org



From: Zanoﬀ, Andy (FIR)
Sent: Tuesday, June 12, 2018 6:07 PM
To: Frazer, Dennis (FIR) <dennis.frazer@sfgov.org>; FireEMSGurney <fireemsgurney@sfgov.org>
Subject: FW: General Order 18 A-50, Air Supplied Technician Training

Dennis,

Interested?

AZ

From: FireChief, Secretary
Sent: Tuesday, June 12, 2018 15:13
Subject: General Order 18 A-50, Air Supplied Technician Training

SAN FRANCISCO FIRE DEPARTMENT
GENERAL ORDER

File Code 18 A-50
June 12, 2018

From: Chief of Department
To: Distribution List "A"
Subject: Air Supplied Technician Training
Reference: Rules & Regulations, Section 402
Enclosure: None

Officer Endorsement:
Section 1108 – R & R

1. The Department is hosting an Air Supplied Technician Training class by Scott Safety on July 10, 11, and 12, 2018. The class will be held from 0800 to 1700 hours at the Division of Training, 19th and Folsom Facility.
2. The class includes hands-on instruction on how to properly inspect, repair, and test all Scott SCBAs. Attending all three days is required to complete the class. Passing an exam with a minimum score of 80% at the conclusion of the course is required to attain the Air Supplied Technician certificate.
3. The Air Supplied Technician certificate is required for authorization to perform technician level repairs on all Scott respirators. The Air Supplied Technician certificate is required to be placed on the relief list for details to Mobile Air 1.
4. Interested members are to sign up through the HRMS appointment tab by June 30, 2018. Priority for signing up for the class will be given to members in the following order:
 - I. Members of Mobile Air
 - II. Members of BOE
 - III. Members of Station 20
 - IV. All other members by seniority
5. Members working their own regular day will be detailed to the class. No TC or overtime will be granted for off duty attendance. Class size is limited to 12 members. Members selected to attend will be notified via Outlook.
6. Any questions relating to this General Order should be directed to the Division of Training at 415-970-2000.

Joanne Hayes-White
Chief of Department

Equipment, FireEMS (FIR)

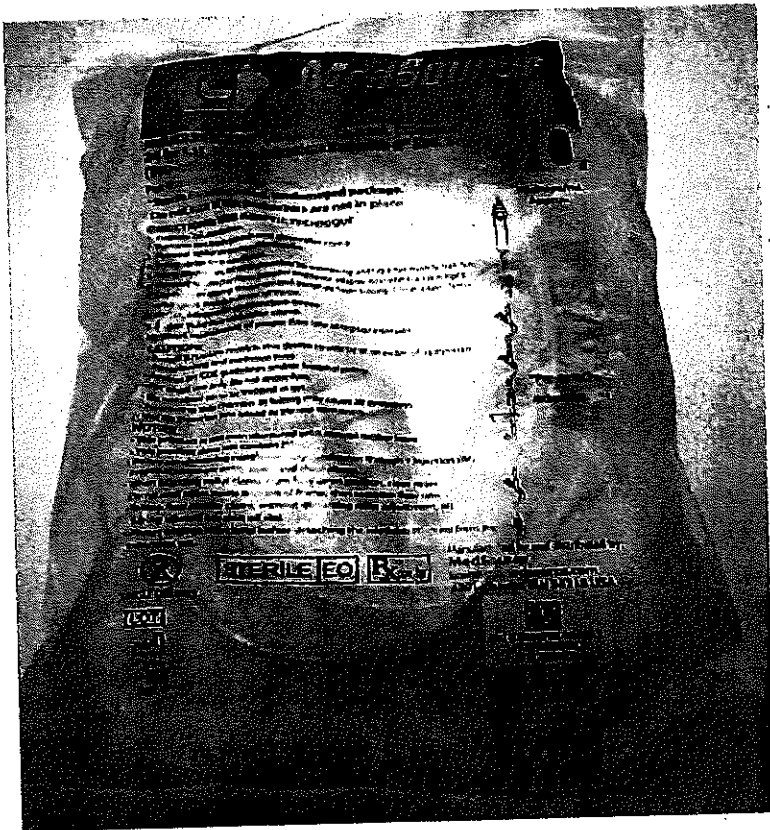
From: FireEMSGurney
Sent: Tuesday, December 26, 2017 1:06 PM
To: Molloy, Antenor (FIR)
Cc: Zanoft, Andy (FIR)
Subject: 10 Drop recall flyer
Attachments: ATTENTION10DROP.docx

As requested...

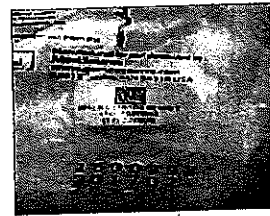
ATTENTION

ALL MEDICS IN THE FIELD

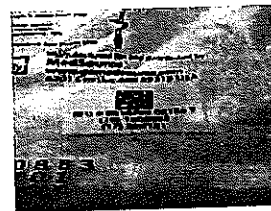
THERE HAS BEEN A RECALL OF 10 DROP IV ADMINISTRATION SETS BY THE MANUFACTURER DUE TO PRODUCT FAILURES. PLEASE CHECK **ALL** STOCK, REMOVE AND REPLACE, THE FOLLOWING LOT NUMBERS. RETURN RECALLED ITEMS TO EMS LOGISTICS.



1500893



1500883



Equipment, FireEMS (FIR)

From: FireEMSGurney
Sent: Wednesday, August 08, 2018 12:15 PM
To: Molloy, Antenor (FIR)
Cc: Zanoft, Andy (FIR)
Subject: Reconfigure restock lockers

Chief,
Just a reminder of our conversation earlier... We, Eddie and I, would like to condense the available restock items in the locker area to only the items that are not contained in the present bin system. This would leave only the loose items, for example restraints, spit hoods, urinals, cardboard splints. We feel that this would ensure that crews are replacing broken bins more regularly, ensuring that the rigs will likely remain at the required minimums, as they would no longer have the ability to restock on their own leaving questionable content bins in units. Crews, if needed, could restock red/pedi/o2 bags from the bins in the units. While this will create additional workload for Eddie and the others with the increase in broken bins, Eddie ultimately feels this is the best way to ensure proper stocking levels. An added benefit is that this will significantly cut down on crews overstocking and help reduce inventory waste. If you are still in agreement we would like to make the needed changes tomorrow.

Respectfully,

Dennis Frazer-Paramedic
San Francisco Fire Department
EMS Division-Logistics
DME/Gurney Shop
1415 Evans Ave.
San Francisco, CA 94124
Cell: (628) 249-0525
dennis.frazer@sfgov.org
FireEMSGurney@sfgov.org



When it was
Irene, Michelle, &
I couldn't set a
computer, but I'm
in Frezer got a
computer & printer

Computer access for Gurney Shop**STN49 Gurney Shop**
Thu 11/3/2016, 6:45 PM

To: Molloy, Antenor (FIR) <Antenor.Molloy@SFGOV1.onmicrosoft.com>

Good Morning,

RECEIVED
ASSTANT DIR. OF
SYSTEMS SERVICES

11 SEP 10 AM 10:45

I just wanted to clarify what was explained to me, when I asked Leon about computer access for the Gurney shop. He indicated that wiring the Gurney Shop for network access, would be costly and difficult. As well as there being no phone jack to begin with.

I explained that early on, I purchased a laptop specifically for the Gurney Shop, because I questioned then whether or not an actual PC was doable. It has proven invaluable. So I suggested the possibility of a wireless network access.

However, Leon indicated that there is "a lot of traveling" of the network that takes place before it actually makes it back to the Department Network. This explanation and what about it makes for a difficult access on a laptop, was not completely clear to me.

I am able to complete quite a number of tasks with the capability the laptop has. I have equipped the Gurney Shop with a color printer/ scanner as well, so I am able to produce many documents. I have e-mail service as well as wireless internet.

The issue that occasionally interrupts the flow of efficiency and convenience, is that I do not have access to HRMS or AO Reports.

There is a computer located in Biomed should I need these functions, however, there are occasions, that I need to write a General Form or refer to a General Order and would prefer the privacy of my office space. And sometimes the Biomed computer is being used by Biomed staff. This is when it delays my ability to complete what I need to in a more timely manner.

I believe that if wireless network access is at all possible, it would be a benefit to the Gurney Shop operations.

Thank you,

Irene Ybarra MICP, - STN49 EMS Logistics
Lead FERNO Certified Gurney Technician
San Francisco Fire Department
1415 Evan St. San Francisco Ca. 94124
Cell # 530-304-9588
Email Gurneyshop49@outlook.com

Equipment, FireEMS (FIR)

From: Wong, Leon
Sent: Thursday, October 26, 2017 8:00 AM
To: Frazer, Dennis (FIR)
Cc: FireEMSGurney; Molloy, Antenor (FIR); Zanoft, Andy (FIR); Holmes, Greg (FIR); Mora, Jesus
Subject: Re: Gurney Shop

Hi Dennis,

We can come out and do a survey tomorrow.

The fact that the network switch at Evans location has only 24 ports; If there are available ports, we'll add a workstation. If not, we can relocate an existing computer into the Gurney Shop area.

Setting up the computer, networking, AO_Reports, HRMS, and printing will be all part of the package.

Thank you.

Sent from mobile phone

On Oct 26, 2017, at 6:17 AM, Frazer, Dennis (FIR) <dennis.frazer@sfgov.org> wrote:

Hi Leon,

Yes, the drop was installed a couple weeks ago. The installer stated that someone would have to "add a two foot tie in to the server" so, I would assume, the drop is only roughed into the telecomm room. FYI, there is already a printer in the Gurney Shop, will need it "paired" to the computer when installed. Thank you Leon!

Dennis Frazer
San Francisco Fire Dept.
EMS Division
Logistics/Gurney Shop
Cell: (628)249-0525
dennis.frazer@sfgov.org
FireEMSGurney@sfgov.org
<OutlookEmoji-1507215296472_deptc4e761aa-35d6-4b15-9544-cb1a57e10f2f.png>

From: Wong, Leon
Sent: Wednesday, October 25, 2017 9:00:51 AM
To: Frazer, Dennis (FIR); FireEMSGurney
Cc: Molloy, Antenor (FIR); Zanoft, Andy (FIR); Holmes, Greg (FIR)
Subject: RE: Gurney Shop

Hi Dennis,

Do you know if DT Telecom has completed installing the data drops? If done, we can install/move a computer into the Gurney Shop area.

Thank you,

Leon Wong

IT Operations – Supervisor

SAN FRANCISCO FIRE DEPARTMENT

Office: 415-558-3358 | **Email:** leon.wong@sfgov.org

Mainline: 415-558-3601

From: Molloy, Antenor (FIR)

Sent: Wednesday, October 25, 2017 8:22 AM

To: Holmes, Greg (FIR) <greg.holmes@sfgov.org>; Wong, Leon <leon.wong@sfgov.org>

Cc: Zano, Andy (FIR) <andy.zano@sfgov.org>

Subject: FW: Gurney Shop

It seems we are getting close to adding the computer to the Gurney shop although it is still not done. What is the final step? When can it be completed? Dennis Frazer states the drop was added from the gurney shop to the comm room and then it dies, not hooked to the server.

Thank you,

Tony Molloy

A/Sect. Chief

EMS Operations

Office (415) 920-2914

Cell (415) 238-5274

Antenor.Molloy@sfgov.org

<image001.png>

From: FireEMSGurney

Sent: Wednesday, October 25, 2017 7:31 AM

To: Molloy, Antenor (FIR)

Subject: Gurney Shop

Good morning Chief,

Just the reminder your requested regarding the Data Drop in the gurney shop, and the need to have a computer terminal installed, if possible.

Thanks Chief,

Dennis Frazer

San Francisco Fire Dept.

EMS Division

Logistics/Gurney Shop

(415) 558-3249

dennis.frazer@sfgov.org

FireEMSGurney@sfgov.org

<image002.png>

Equipment, FireEMS (FIR)

From: Wong, Leon
Sent: Thursday, November 02, 2017 9:18 AM
To: FireEMSGurney
Cc: Holmes, Greg (FIR); Molloy, Antenor (FIR)
Subject: RE: Gurney Shop Printer

Hi Dennis,

The Gurney Shop computer is also configured to print to the Ricoh multi-function where the EMS storekeepers are. Until we could find you a replacement desktop printer, please use that as your default printing.

Let us know if you need help accessing the Ricoh.
Thank you,

Leon Wong
IT Operations – Supervisor
SAN FRANCISCO FIRE DEPARTMENT
Office: 415-558-3358 | Email: leon.wong@sfgov.org
Mainline: 415-558-3601

From: FireEMSGurney
Sent: Thursday, November 02, 2017 8:00 AM
To: Wong, Leon <leon.wong@sfgov.org>
Subject: Gurney Shop Printer

Hi Leon,
As I suspected, the printers at the top of the stairs included broken ones, as the one you installed at my work station doesn't work. Could you please install a new printer for me? Thank you!

Dennis Frazer
San Francisco Fire Dept.
EMS Division/Station 49
Logistics/Gurney Shop
Cell: (628) 249-0525
Main: (415) 558-3249
dennis.frazer@sfgov.org
FireEMSGurney@sfgov.org



STN 99 Gurney Shop
email was accessed
used by Irene, Michelle
& I. When Irene Ybarra
was here she was
considered our sup.
(Michelle & I) so she
would handle alot
of communications

EEO Complaint

STN49 Gurney Shop

Fri 3/24/2017, 12:45 PM

To: zanoff.andy@sfgov.org <zanoff.andy@sfgov.org>

Good morning Chief,

As you are freshly appointed to your position, I feel, out of respect to you, to inform you, so you do not feel blindsided, that come Monday, I will begin the process of filing an EEO complaint against Captain Jeff Covitz and Acting Section Chief Antenor Molloy. Others to be named later.

There has been a steady progression of creating a hostile work environment by Captain Jeff Covitz and a gross lack of support in trying to resolve these issues, by Acting Section Chief Molloy, despite myself and Paramedic Palmer employing him to resolve these issues.

Our biggest concern, in an arena of all male Management, it is increasingly looking and feeling like this behavior is singling us out because we are women.

We have already had a very valuable member of our staff stressed to her breaking point, which not only affects her, but it affects the EMS Logistics Operation as well. I would have preferred to have prevented such action, especially in the wake of my upcoming [REDACTED]. However, Chief Molloy does not seem to understand that this is becoming a truly serious problem and the efficacy and efficiency of EMS Logistics depend on a resolution, not the reactive, seemingly putative actions that have been occurring.

As you are aware, I have a combined history of [REDACTED] years, as a DPH paramedic and an SFFD member. I have more that proven my reliability and work ethic integrity. As well as being one primarily responsible for developing the operational structure of EMS Logistics as it is. It has been. 5+ year work in progress. Before Captain Covitz or ASC Molloy ever took their positions. I have received positive reinforcement and support, from CD1, CD2, CD3 and many other supporting command staff. I and the rest of the EMS Logistics staff, have been tasked with many large and very important projects, because we have well established our level of efficiency ability to take an idea a customize it to whatever it needs to be functional for the entire department, not just Station 49. But by far, most important, is we have established our reliability and integrity to strong work ethic.

This is why the sudden, since November, accelerated hostile work environment put forth by Captain Covitz and supported by Acting Section Chief Molloy, is particularly upsetting and feels to be a personal attack on us as a group and more importantly as a small group of women.

Thank you for reading and considering the content of this email. I will submit a formal General Form to both you and Deputy Chief Gonzales on Monday.

Respectfully,
[REDACTED]

Fw: Bariatric Unit

STN49 Gurney Shop

Thu 1/5/2017, 2:43 PM

To: Myers, Jeff (FIR) <jeff.myers@sfgov.org>

Cc: fireems.equipment@sfgov.org <fireems.equipment@sfgov.org>; STN49 Gurney Shop <Gurneyshop49@outlook.com>;

molloy.antenor@sfgov.org <molloy.antenor@sfgov.org>

Sorry, I hit 'send' by accident prior to editing.

Irene Ybarra MICP, – STN49 EMS Logistics
Lead FERNO Certified Gurney Technician
San Francisco Fire Department
1415 Evan St. San Francisco Ca. 94124
Cell # 530-304-9588
Email Gurneyshop49@outlook.com

From: STN49 Gurney Shop

Sent: Thursday, January 5, 2017 1:23:14 PM

To: Myers, Jeff (FIR)

Cc: fireems.equipment@sfgov.org

Subject: Bariatric Unit

Good Afternoon Chief,

I am e-mailing you today, so you are more aware and in the loop about growing concerns to the interference with EMS Logistics, by untrained and ill informed Station 49 Middle management Captains, acting and permanent. Something we have spoken about before, but does not seem to have been resolved.

As you are aware, the Bariatric Unit has been in service for a few years now. A project spearheaded by you and myself.

Over time, persistently, due to any number of reason such as impatience, lack of concern or inadequate training, the ramp to the Bariatric Unit has repeatedly been misused, mishandled, BROKEN and DAMAGED. Some of that damage being caused by Station Captains who blatantly disregard the need to ask anyone, such as, myself, Michelle or Debbie, who might know a bit about the unit, how to operate it and how to fix it, before damaging it.

Central shops has even stated they don't want to fix the unit anymore, as crews have repeatedly brought it to them and they are "not familiar enough" with it.

Concern over this has been reported to both you and Acting Section Chief Molloy. However, I respectfully feel those reports and concerns have not been addressed as seriously as needed.

For this reason, Paramedic, BioMed Technician and FERNO Certified Gurney Technician Debbie Palmer, took it upon herself to work directly with the designing engineer of the lift, to understand how to fix it.

He even came to Station 49 and personally worked with her to show her how to make repairs. I might add however, that he made a point of commenting on the level of damage to the lift. As well as speaking to the fact that Mac's Lift Gate has NEVER had another lift damaged to the degree that this one was, by ANY other customer.

Needless to say, we were embarrassed.

However, despite this available expertise, there are STILL Captains and Acting Chiefs who wish to disregard, ignore and disrespect this asset. Instead, they are wrecklessly attempting to "fix" the lift on their own, w/out consulting either Mac's Lift Gate directly or our own on-site, in-house expert.

A few perfect examples, would be when fuses kept blowing while the lift was in use. The unit was repeatedly taken to Central Shops over weekends usually. No report made to ANY of the EMS Logistics staff, until about the 4th time it was returned by Central Shops stating "There's nothing wrong with it"

Debbie contacted Macs Lift Gate directly and spoke with the engineer. He told her immediately where to look, for the source of the shorting. When she did, she found that crews had been SO careless, as to destroy the wiring housing, not visible from direct site.

Debbie was able to FaceTime with the engineer and essentially repair the wiring, short of a whole re-wire.

When she asked Acting Chief Molloy to look at the significance of the damage, he said he "didn't want to know anything about it" and walked on.

Recently, when Station Captain Covitz managed to get the ramp stuck, because he stated he did not need Bariatric Unit Expert Estrada, to run him through how to 'correctly' use the ramp. Acting Chief Molloy was witnessed actually getting down on his belly to "confer with Covitz" that yes, he did in fact get the ramp stuck a second time, even after Michelle rescued him from the first mis-operation. They did not hesitate to give an armchair view of what they thought the problem was. They were way off.

They were witnessed trying to fix the ramp again today. I received a text, while still out of town, with Debbie right in the next room, that a fuse was needed for the ramp. Nothing was said to Debbie. Covitz and Acting Chief Molloy are both aware, that Debbie is the expert. Instead they called Vince, who in turn texted me.

EMS Logistics has been created, because you have people who are experts at what they do. However, there is a consistency, especially with the most recently appointed Station Captains, of ignoring that our jobs are to ensure function of those things. We are manufacturer trained to fix them. And when those pieces are mishandled by crews and officers, it is their responsibility to inform us. This is consistently NOT happening, in ALL aspects of EMS Logistics. We are not informed when spare gurneys or stairchairs are taken from stn12 or 38.

Biomed is not routinely notified when a problem arises with an engine or truck monitor or other equipment. The Station Captian tries to troubleshoot the problem, despite a lack of technical knowledge or training. Crews seem to think that when they are being told there are policies and procedures for EMS Logistics Operations, they can run to Acting Chief Molloy and cry to him that they feel they are being singled out just for taking equipment off someone else's unit because they can't find theirs. SERIOUSLY?!!
And instead of saying "There are policies and procedures to follow" Acting Chief Molloy undermines what I have put in place and pacifies the crew.

We are routinely re-directed off of projects that were, just moments before deemed the priority, only to be asked right after that "Is that other project done?"
Or we are directed away from very important tasks, that we are visibly in the middle of, to do things that could have and should have otherwise been assigned to any of the multiple TMD's at STN. 49.

This has GOT TO STOP. This is wreck-less, at times, ego based and extremely frustrating behavior and "management" style.

There are policies and procedures. However, they are routinely ignored and or disregarded. Someone who is otherwise not officially trained, is going to make an error that could have otherwise been prevented had the issue been directed to the appropriate party. Or a crew is going to leave another crew unable to go into service in a timely manner, because they now believe it's ok to do what you want.

If the opinion is, that EMS Logistics is NOT a necessary function of the SFFD, then dissolve it. But if it is agreed that it is a valuable and NECESSARY asset, then PLEASE, ask others to respect that and address it as such.
It is no wonder there is such frustration with the EMS Logistics staff, that someone might display behavior otherwise uncharacteristic for them, because their frustration got the better of them. And they are a bit put off by always being addressed as "hey"

I for one am retiring a year early. Not because I am not grateful for having been given the chance to show how important EMS focused Logistics is and I don't have so much more in mind that could and should be accomplished. But because this is no longer a healthy environment.

Thank you,
Respectfully,

Irene Ybarra-MICP
Lead FERNO Technician
EMS Logistics Manager

9/10/2018

Mail - STN49 Gurney Shop - Outlook

Fw: EMS Logistics

STN49 Gurney Shop

Fri 12/2/2016, 9:57 AM

To: fireems.equipment@sfgov.org <fireems.equipment@sfgov.org>; STN49 Gurney Shop <Gurneyshop49@outlook.com>
I just sent this to Jeff. I'm hoping it makes a difference.

Irene Ybarra MICP, - STN49 EMS Logistics
Lead FERNO Certified Gurney Technician
San Francisco Fire Department
1415 Evan St. San Francisco Ca. 94124
Cell # 530-304-9588
Email Gurneyshop49@outlook.com

From: STN49 Gurney Shop

Sent: Friday, December 2, 2016 9:56:12 AM

To: Myers, Jeff (FIR)

Subject: EMS Logistics

Good Morning,

Heard your Friday was off to a rip roaring start. ☺

I have a favor that I would like to to just consider and think about.

Could you establish with the Station49 Captains, that EMS Logistics is NOT a sole entity of stn49.

EMS Logistics, much the same as BOE Logistics, is there for the purpose of the entire Department.

Yes, we are strategically housed at stn49 because of the need to have Logistics & Ambulance deployment together. But there seriously needs to be a fine between the two.

This new, seriously inexperienced group, albeit no fault of their own for being born SO LONG after you and I, (ugh!) doesn't seem to understand that concept.

We deal with product vendors directly, We have direct contact with and assist other Chiefs with their projects. Not to mention what we MUCH to do with daily operation involving Stn49 crews.

But the increased interference by certain Station Captains is becoming quite problematic.

Example, a ZOLL Clinical Trainer, came to BioMed, to do a post Chelmsford follow-up with Debbie and Michelle. In the middle of their conversation regarding accuracy of 12 lead interpretations by the X-series, Covitz came in, interjected himself into the discussion, by removing the 12lead tracing from the Reps hand and saying "let me see that" Seriously rude, unprofessional and embarrassing.

This is NOT the impression we want to convey to someone who is taking time out of his day, to make sure we are satisfied. Especially given the level of dissatisfaction we have had recently with ZOLL.

There is an extreme lack of professionalism, texts at 0430, to my personal phone, on my day off, with the opening "hey gurney people" instead of "I'm terribly sorry if I've woken you", is probably not going to receive a warm fuzzy response. Learn some manners. The constant taking our positions for granted and quite frankly lack of respect, for the work that anyone in EMS Logistics is doing, from any of the current NEW Captains. And with 32 years under my belt alone, I'm pretty sure I've done at least a couple things deserving of respect. Especially when these guys are lost and confused and guess who they come to for answers. We accomplish quite a bit on a daily basis while we have to witness EMS03's or LD's watching TV, 'hiding' upstairs on the computer, or having the station Capt. claim making coffee or food runs is a more important use for the pool car that the need to take equipment to HQ or do a mobile fix for an engine crews monitor or other equipment.

Excuse me for the slight rant, I just want it established, that EMS Logistics IS a valuable and necessary entity of the SFFD and not just a few people who wanted off an Ambulance. Because believe me, I do FAR more work now, than I ever had to do on a bus. Thank you for tolerating my rant and considering this matter. Pushing the Dept. to fully value and understand EMS Logistic and EMS as a whole is a vital backbone structure has been very important to me, as well as I know it has been to you.

I hope you have a great weekend,

Irene

9/10/2018

Mail - STN49 Gurney Shop - Outlook

Rc's not maintaining control

STN49 Gurney Shop

Tue 9/6/2016, 1:30 PM

To: Molloy, Antenor (FIR) <Antenor.Molloy@SFGOV1.onmicrosoft.com>; Myers, Jeff (FIR) <jeff.myers@sfgov.org>

Cc: fireems.equipment@sfgov.org <fireems.equipment@sfgov.org>; STN49 Gurney Shop <Gurneyshop49@outlook.com>

Good afternoon,

Yes, I am STILL on vacation, but my attention is being diverted, because policies and procedures ARE NOT being followed by the RC's

From what I understand, they get paid a whole lot more than any of us in EMS logistics, to insure that these policies and procedures are followed. And I am incorrect about this; please correct me.

There is equipment turned in and taken with no explanation, despite proper forms right at hand.

There are rc's, working other shifts, taking hundreds of dollars in equipment from the RC cache to store in their buggies "just in case" This is NOT the procedure developed and implemented.

This cause headache and chaos for those whom have to sort out the details and remedy the situation.

It is equally frustrating, when instead of handling an issue for a crew, the RC on duty transfers all call to radio, so she can sleep AND leaves the supply room wide open and now a number of items are depleted.

We in EMS Logistics cannot continue to be the ONLY ONES, including while otherwise on vacation, who work diligently to keep station 49 EMS logistics running smoothly w/out the support from the EMS Chiefs staff and RC's. We are already battling against the storekeepers.

Your support in insuring compliance with established policy and procedure is greatly appreciated.

Thank you,

Respectfully,

Irene Ybarra MICP, - STN49 EMS Logistics

Lead FERNO Certified Gurney Technician

San Francisco Fire Department

1415 Evan St. San Francisco Ca. 94124

Cell # 530-304-9588

Email Gurneyshop49@outlook.com

Palmer, Deborah (FIR)

From: Palmer, Deborah (FIR) <deborah.palmer@sfgov.org>
Sent: Wednesday, May 17, 2017 6:11 PM
To: Zanoft, Andy (FIR)
Subject: Meeting

Hi Chief,

Would it be ok if Irene and I could set up a meeting with you tomorrow?

Thank You,
Debbie Palmer

Sent from my iPhone

Palmer, Deborah (FIR)

From: Palmer, Deborah (FIR)
Sent: Wednesday, August 09, 2017 6:20 AM
To: Zanoft, Andy (FIR); Molloy, Antenor (FIR)
Subject: Gurney Tech position

Tracking:	Recipient	Read
	Zanoft, Andy (FIR)	Read: 8/9/2017 7:01 AM
	Molloy, Antenor (FIR)	Read: 8/9/2017 6:45 AM

Good Morning Chiefs,

I'm writing this in regards to the Gurney Shop Tech position. I would just like to let it be known that I do not agree with how the process was done. Before Irene retired I was told that there would be a sit down to go over what the position would entail but that never happened, and then the day after Irene's last shift a GF came out for the position. It took me over a year and a half of shadowing Irene to learn the ins and outs of EMS Logistics and building a rapport with numerous vendors. Then a month and half later after the closing date for the Gurney Shop position, I put in approx 2 weeks early that I would like to take 3 VA days Thurs-Mon. The Tues of that week that I was taking time off I was informed that the interviews would suddenly be on Thurs, which just so happened to be the first day of my VA, after I had been told previously that I would be able to have some participation in the process. My only involvement was being shown the list of applicants, and who would I not want to work with on that Tues. I voiced my option about 1 particular person and then pointed out another person who had made comments about not actually being interested in the position but would use it to just get out of the field and "kick it." At no time was I asked to put some questions together or just give some sort of input that would be helpful for the interview. There are very specific policy and procedure manuals, that certified members are familiar with. There are rules that per FERNO and the department, must be followed to validate the technicians certification, ensure the safe operation of all gurneys and the safety of the crews and the patients. None of this was included in the interview process. The male co-workers that conducted the interview have not spent any time in/ with EMS Logistics, nor in the 2 years I've been there have asked or spent time to understand what exactly is done between BioMed/ Gurney Shop/ EMS Logistics. Actually a couple of them had been given information on how certain pieces of equipment worked and then did the complete opposite only to have me or Irene correct what was done. One of the interviewers actually has a conflict of interest with one of the applicants but was still allowed to interview. The person with actual gurney repair experience and certified to do it didn't even get offered the job which makes it look like the conflict of interest really did affect the process. Another applicant who was making a strong effort to understand how things work did not get an offer. I'm just an H3-L2, as was one of the interviewers, but I am very proud of what has been accomplished in EMS Logistics and continues to be accomplished esp since it had just been me. It's really hard to explain what being in this position means to me but it is big and truly lifesaving to me in so many ways and I hold that very close. I know there are a million things going on and I will continue to do the job, I actually love to the fullest but I needed to write this to express how I feel the process went. Have a good day.

Thank You,
Debbie Palmer

Palmer, Deborah (FIR)

From: Palmer, Deborah (FIR)
Sent: Saturday, August 26, 2017 1:37 PM
To: Zanoft, Andy (FIR)
Subject: BioMed cage

At this time since everyone seems to be accessing the BioMed cage since I've been gone. I am not not comfortable being responsible for what is stored in there at this time. The batteries that were back were in the cage because they needed to be recalibrated and not in service. Apparently 2 monitors have been taken out already whoever took them do they know if they are ok to go out? This is the reason why Irene, Michelle and I had the key and no one else. There's MILLIONS of dollars of equipment back there. Initially Chief Zanoft you said that only you were going to have the key as back up for yourself but now look things are being taken out without even a text or call to me asking anything. The station captains can't even make sure the storeroom is closed and locked and that is full of medications. I understand the want for the OES engine needing a newer monitor but that monitor was just exchanged just this last Tues a day before inspections so I haven't even looked at it yet and now there is no back up for the engines in service everyday in the city. I'm sorry that a death in my family has inconvenienced the department but I did offer to Molloy that I could stop by to handle a few things. There was not a problem with how the DME was being handled in BioMed for years until now and I don't understand why things needed to be changed. I took 5 days off in July and no problems were had. I had 2 extra x-series monitors under my desk that I told station captains about. I ran medical supplies, gurney shop, special events and BioMed by myself for months and I'm feeling that none of that mattered.

Sent from my iPhone

EXHIBIT D

Human Resources Director's Letter of Determination to Appellant, dated
December 27, 2018

City and County of San Francisco
Micki Callahan
Human Resources Director



Department of Human Resources
Connecting People with Purpose
www.sfdhr.org

CONFIDENTIAL

December 27, 2018

Deborah Palmer
[REDACTED]

Via U.S. Mail

RE: Complaint of Discrimination, EEO File No. 2692

Dear Firefighter/Paramedic Palmer:

The San Francisco Charter, Section 10.103 and Civil Service Rule 303 provide that the Human Resources Director shall review and resolve complaints of employment discrimination. The Charter defines discrimination as a violation of civil rights on account of race, religion, disability, sex, age, or other protected category. The City and County of San Francisco (City) considers all allegations of discrimination a serious matter. The purpose of this letter is to inform you of my determination regarding your complaint, EEO File No. 2692.

On April 23, 2018, the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO) received your complaint alleging that Antenor Molloy, Acting Section Chief, Emergency Medical Services (EMS) Division, San Francisco Fire Department (SFFD); Zackary Tibbits, Acting Rescue Captain, SFFD; and Andy Zanoff, Assistant Deputy Chief, EMS Division, SFFD, subjected you to discrimination and harassment "possibly" based on your gender (female) and disability (on file), and retaliation (for an email sent to the Fire Commission by a member of the public concerning an equipment safety issue). Your complaint was assigned to Vanessa Doyle, EEO Programs Specialist, DHR. On August 31 and September 4, 2018, Ms. Doyle conducted an intake interview with you by phone, during which you further alleged that Michael Mason, Rescue Captain, SFFD, also subjected you to discrimination and harassment.

Thank you for bringing your concerns to my attention. I recognize that the conduct alleged was upsetting to you, and that it may have been difficult for you to make your complaint. Please be advised that based on a review of Chief Molloy's, Captain Tibbits', Chief Zanoff's and Captain Mason's alleged actions, there is no link between the conduct and comments and your gender or disability. Additionally, an email sent by a member of the public complaining about an equipment safety issue is not considered a protected activity, and thus, not within the City's EEO jurisdiction. As your allegation regarding a possible mismanagement of flex time usage and timekeeping is outside the scope of the City's EEO jurisdiction, this allegation will be forwarded to SFFD for review. Therefore, DHR EEO will administratively close your complaint without further investigation.

I. BACKGROUND AND ALLEGATIONS

Since 2007, you have been employed at SFFD as a H-3, Level 2 Firefighter/Paramedic (FF/PM). In 2015, as a reasonable accommodation, you were assigned to temporary modified duty in the Biomedical Services Division (BSD) at Station 49. You were subsequently permanently assigned to BSD as a reasonable accommodation. Chief Molloy, your supervisor since 2015, reports to Chief Zanoﬀ. You are the only employee in BSD and are responsible for EMS logistics such as researching, ordering, testing and troubleshooting medical supplies and equipment, and coordinating repairs and special events. In June 2017, Irene Ybarra, then-H-1 Fire Rescue Paramedic, SFFD, retired and you assumed her duties in the Gurney Shop. In August 2017, SFFD placed the recruitment to fill the vacant Gurney Shop position and selected Dennis Frazer, H-3 FF/PM, SFFD.

You alleged that you were subjected to discrimination, harassment, and retaliation, as described more fully below:

A. Harassment Based on Gender and Disability

1. Storekeeper Returned to Station 49

In October or November 2017, a storekeeper got into an argument with a co-worker. After you interjected, the storekeeper told you, "I'm not talking to you!" and waved a box cutter at you. Chief Zanoﬀ spoke to you about the incident, and the storekeeper was transferred while an investigation took place. In February 2018, the storekeeper was returned to Station 49, which you alleged created a hostile work environment based on the prior incident. Since his return, you have been "getting along really well" with him, and you think he is a "good guy."

2. Attendance and Punctuality Questioning

- On March 19, 2018, you arrived to work late because you had stayed late the night before. Captain Tibbits told you, "You're late. You're at the half hour mark, so you're AWOL." You believed using flex time as you did was standard practice, and Nick Brady, Rescue Captain, SFFD, and FF/PM Frazer also used flex time but were not questioned. You were not sure whether Captain Brady and FF/PM Frazer discussed their flex time schedules with Captain Tibbits. Captain Tibbits did not write you up as Absent Without Official Leave (AWOL).
- In March 2018, Chief Molloy instructed you and FF/PM Frazer to check in and out when arriving at and leaving the station. On March 20, 2018, you left to get coffee after you arrived at work. Captain Tibbits called and asked if you had come to work, because he did not see you check in. You alleged that FF/PM Frazer left to get breakfast after arriving at work that morning, and did not check in, but Captain Tibbits did not call him. On March 27, 2018, FF/PM Frazer arrived late to work, but Captain Tibbits did not call him. As of late March 2018, you no longer work with Captain Tibbits.

- On April 17, 2018, you stopped by Station 49 before attending a vendor expo for an overtime assignment. Captain Mason allegedly questioned another rescue captain about whether you “really came in” prior to attending the expo, and called you to ask about your whereabouts. You believed that Captain Mason was “micromanaging” you, and not subjecting others to the same scrutiny.
- On one occasion in May 2018, Captain Mason accused you of being late, and gave you a verbal coaching. You alleged you arrived to work on time, but he did not see you arrive. You believed Captain Mason was “singling [you] out and harassing [you],” because he did not hold others, such as a male co-worker of yours, to the same standard.

B. Discrimination Based on Gender and Disability

1. Work Assignments

- In 2016, while attempting to repair a bus ramp, male SFFD employees made the problem worse. In August or September 2016, when you tried to show Chief Molloy the damage done by others, he told you he needed labels made.
- In August 2017, interviews were conducted to fill the vacant Gurney Shop position, a position that works closely with you. You believed that interviews were scheduled while you were on vacation so that you would be unable to serve as a panelist.
- In August 2017, FF/PM Frazer was hired for the Gurney Shop position. He was assigned some tasks that were not offered to you, and some tasks that were previously assigned to you were reassigned to him. In February 2018, field testing began on a new ambulance and gurney. You attended a train-the-trainer training by a representative from Stryker (the gurney company). You then began training the crews. Chief Molloy decided the ambulance would be taken to the training facility at Treasure Island and FF/PM Frazer would train the new hires on the ambulance and gurney. You disagreed with this decision, as FF/PM Frazer had not yet attended a train-the-trainer training. However, you acknowledged FF/PM Frazer did attend the train-the-trainer training in late March or early April 2018 with a Stryker representative. You alleged that FF/PM Frazer was given this assignment because he was “buddies” with Captain Brady and “hung out” in Chief Molloy’s office.
- In December 2017, Chief Zanoff assigned you to coordinate crew trainings on new defibrillator monitors. After the trainings were completed, the monitors went into the field for use and evaluation by the crews. Chief Molloy assigned Captain Brady to oversee field testing of the equipment. You disagreed with the assignment of Captain Brady because he was uninterested in the new equipment, and had not been trained by the trainer. You admitted Captain Brady did attend a training session with the field representative. You believed Captain Brady was assigned this project because, “Anything [Chief] Molloy wanted, he had Nick [Brady] do.”

- In April 2017, Chief Zanoft assigned a female rescue captain, four male SFFD employees and you to work on a CPR project. In March 2018, Chief Molloy cut off your access to a computer program you used to track CPR data and you were no longer invited to CPR project meetings. You believed Chief Molloy was trying to “push you out” due to your gender and disability, and because you were vocal about safety issues with the ambulance monitors. After your access was denied, a female rescue captain and a female paramedic were reassigned to extract your data from the program.

2. Overtime Procedures and Approvals

- You alleged that “off and on” since October 2015, Chief Molloy, Captain Mason, and two other captains have not approved your overtime in a timely manner, requiring you to complete additional paperwork. You acknowledged you were compensated for all of your overtime. You believed that a male co-worker has not had any overtime approval issues. Most recently, Captain Mason approved your overtime on time, and the other two captains promptly approved your overtime after you discussed the problem with them.
- In March 2017, Chief Molloy emailed you a copy of overtime procedures for uniformed members of logistics. You believed the procedures targeted you and a female co-worker. You acknowledged that male storekeepers and other male employees at Station 49 have also been directed to follow procedures for documenting overtime.

3. IT Requests

In November 2016, you and two female co-workers used a laptop because it was questionable whether a computer could be installed in the Gurney Shop. In October 2017, FF/PM Frazer had a computer, printer, and network access installed at his work location in the Gurney Shop. You believed that you and your female co-workers were treated differently, because FF/PM Frazer’s IT requests were approved within a month of his appointment.

4. Training Opportunities

You alleged that FF/PM Frazer was offered training opportunities that were not offered to you. You provided an August 2018 email you sent to Chief Molloy, requesting to attend an Emergency Medical Services Authority (EMSA) meeting, and you acknowledged he approved you to attend EMSA meetings. You also provided a June 2018 email from Chief Zanoft to FF/PM Frazer asking if he was interested in attending an air supply technician training.

You alleged that the conduct and comments in Sections I.A-B were related to your gender because other female SFFD employees filed EEO complaints regarding gender-based discrimination. You alleged that the conduct and comments in Sections I.A-B were related to your disability because in October or November 2017, when you mentioned to Chief Zanoft that you had a reasonable accommodation, he told you, “Oh, well you’re untouchable,” meaning that you would not be reassigned to work in the field.

C. Discrimination Not Based on a Protected Category (Favoritism)

In April 2018, there were openings for two H-23 lieutenant positions at Station 49. You believed you were “more than qualified” for the positions, because they encompassed many of your current responsibilities. Chief Zanoft encouraged you to apply, and you did, but you were not selected for an interview. Captain Molloy and Captain Brady conducted the interviews, and you believed Chief Zanoft made selections based on their recommendations. You felt that the two male emergency medical technicians (EMTs) selected lacked logistics experience. When asked why you believed you were not selected for the positions, you responded, “That’s a really good question... It’s kind of like the Gurney Shop position. It doesn’t matter what your skills are, just that you are liked.”

D. Retaliation Based on Fire Commission Email Attributed to You

You alleged that on February 23, 2018, Chief Zanoft informed you that a member of the public emailed the Fire Commission about a safety issue with ambulance monitors. He asked you whether you wrote the email, or knew who did, and you told him you did not. You stated that Chief Zanoft did not believe you, because you had been vocal about the same safety concerns raised in the email. You alleged that in March 2018, days after you were questioned about the email, Chief Molloy cut off your access to a computer program you used to track CPR data, and you were no longer invited to CPR project meetings, as described above in Section I.B.1. In addition to alleging his conduct was discrimination based on your gender and disability, you alleged that it was in retaliation for the February 2018 Fire Commission email that you believed he attributed to you.

E. Third Party Complaint

In August 2017, FF/PM Frazer was selected for the Gurney Shop position, as described in Section I.B.1 above. You alleged that the selection process was unfair because FF/PM Frazer was “buddies” with the panelists, and because the panelists did not have gurney or biomedical experience. You believed another candidate was more qualified.

II. INVESTIGATIVE STANDARDS AND ANALYSIS

A. Untimely Allegations

Complaints of discrimination must be filed within 180 calendar days of the date the alleged discriminatory action took place, or the date the employee should have first become aware of the discriminatory action.

On April 23, 2018, you reported your allegations of discrimination and harassment based on your gender and disability, including the following: (1) in August or September 2016, Chief Molloy directed you to make labels when you were showing him an equipment issue; (2) in November 2016, you and two female co-workers were unable to have a computer installed in the Gurney Shop; (3) in March 2017, Chief Molloy emailed you a copy of overtime procedures; (4) in August 2017, interviews for the Gurney Shop position were conducted while you were on

vacation and you were unable to serve as a panelist. You also alleged that the August 2017 Gurney Shop position selection process was unfair, as you believed another candidate was more qualified. Due to the eight to twenty month delay in reporting these allegations, they are untimely and will not be investigated further.

B. Insufficient Allegations to Support a Discrimination Claim

To warrant further investigation, a complaint of discrimination/disparate treatment must sufficiently allege all of the following: (1) you are a member of a protected category; (2) you suffered an adverse employment action; and (3) you suffered an adverse employment action because of your membership in a protected category. An adverse employment action is any objectively materially adverse action affecting the terms, conditions, or privileges of employment. Actions considered materially adverse are those that impair a reasonable employee's job performance or prospects for advancement.

You are a member of a protected category based on your gender (female) and disability (on file). However, the conduct you described was not related to your gender or disability, and some of the conduct did not constitute an adverse employment action.

1. Overtime Approvals, Work Assignments, Procedures Issuance, and Training and IT Request Issues Were Not Adverse Employment Actions

While you were displeased that Chief Molloy, Captain Mason, and two other captains did not approve your overtime in a timely manner, it did not result in the loss of any compensation or status, and the terms of your employment did not change. You acknowledged that you were paid for your overtime and that most recently, Captain Mason has been approving your overtime on time, and two of the other captains also promptly addressed your overtime approvals after you spoke with them. Having overtime procedures issued to you by Captain Molloy is not considered an adverse employment action, and you acknowledged that male employees were also directed to follow overtime documentation procedures.

Choosing how to allocate work amongst you and your co-workers is also not an adverse employment action. As your supervisor, it was within Chief Molloy's discretion to supervise and assign your work, and to make decisions without your approval. His allocation of work assignments was not related your gender or disability. Rather, you alleged that the gurney training assignment and the field testing assignment were allocated based on favoritism, and favoritism is not a protected category. Further, you acknowledged that a female rescue captain was also assigned to the CPR project, and after you were removed from the project, two female employees were reassigned to extract your data, weighing against a link between your removal from the project and your gender.

While a denial of access to work resource and training opportunities could be considered an adverse employment action, there is insufficient information to support these allegations. The only information regarding training opportunities was one email from Chief Zanoft to FF/PM Frazer asking if he was interested in attending a training, and an email you sent to Chief Molloy

asking to attend an EMSA meeting. You acknowledged that Chief Molloy approved you to attend the EMSA meeting, and future EMSA meetings, and no additional information was provided about the training Chief Zanoloff invited FF/PM Frazer to attend, such as whether you requested to attend the training, or its relevance to your job. Additionally, while you alleged it was unfair that FF/PM Frazer was provided a computer within a month of his start date, but you and two female co-workers had to use a laptop instead of a computer, you did not allege that using a laptop hindered your ability to do your job, or that you had requested or were denied access to a computer.

2. April 2018 Lieutenant Non-Selection Was Non-Discriminatory

You were subjected to an adverse employment action in April 2018 when you were not selected for a H-23 lieutenant position. While you believed you should have been selected because you had logistics experience and the position encompassed many of your current responsibilities, the non-selection was not related to your membership in a protected category. When asked why you believed you were not selected, you said that the individuals selected were chosen because they are "liked." However, as discussed above in Section II.B.1, favoritism is not a protected category.

While you may disagree with the decisions made by management, there is insufficient evidence to connect their alleged conduct to your gender, disability, or any other protected category. Therefore, your discrimination allegations will not be investigated further.

C. Insufficient Allegations to Support a Harassment Claim

To warrant further investigation, a complaint of harassment/hostile work environment must sufficiently allege all of the following: (1) you were subjected to physical, verbal, or visual conduct on account of your membership in a protected category; (2) the conduct was unwelcome; and (3) the conduct was sufficiently severe or pervasive as to alter the condition of your employment and create an abusive working environment.

You alleged that you were subjected to harassment/hostile work environment when: (1) in February 2018, a storekeeper that had previously yelled and waved a box cutter at you in October or November 2017 was allowed to return to Station 49, and (2) when between March and May 2018, Captain Tibbits and Captain Mason accused you of being late on two occasions, and questioned your whereabouts on two occasions. However, the conduct and comments you described are not related to your gender or disability.

Although you believed returning the storekeeper to Station 49 three or four months after your altercation with him created a hostile work environment, you did not allege that his return was related to your gender, disability, or any other protected category. You stated that Chief Zanoloff met with you after the altercation, and the storekeeper was transferred while an investigation was conducted. Further, you stated that since his return to Station 49, you have been "getting along really well" with him, and you think he is a "good guy."

You alleged that your male co-workers were not held to the same attendance and punctuality standards that you were. However, the only information to support this was that a male co-worker was not questioned about arriving late on one occasion, and leaving the station on a break on another occasion, and that two male employees were not questioned about their use of flex time, but you did not know whether Captain Tibbits was aware of their flex time scheduling. There is no information to link this allegation to your disability. As your allegation regarding a possible mismanagement of flex time usage and timekeeping is outside the scope of the City's EEO jurisdiction, this allegation will be forwarded to SFFD for review.

Discussing your whereabouts and attendance with you on four occasions over a three month period was also unrelated to your gender or disability. As supervisors, Captain Tibbits and Captain Mason were responsible for monitoring the attendance of subordinates. Furthermore, you acknowledged that you were not subjected to disciplinary action as a result of the questioning, and as of late March 2018, you no longer work with Captain Tibbits.

As the conduct you described is not related to your gender or disability, your harassment/hostile work environment allegations will not be investigated further.

D. Insufficient Allegations to Support a Retaliation Claim

To warrant further investigation, a complaint of retaliation must sufficiently allege all of the following: (1) you engaged in a protected activity; (2) you suffered an adverse employment action; and (3) there is a causal link between the protected activity and the adverse employment action. An employee engages in a protected activity when they oppose conduct that they reasonably and in good faith believe to be discriminatory, or when they file a charge, testify, assist, or participate in an investigation of discrimination.

You alleged that you were subjected to retaliation for an email sent by a member of the public to the Fire Commission, which was attributed to you. However, being suspected of writing an email, which you did not write, is not a protected activity. Even if you were suspected of writing the email, the content of the email did not allege any discriminatory conduct, rather, it related to an equipment safety issue.

Because you did not engage in a protected activity, your retaliation allegation is not within the City's EEO jurisdiction and will not be investigated further.

III. HUMAN RESOURCES DIRECTOR'S DETERMINATION

Based on the information you provided, it is my determination that your complaint, EEO File No. 2692, will not be investigated further and is administratively closed.

The decision of the Human Resources Director is final, unless it is appealed to the Civil Service Commission and is reversed or modified. A request for appeal must be received by the Civil Service Commission at 25 Van Ness Avenue, Room 720, San Francisco, CA 94102, within 30 calendar days from the postmarked mailing date of this letter.

Deborah Palmer
EEO File No. 2692
Page 9 of 9

For your information, you may file a complaint of employment discrimination with the California Department of Fair Employment and Housing or the United States Equal Employment Opportunity Commission. Contact these agencies directly for filing instructions and deadlines. We appreciate that you reported your concerns so that they may be reviewed.

Please feel free to contact Linda Simon, Director, EEO and Leave Programs, DHR, at (415) 557-4837, should you have any questions.

Sincerely,

Peggy Sugarman on behalf of Micki Callahan

Micki Callahan
Human Resources Director

c: Joanne Hayes-White, Fire Chief, SFFD
Jesusa Bushong, Department Personnel Officer, SFFD
Linda C. Simon, Director, EEO and Leave Programs, DHR

EXHIBIT E

Letter from Linda Simon, Director, EEO and Leave Programs, DHR, to Chief
Joanne Hayes-White, SFFD, dated December 27, 2018

City and County of San Francisco
Micki Callahan
Human Resources Director



Department of Human Resources
Connecting People with Purpose
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CONFIDENTIAL

December 27, 2018

Chief Joanne Hayes-White
San Francisco Fire Department
698 Second Street, Rm. 304
San Francisco, CA 94107

Via Email
joanne.hayes-white@sfgov.org

RE: Complaint of Discrimination Filed by Deborah Palmer, EEO File No. 2692

Dear Chief Hayes-White,

On April 23, 2018, the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO) received a complaint from Deborah Palmer, H-3, Level 2 Firefighter/Paramedic (FF/PM), with the San Francisco Fire Department (SFFD), against Antenor Molloy, Acting Section Chief, Emergency Medical Services (EMS) Division; Zackary Tibbits, Acting Rescue Captain; and Andy Zanoft, Assistant Deputy Chief, EMS Division, alleging that she was subjected to discrimination and harassment "possibly" based on her gender (female) and disability (on file), and retaliation (for an email sent to the Fire Commission by a member of the public concerning an equipment safety issue). FF/PM Palmer subsequently alleged that Michael Mason, Rescue Captain, also subjected her to discrimination and harassment. DHR EEO is not further investigating FF/PM Palmer's allegations because they did not raise an inference of discrimination, harassment or retaliation, and a copy of the closure letter to FF/PM Palmer is enclosed.

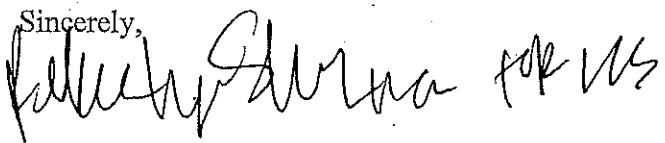
Nevertheless, I want to bring the following concern raised by FF/PM Palmer to your attention:

FF/PM Palmer alleged that on March 19, 2018, Captain Tibbits questioned her about her use of flex time, and Nick Brady, Rescue Captain, and Dennis Frazer, H-3 FF/PM, were not questioned about their use of flex time. FF/PM Palmer alleged that Captain Brady works four 10-hour days per week, although he is scheduled to work five days per week, and FF/PM Frazer leaves early on occasional Fridays. FF/PM Palmer did not believe that their use of flex time is reflected in HR timekeeping.

While no determination was made as to whether FF/PM Palmer's allegation, as described above, is true, I am forwarding it to you for review to ensure employee timekeeping and flex time usage is in accordance with department policy.

Please feel free to contact me at (415) 557-4837 should you have any questions.

Chief Hayes-White
EEO File No. 2692
Page 2 of 2

Sincerely,


Linda C. Simon
Director, EEO and Leave Programs
Department of Human Resources

c: Jesusa Bushong, Department Personnel Officer, SFFD

EXHIBIT F

Appellant's Letter of Appeal, dated January 25, 2019



CIVIL SERVICE COMMISSION
City and County of San Francisco
 25 Van Ness Avenue, Suite 720
 San Francisco, California 94102-6033
 Executive Officer
 (415) 252-3247

CSC Register No.
0031-19-6
 To: ¹
 X M. Callahan
 K. Howard
 S. Gaud
 L. Simon
 M. Valdez
 J. Bushong

APPEAL TO THE CIVIL SERVICE COMMISSION

INSTRUCTIONS:

Submit an original copy of this form to the Executive Officer of the Civil Service Commission at the address above **within the designated number of days** following the postmarked mailing date or email date (whichever is applicable) of the Department of Human Resources' or Municipal Transportation Agency's notification to the appellant. The appellant's/authorized representative's original signature is required. (**E-mail is not accepted.**) It is recommended that you include all relevant information and documentation in support of your appeal.

TYPE OF APPEAL: (Check One)

- Examination Matters (by close of business on 5th working day)
- Employee Compensation Matters (by close of business on 7th working day) - Limited application
- Personal Service Contracts (Posting Period)
- Other Matters (i.e., Human Resources Director/Executive Officer Action) (30 Calendar days)
- Future Employability Recommendations (See Notice to Employee)

Deborah R. Palmer

Full Name of Appellant



Work Address

Work Telephone

H3-62 Paramedic

Job Code

Title

San Francisco Fire Department

Department

Residence Address

0

City

State

Zip

Home Telephone

Full Name of Authorized Representative (if any)

Telephone Number of Representative (including Area Code)

NOTE: If this is deemed to be a timely and appealable matter, the department will submit a staff report to the Civil Service Commission to request that it be scheduled for hearing. You will be notified approximately one week in advance of the hearing date, at which time you will be able to pick up a copy of the department's staff report at the Commission's offices. If you would instead prefer Commission staff to email you a copy of the meeting notice and staff report, please provide your email address below.

Email:



COMPLETE THE BASIS OF THIS APPEAL ON THE REVERSE SIDE. (Use additional page(s) if necessary)

Does the basis of this appeal include **new** information not previously presented in the appeal to the Human Resources Director? If so, please specify.

Check One:

Yes

No

Original Signature of Appellant or Authorized Representative

11:08 AM 25 JAN 2019 01/23/19

Date

CSC-12 (10/14)

Date Received by **Civil Service Commission**

State the basis of this appeal in detail. For more information about appeal rights and deadlines, please review the Civil Service Rules located on the Civil Service Commission's website at www.sfgov.org/CivilService.

I'm requesting an appeal due to the final report sent stating that none of my complaints were valid. The reasonings that were given appeared to show little regard for my complaints. Parts of my interview were left out or reworded to which then altered the perception of the information I gave. I feel that all my complaints were downplayed to seem petty upon reaching the paperwork.

EXHIBIT G

Notice of Receipt of Appeal and Acknowledgment Letter to Appellant, dated
January 29, 2019



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
MAYOR

NOTICE OF RECEIPT OF APPEAL

F. X. CROWLEY
PRESIDENT

DATE: January 29, 2019

ELIZABETH SALVESON
VICE PRESIDENT

REGISTER NO.: 0031-19-6

DOUGLAS S. CHAN
COMMISSIONER

APPELLANT: Deborah Palmer

KATE FAVETTI
COMMISSIONER

Micki Callahan
Human Resources Director
Department of Human Resources
1 South Van Ness Avenue, 4th Floor
San Francisco, CA 94103

SCOTT R. HELDFOND
COMMISSIONER

Dear Ms. Callahan:

The Civil Service Commission has received the attached letter from Ms. Deborah Palmer, appealing the Human Resources Director's decision to close her discrimination complaint, EEO File No. 2692. Your review and action are required.

MICHAEL L. BROWN
EXECUTIVE OFFICER

If this matter is not timely or appropriate, please submit CSC Form 13 "Action Request on Pending Appeal/Request," with supporting information and documentation to my attention at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. CSC Form 13 is available on the Civil Service Commission's website at www.sfgov.org/CivilService under "Forms."

In the event that Ms. Palmer's appeal is timely and appropriate, the department is required to submit a staff report in response to the appeal within sixty (60) days so that the matter may be resolved in a timely manner. Accordingly, **the staff report is due no later than 11 a.m. on April 4, 2019** so that it may be heard by the Civil Service Commission at its meeting tentatively scheduled on April 15, 2019. If you will be unable to transmit the staff report by the April 4th deadline, or if required departmental representatives will not be available to attend the April 15th meeting, please notify me by use of CSC Form 13 as soon as possible, with information regarding the reason for the postponement and a proposed alternate submission and/or hearing date.


You may contact me at Michael.Brown@sfgov.org or (415) 252-3250 if you have any questions. For more information regarding staff report requirements,

Appellant: Deborah Palmer
January 29, 2019
Page 2 of 2

meeting procedures or future meeting dates, please visit the Commission's website at www.sfgov.org/CivilService.

Sincerely,

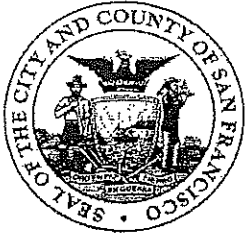
CIVIL SERVICE COMMISSION



MICHAEL L. BROWN
Executive Officer

Attachment

Cc: Susan Gard, Department of Human Resources
Linda Simon, Department of Human Resources
Matthew Valdez, Department of Human Resources
Kate Howard, Department of Human Resources
Jesusa Bushong, SF Fire Department

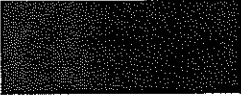


CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

LONDON N. BREED
MAYOR

Sent via U.S. Mail

January 29, 2019

Deborah Palmer


F. X. CROWLEY
PRESIDENT

ELIZABETH SALVESON
VICE PRESIDENT

DOUGLAS S. CHAN
COMMISSIONER

KATE FAVETTI
COMMISSIONER

SCOTT R. HELDFOND
COMMISSIONER

MICHAEL L. BROWN
EXECUTIVE OFFICER

Subject: Register No. 0031-19-6: Appealing the Human Resources Director's decision to close your Discrimination Complaint, EEO File No. 2692.

Dear Ms. Palmer:

This is in response to your appeal submitted to the Civil Service Commission on January 25, 2019 appealing the Human Resources Director's decision to close your discrimination complaint, EEO File No. 2692. Your appeal has been forwarded to the Department of Human Resources for investigation and response to the Civil Service Commission.

If your appeal is timely and appropriate, the department will submit its staff report on this matter to the Civil Service Commission in the near future to request that it be scheduled for hearing. The Civil Service Commission generally meets on the 1st and 3rd Mondays of each month. You will receive notice of the meeting and the department's staff report on your appeal two Fridays before the hearing date via email, as you have requested on your appeal form. A hard copy of the report will also be available for your review at the Commission's offices located at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102.

In the meantime, you may wish to compile any additional information you would like to submit to the Commission in support of your position. The deadline for receipt in the Commission office of any additional information you may wish to submit is 5:00 p.m. on the Tuesday preceding the meeting date (note that the Commission requires an original and nine copies of any supplemental/rebuttal materials you wish to submit—all double-sided, hole-punched, paper-clipped and numbered). Please be sure to redact your submission for any confidential or sensitive information (e.g., home addresses, home or cellular phone numbers, social security numbers, dates of birth, etc.), as it will be considered a public document.

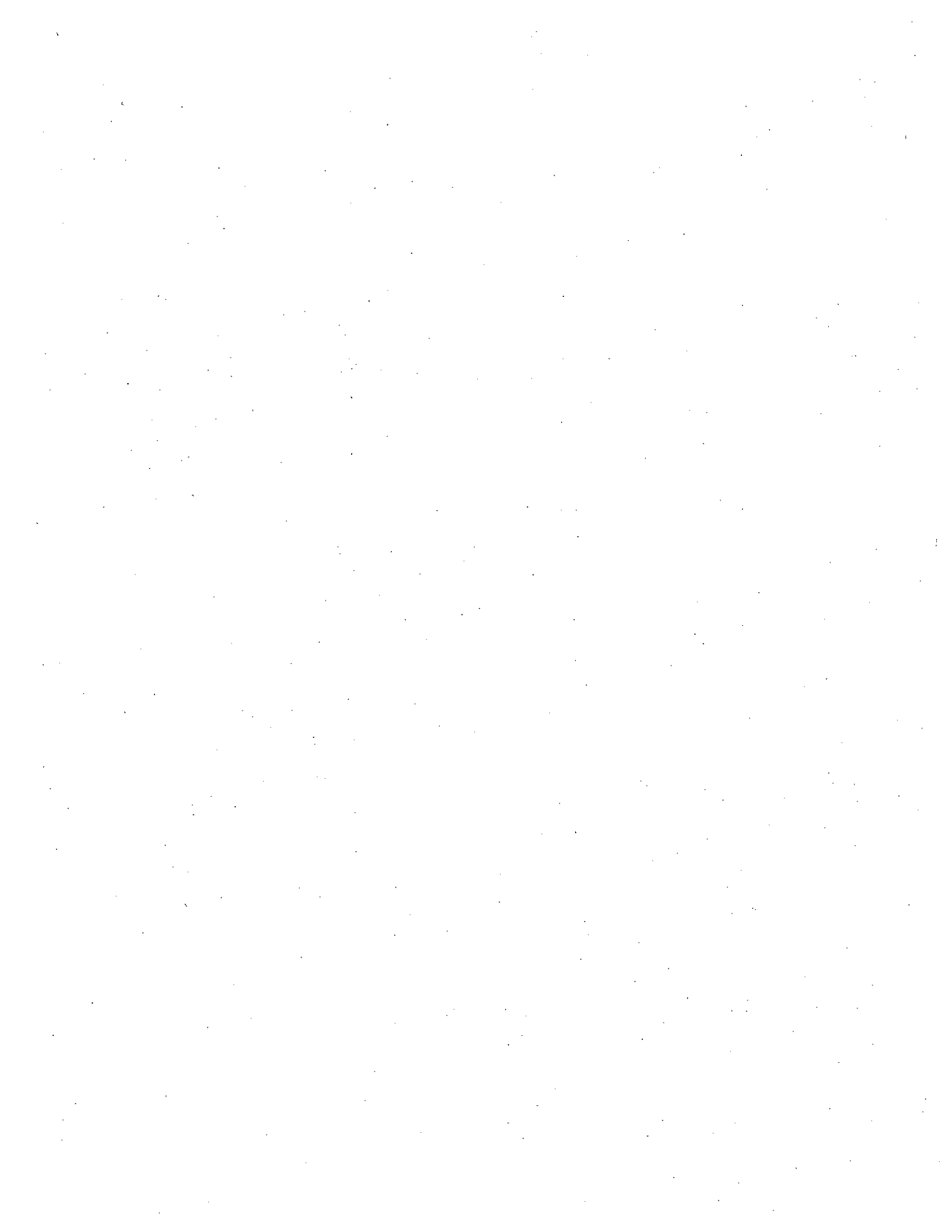
You may contact me by email at Michael.Brown@sfgov.org or by phone at (415) 252-3247 if you have any questions. You may also access the Civil Service Commission's meeting calendar, and information regarding staff reports and meeting procedures, on the Commission's website at www.sfgov.org/CivilService.

Sincerely,

CIVIL SERVICE COMMISSION

MICHAEL L. BROWN
Executive Officer

Cc: Micki Callahan, Department of Human Resources
Susan Gard, Department of Human Resources
Linda Simon, Department of Human Resources
Matthew Valdez, Department of Human Resources
Kate Howard, Department of Human Resources
Jesusa Bushong, SF Fire Department



COMMISSIONERS
ANNOUNCEMENTS
& REQUESTS

ADJOURNMENT