

Gender Discrimination Investigation Outcome Public Comment

In November of 2020 CPS received a complaint of gender discrimination from one of our members. The board requested that CPS follow up that complaint and investigate it. The following is a synopsis of the findings from the investigator.

The primary complaint was for discriminatory harassment based on sex or gender. This is a serious allegation that can result in liability concerns for the district. The District responded appropriately by engaging an outside consultant to perform a neutral third-party investigation of the allegations.

The investigator concluded that the allegations of sex or gender discrimination were unfounded and that there was no policy violation evident from the conduct. However, the investigator did note a few areas in which the District's policies and overall management approach could be improved, which warrant further consideration by the board.

The complaint primarily related to comments made on scene of the Alpine Drive call in July 2020. The comments were made between two parties during the transfer of care of a patient. Party 1 was handing initial care of the patient and was handing off care to party 2. Party 2 alleged that the party 1 openly questioned their professional credentials and their ability to provide the requisite standard of care at the scene, and that the comments were motivated by the gender of party 2.

The investigator interviewed 5 individuals during the investigation. Based on the interviews the investigator concluded that the statements were made but that there was no evidence to suggest that they were based on sex or gender. In addition, the investigator concluded that there was no intent to be hostile or harass. On the contrary the investigator concluded that there was a legitimate professional basis for the questions being asked.

Based on the investigator's review of the primary complaint and corresponding District policies, the investigator has made a number of recommendations to assist the District in updating or revising its policies. The major proposal is for the District to engage in a collaborative development process (between the Board and membership) to review and revise the District Handbook. Engaging in a collaborative development process can increase buy-in and reduce confusion. The investigator pointed to a few areas that could use clarification within the District's policies. Those include clear definitions of "employee," "volunteer," "reserve," and "retired" as well as a review of how the "employee conduct" policy is applied across these different groups (should apply and be enforced equally).

Another recommendation of the investigator is for the District to review its complaint procedure and protocol. In particular, the investigator suggested a review and possible revision or clarification of the specific complaint procedures to be used as well as the identification of timelines to review complaints. In this case, the investigator noted the use of the After Action Review process shortly after the incident. The investigator felt that the information gathered in

the After Action Review could have been used to communicate to both parties that the comments were appropriate in light of the circumstances and known facts (i.e., knowledge of retired status and levels of certification).

Finally, the investigator recommended the consideration of the District arranging for diversity, equity, and inclusion training focusing on sex and gender (and gender expression) for all District members. The investigator noted that Chief Dirr was supportive of this idea as a “growth opportunity” for District members. Along with the recommendation for training, the investigator also recommended a review of the personnel policies (recruiting, on-boarding, promotion, discipline, etc.) to ensure all apply equitably and uniformly across all possible member groups and circumstances.

The board accepts the findings of the investigation and considers the matter closed. The board is already in the process of revising the policy manual, is looking for clarification and formalization of the after-activity review process and will investigate the recommendation for diversity and equity training with the District’s HR provider.