

When asked if there is anyone he thinks Barca is particularly close to at work, Morales replied, "I've heard she has a bunch of different friends. There's someone for everyone. I don't know her friends, I don't know her like that." Morales heard Barca has a bunch of friends during conversations around the firehouses with people she might know.

Others at Station 22 and at stations they do drills with have complained to Morales about Barca regarding her knowing her job, and Barca made Station 22 look bad during drills. In addition, the "girls" at Station 22, who "get along with everyone," "didn't understand her issue with everyone." These members include Firefighters Christina Snow (Snow) and [REDACTED] [REDACTED]. Morales stated that Snow and [REDACTED] did not understand why Barca "doesn't know her job." Morales further stated that Snow, [REDACTED] and Firefighter Jessica Lindsey (Lindsey) tried to work with Barca, but it will "go in one ear and out the other." And "when a male steps in and talks about it, nothing is happening."

II. SEXUAL HARASSMENT

Morales denied calling Barca from his cell phone for personal reasons but stated that Barca called his cell phone for personal reasons, as described above. Morales did not retain his cell phone records from that time period and probably would not be able to retrieve them because he changed carriers.

In 2018, Morales lived in Hayward. His shifts started at 8 am. He would drive in early to beat traffic, including when he and Barca were both working at Station 22. When he drove in early, he would arrive around 6 am. He would usually work out or go to his bed "for a little bit." His bed was on the right side of the dorm, bed 3. Barca's was on the left side, bed 1. Morales had to walk past Barca's bed to get to his.

[REDACTED] [REDACTED] ([REDACTED] told Morales that Barca complained about him sleeping near her. Morales stated about [REDACTED] "She just asked me in the bed, because the officers don't go in there. She said that's not next to her. She said she complained." [REDACTED] told Morales, "Don't go in there because she has a bed and she had an issue with it." Morales explained, "This happened after the Santa Cruz, this is the first or second week we met, and then after that, it was hell." [REDACTED] did not really say that Barca complained about Morales sleeping next to her. [REDACTED] "said that Whitney complained that I was going to my bed or making noise when I was up there."

After speaking with [REDACTED] Morales "just didn't go up there anymore. I wasn't making any noise, I wasn't sleeping next to her, nothing like that. She's working and she has every right and I have to respect that. So that's what I did."

III. RETALIATION

A. Barca's February 2018 Detail

When asked whether Barca ever had a detail that she wanted Morales to take for her, he replied, "She sure did." Morales said, "Oh, man. It was early morning, we were waiting for details. When

you're in a VR status, you offer to take the detail for that person, the regular member." He continued, "It was 7:45 am and my regular day. She was in her PJs and a detail came in to Station 14, so I went to the other room to see who is working Station 14 to see about the personalities. And I was sitting next to Jessica Lindsey, [REDACTED] said, 'Whitney, you're due for the detail.' I was checking to offer, and this is how my head is always shaved, and she rubbed the bill and dangled the \$20 and dropped it in front of me. I stood up and said, 'That's rude and disrespectful!' And I walked out. She had to get her details."

Morales denied Barca's allegation that he refused to take her detail and told her to "fuck off" because she refused to have sex with him. He stated, "One hundred percent bullshit, not that I didn't want to have to take her detail, about sex. I believe this is about going out with her and she felt some type of way. Not doing what she wants me to do, she felt like, 'Oh, I'm better than you, and you should bow down to me.'" When asked if there was any other reason why he did not take Barca's detail, Morales replied, "She rubbed the money and dangled it. You're gonna do what I say, master, kind of thing."

Morales did not recall if he had ever taken Barca's detail prior to this incident. He stated, "We didn't work together a ton. I don't think she had a detail. We've always been understaffed, a hole to be filled, just stay here."

B. Spread Rumors about Barca

Morales denied gossiping about Barca with coworkers at Station 22. He stated, "Not gossip, but definitely let it be known what she did to me. I told [REDACTED] and [REDACTED] told everyone that taking a detail, VR taking a detail, is a privilege, but I deserve respect. I didn't like that. Jessica didn't take that. I've taken details for everyone. There is a way you ask, you talk to people."

Morales denied telling any of his coworkers at Station 22 that Barca likes him.

Barca was informed of Barca's allegation that he spread rumors that she likes him in retaliation for her rejecting his requests for sex. Morales responded, "There is no rumor. I don't think she likes me. I don't think she likes me. I didn't take that as she likes me, her offer to go to Santa Cruz. I took that as she's weird, to be honest."

Barca was informed of Barca's allegation that he spread rumors that she is a bad driver of the fire engine in retaliation for her declining his requests for sex. Morales replied, "No, I didn't spread a rumor that she is a bad driver. The things she needs to work on is not because we didn't have sex at all. We need to know our job."

C. Help Around Fire Station and Shift Trade Requests

When asked about the sort of household tasks firefighters perform in the station, Morales replied, "In the morning, it is kind of just like, you know your job. In the morning, your engine, my bottle, my gear, check my EMT bag, the paramedic bag." Morales further explained, "Housework is not assigned, you just do it. You gotta clean all bathrooms. Sweep, mop. Constantly moving. I'll do the officers' bathroom. The female bathrooms, only females do. I will

sweep and mop the dorms, and so on. That's how our day starts." Morales continued, "There's a watch chart, meaning that someone is responsible for watch for 24 hours. Answer the phones, read emails, have to prepare and cook lunch and dinner, go to the store and help, 'Hey, what can I grab?'"

Everyone pitches in and Morales has never seen anyone not pitch in at work, except Barca. Morales said about her, "She didn't clean. She sat there and whatever she was doing, drawing or arts and crafts, she did. You cleaned around her. She would sit at the table and not move. We mopped around her."

Watching the floor entails answering the phone, watching the door, and sitting downstairs with the radio. Morales helped Barca. "She would ask" for help. Morales has never seen anyone not help Barca. He stated, "We offer and she said, 'I got it, or I don't need your help.'"

Morales denied Barca's allegation that other firefighters at Station 22 refused to help her with household tasks or cover the floor for her because he spread rumors about her in retaliation for rejecting his requests for sex. Morales stated, "It wasn't about sex. I know I'm laughing, and it's not funny. It was never, 'Hey, I like you and go have some rum at my brother's bar.' It wasn't like that. No, not about sex."

D. Christmas Party

Morales believes an invitation to a Station 22 Christmas party in December 2018 or January 2019 was posted. Morales stated, "We don't all work together. You post it on the wall and state the date, sign-in sheet, plus one." Morales did not attend the party because he was at Station 1 at the time. He had bid to Station 22 in October and was going to return there in January. Morales knew about the party because Lindsey took a picture of the invitation and sent it to him. The invitation was on the wall on the "union peg board" where all the "station business" is posted, and it read, "Holiday Party, Station 22, Union Square." It had numbers 1 through 15 "to sign your name. It was blank." Morales does not have the picture Lindsey sent him.

Morales does not know whether Barca attended the party. Morales denied asking or telling anyone at Station 22 to not invite her. Morales denied Barca's allegation that she was not invited because she rejected his requests for sex. He stated, "That's no. It was equal for everyone. If she wanted to go, she could have. I wasn't there. I was working on Truck 13 that night."

E. Trash in Locker

Morales acknowledged opening Barca's locker in Station 22. He explained that he did so "to put a homemade American flag that she made out of a Safeway paper bag." Barca had covered the glass inset of the door to the TV room with the flag. When the station was getting ready for the triannual cleaning, Mc Coy told Morales to remove the flag, fold it in half, and put it inside Barca's locker because "the chief wouldn't want to see it." Mc Coy was with Morales when he placed the flag in Barca's locker. This occurred after Morales came back to the station in 2019.

Afterward, Barca "thought someone was messing with her and she took it out and put it back

up.” Then Mc Coy said, “Who is fucking with me?” Mc Coy told Morales, “Take it down, put it in her locker, to have a conversation and take it down and keep it down.”

Morales was able to open Barca’s locker because there is no lock. No one else ever opened her locker. Morales never opened Barca’s locker for any other reason.

Morales denied Barca’s allegation that he put trash in her locker in retaliation for not accepting his requests. Morales laughed at the allegation.

F. Toiletries

Morales acknowledged telling people – including Lindsey, Mc Coy, Snow, and other regular members – that Barca accused him of sexual harassment. They “can’t believe this is going on.”

Morales is not aware of any female firefighters hiding toiletries from Barca. He stated, “When housework happens, all the toilet paper and everything you need, there is no hiding it, no nothing. You can’t hide a box of hundreds of rolls of toilet paper.”

Morales denied Barca’s allegation that her female coworkers removed all the toiletries from the bathroom in retaliation for reporting Morales for sexual harassment. Morales stated, “That’s a lie. Because everyone brings their own shampoo and soap. The only thing we share is toilet paper, and you can’t hide 100 rolls of toilet paper for 24 hours. I don’t believe that at all.” Morales denied asking any firefighters to take items out of the women’s locker room.

Morales was informed that female witnesses alleged they locked up their personal items after Barca took another firefighter’s bracelet off the premises and did not return it for a few days, and the women’s room was never out of toilet paper or soap. Morales responded, “I was actually there for the bracelet thing. Um, we were interacting for work business or only– But I could see her pacing back and forth and [REDACTED] had a bracelet in her mailbox and I saw her grab it and leave and walk out, and I don’t know what happened.”

IV. MISCELLANEOUS

Morales does not have documents he thinks would be relevant.

Morales believes Barca would be untruthful “because the person she is, she thinks she’s better than everyone. She’s not a good person or firefighter.” Morales had “no issues with anything and she brought the issues, saying I didn’t want to have sex with her and the girls treated her wrong, and none of that happened.”

V. CONCLUSION

Morales did not have additional information that he thought would be relevant. Morales identified Mc Coy as a witness because “he knows everything that’s happened and is our immediate supervisor.” Morales was thanked for his participation and reminded that this is a confidential investigation.

Attachment 2:





CONFIDENTIAL

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

Witness: Lt. [REDACTED] (she/her)	EEO File No./Dept.: 3311 / FIR
EEO Investigator: Jennifer Burke	Date & Time: March 11, 2022 11:44 a.m. – 12:54 p.m.
Others Present:	
Location: 1SVN, 4 th Floor	Pages: 4

I. BACKGROUND INFORMATION

A. Witness Employment Background

On August 2, 2004, [REDACTED] ([REDACTED]) started working for the City and County of San Francisco (City) with the San Francisco Fire Department (SFFD) as a H002 Firefighter. On September 1, 2017, [REDACTED] promoted to a H020 Lieutenant, which is her current job classification. From January 2018 to January 2019, [REDACTED] was detailed at Station 22 under Charles Mc Coy, H030 Captain. Since January 2019, [REDACTED] has been detailed at Station 25 under Shon Buford, H030 Captain. [REDACTED] works nine days a month and her job duties entail getting her crew home safely, conducting drills, overseeing EMS and fire calls, handling in-house duties like facilities and fire engines, managing her crew, and ordering supplies.

[REDACTED] loves working for SFFD because it is a rewarding job, she likes helping people in distress, and because it allows her to make a difference by having a positive impact on the people of San Francisco.

[REDACTED] did not speak to any other City employees regarding her interview with the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO).

B. Respondent Jorge Morales

In 2018, [REDACTED] met Jorge Morales (Morales), H002 Firefighter, when [REDACTED] came to Station 22. In 2018, for three to four months, [REDACTED] worked with Morales at Station 22, as Morales' officer. Together, they answered Firefighter and EMS calls, cleaned up the Fire house, performed drills, and ate together. Before [REDACTED] left Station 22, Morales left. Initially, [REDACTED] could not recall why Morales left.

Morales is "very competent," is a "hard worker," moves "fast," and is a pleasure to work with because he is a "nice guy" with "situational awareness" on the job. Morales was "well liked" at Station 22 because he was a "team player."

██████████ and Morales have a “common denominator” of liking the football player Marshawn Lynch. ██████████ and Morales have texted each other about football and Lynch. Otherwise, ██████████ never socialized outside of work with Morales.

██████████ believes it has been “maybe a couple years or more” since she last spoke with Morales.

C. Complainant Whitney Barca

On an unknown date, when Whitney Barca (Barca), H002 Firefighter, was a probationary employee at Station 31, ██████████ met Barca when ██████████ came into the Station. However, ██████████ did not work with Barca at Station 31. From January 2018 to January 2019, ██████████ worked with Barca at Station 22, as Barca’s officer. Together, they answered Firefighter and EMS calls, cleaned up the Fire house, performed drills, and ate together. ██████████ believes Barca called out sick and went on disability during the year.

Barca is a “challenging” employee because she has poor driving skills. Barca “scared the crap out of” ██████████ by blowing stop signs and coming very close to hitting other rigs. At one point, ██████████ “threatened to remove” Barca from driving because Barca did not listen and improve upon her skills. ██████████ would tell Barca to do something, and Barca would “do the opposite or not at all.” ██████████ instructed Barca to slow down her driving and screw up on drills like charging the wrong hose line or not getting enough water in time. ██████████ would give Barca feedback after a drill, and Barca would say, “We’re just drilling.” ██████████ did not like that Barca did not take drills seriously because they are practice for live emergencies. ██████████ verbally counseled Barca regarding these performance deficiencies and attitude issues, privately.

██████████ could not say who Barca was close with at Station 22. ██████████ never socialized outside of work with Barca.

██████████ has not spoken with Barca since 2018, when Barca went out on disability leave from Station 22. ██████████ believes Barca went out for a knee injury. ██████████ did not write up Barca’s injury, and ██████████ could not say who at Station 22 told her about Barca’s injury.

D. Relationship Between Morales and Barca

██████████ does not believe Morales and Barca got along. ██████████ believes so because on an unknown date, Morales and Barca had a disagreement about taking a detail. As a permanent member of Station 22, Barca asked Morales, who was a vacation relief (VR) member at Station 22, to take her detail at another Station. However, the way Barca asked was rude and demeaning. Barca came into the room where Morales was sitting at the table and threw money at Morales and said, “You’re gonna take my detail, riiiiiiiiiiight?” with an emphasis on the last word that made it sound to ██████████ that Barca was not asking, but telling Morales. The unwritten rule is that VR members will take the permanent members detail as a privilege or courtesy, but it is not required for VR members to do so at Station 22.

Morales declined Barca's request and Barca "blew up" and said, "You're supposed to take my detail!" [REDACTED] intervened and said that Morales was not obligated and if Barca threw money in [REDACTED] face, she would not have taken Barca's detail, either. Barca told [REDACTED] that the policy was VR members take permanent member's details. [REDACTED] told Barca that policy is not required at Station 22, per the house rules. [REDACTED] reminded Barca that when she signed up for Station 22, she was required to read the house rules and sign an acknowledgment that she had read them and understood them.

Over two weeks later, [REDACTED] overheard Barca complaining about the incident and Morales not taking her detail to another Firefighter. [REDACTED] said, "You're still on this?" in surprise to Barca. [REDACTED] did so because she was surprised Barca was still talking about the issue and was surprised that Barca had not "moved on" past the issue.

[REDACTED] could not say if Barca and Morales socialized outside of work.

II. RETALIATION

A. [REDACTED] Supervisory Responsibility

[REDACTED] takes her supervisory responsibility to report "very seriously." [REDACTED] believes she is supposed to report to her Battalion Chief (BC) if she has information about a firefighter being under the influence, motor vehicle accidents, physical altercations among firefighters, or any illegal conduct. [REDACTED] has never had to submit a report to the BC regarding these kinds of issues. [REDACTED] believes she is supposed to report to SFFD HR issues like unethical or illegal conduct or harassment. [REDACTED] has never had to submit a report to SFFD HR regarding these kinds of issues, either. [REDACTED] believes for inter-personal conflicts, like someone not helping around the fire house, [REDACTED] will have the employees sit and discuss the issue first.

B. Barca Allegations

[REDACTED] denied Barca ever told her that Morales slept in the same cubical in the bed next to Barca. [REDACTED] could not say why Barca would say so. [REDACTED] believes if Barca had told [REDACTED] such information, [REDACTED] would have told Morales to be mindful about where he slept and to find another bed.

[REDACTED] never observed Morales come to Station 22 early—like 4 or 5 a.m.—to sleep prior to his shift, and [REDACTED] never heard Morales or any other SFFD employee say Morales did so.

[REDACTED] denied that Barca ever told [REDACTED] that she thought Morales was sexually harassing her by sleeping in the bed next to her.

C. Rumors about Barca & Morales Talk About Barca

[REDACTED] never saw Morales and Barca flirt, never heard Morales talk about Barca—even though [REDACTED] believes Morales was "a little ticked off when she threw that money" at him because

Morales' "demeanor and look on his face," and never heard any rumors that Barca like Morales. ██████████ acknowledged that as an officer, she does not hear as much gossip as firefighters.

In late 2018, ██████████ heard that Barca filed sexual harassment charges on Morales and Morales was moved from Station 22. ██████████ believes she heard it from other firefighters at Station 22 after Morales had been moved.

D. Help Barca with Kitchen, Cover the Floor, Take Trade Shift Requests

██████████ was never made aware that others were not helping Barca with kitchen duties or covering the floor.

██████████ believes other VRs took Barca's details, but ██████████ could not recall who. ██████████ speculated that ██████████ ██████████ H002 Firefighter, did so.

██████████ believes Barca is a "bad trader," or someone who asks for someone to trade shifts and then does not repay back because Barca is either out on leave or cannot work the requested shifts. ██████████ could not say who she heard this from about Barca, but speculated it was Camille Walker or ██████████ H002 Firefighters.

III. MISCELLANEOUS

██████████ had no further information for DHR EEO.

██████████ had no reason to believe that Morales would be untruthful. While ██████████ did not say that Barca would be untruthful, ██████████ said that Barca has "her own story" and believes Barca may have so in order to "manipulate" people because a "lot of people are scared of" Barca because Barca told people that her brother worked for the City Attorney's office.

IV. CONCLUSION

██████████ believes ██████████ and Walker were at Station 22 before and after Barca and would have additional information about Barca. Otherwise, ██████████ could not say who else DHR EEO should speak to about the above allegations. I thanked ██████████ for participating in the investigation and reminded her of the prohibition against retaliation and the confidentiality of the investigation.

Attachment 3: [REDACTED] H002 Firefighter



CONFIDENTIAL

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

Witness: [REDACTED] (she/her)	EEO File No./Dept.: 3311 / FIR
EEO Investigator: Jennifer Burke	Date & Time: February 14, 2022 12:59 p.m. – 2:38 p.m.
Others Present:	
Location: Via telephone	Pages: 7

I. BACKGROUND INFORMATION

A. Witness Employment Background

On August 24, 2015, [REDACTED] started working for the City and County of San Francisco (City) with the San Francisco Fire Department (SFFD) as a H002 Firefighter, which is her current job classification. Around December 2016, [REDACTED] graduated from the Tower. From 2016 to 2017, [REDACTED] was on probation and spent six months on vacation relief (VR) at Station 14. Around 2018, [REDACTED] was hired on at Station 22. From 2018 to August 2021, [REDACTED] worked 24-hour shifts nine days a month at Station 22. In August 2021, [REDACTED] went on light duty due to her pregnancy. From August to December 2021, [REDACTED] worked at SFFD Headquarters with the DEI office. In December 2021, [REDACTED] started working for the Neighborhood Response Team (NRT) for light duty.

At Station 22, [REDACTED] worked 24-hour shifts. Charles “Charlie” McCoy (McCoy), H030 Captain, supervised [REDACTED] at Station 22. At Station 22, [REDACTED] job duties were either to work as an EMT in a truck or as a firefighter (FF). When [REDACTED] arrived at work as an EMT, she would be in charge of the EMT bag and ensure there were proper medical supplies. When [REDACTED] arrived at work as a FF, she would check her equipment, make sure the rig was in proper working order, do housework, then a company drill to practice skills, and then shopping for meals and meal prep. At station houses, one person is assigned as Watch. Watch duties include cooking, answering the phone and door, and sleep downstairs to listen for the radio and the door. There were 3 FFs and a Captain assigned to Station 22.

[REDACTED] loves working as a FF. [REDACTED] played soccer growing up and took fire science classes. In one of the classes, the teacher told the students, “This is the only job where you get to be an occupational athlete.” [REDACTED] was inspired to have full time employment, help the community, be physical, and be able to work as team. [REDACTED] “found [her] home” in FF. [REDACTED] likes the challenge and discipline to her body and mind that FF provides.

Other than Ryan Jamison, H003 Administrative Officer, [REDACTED] has not spoken to any City

employees about her interview with the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO).

B. Respondent Jorge “Chop” Morales

Around 2018 or 2019, ██████ met Jorge “Chop” Morales (Morales), H002 Firefighter, when Morales came to Station 22 as vacation relief (VR). VR is not a permanent position; however, on an unknown date, Morales obtained a permanent spot at Station 22 with ██████. From 2018 to 2021, two to three times a month, ██████ worked with Morales at Station 22 and shared tasks as a company including housework, cooking, responding to calls, fires, and car accidents.

Morales is super competent, dependable, and knowledgeable. ██████ believes Morales was a paramedic prior to working at Station 22. ██████ enjoys working with Morales because she feels safe with him and is confident they can address any “intense call” they receive.

Morales gets along well with his co-workers. Morales is private and keeps his private life to himself, although ██████ knows Morales has two young children.

██████████ invited Morales to ██████ engagement party and they jointly attended a Station 22 Christmas party. Other than these instances, ██████ does not socialize outside of work with Morales.

Two weeks ago, ██████ last spoke to Morales. Morales texted ██████ because ██████ is the house collector at Station 22, which means she collects monthly dues. Morales told ██████ that they house had saved up enough money for a sauna and asked ██████ how she was doing with her pregnancy.

C. Complainant Whitney Barca

Around 2018 or 2019, ██████ met Whitney Barca (Barca), H002 Firefighter, when Barca came to Station 22 as a permanent position. From 2018 to 2020, three to four times a month, ██████ worked with Barca at Station 22. Around early 2020, Barca left Station 22.

At first, ██████ thought Barca was cool and nice. However, after ██████ started working with Barca, ██████ opinion of Barca changed. Barca did not really pull her weight as a FF. Barca is “not a great team player” and ██████ was “not excited to work with” Barca. ██████ did not like working with Barca because Barca would claim she had not been taught basic skills and would say, “I was never taught this” and “I never did this before,” even six months after coming onboard at Station 22 and doing basic tasks like “turning off gas and electric” and “pulling a preconnected hose line.” ██████ also thought Barca was not proficient or knowledgeable about medical tasks. As a result of these deficiencies, ██████ believes Barca was “more like a liability on the rig.” In addition, in the house, Barca was unmotivated and would not independently join in to help assist unless given directions like, “Please help us mop the floor.” Otherwise, Barca would not help. ██████ believes that over time, it gets frustrating when someone is not pulling their weight and with such a small house staff, it is noticeable.

██████████ does not believe Barca got along well with other FFs at Station 22 because Barca is rude

and plays games with her colleagues, as discussed further below. [REDACTED] does not socialize with Barca outside of work.

1. Barca Lamp Issue

On an unknown date, Barca came by Station 22 on her day off. [REDACTED] was working outside. Barca said she had an old lamp that needed repair and asked [REDACTED] if the fire house wanted it. [REDACTED] told Barca ok and to put it in the back room, known as the morgue.

On October 3, 2019, at 9:10 a.m., Barca texted [REDACTED] about the lamp. Barca asked [REDACTED] if [REDACTED] knew where the lamp was. [REDACTED] said she last saw it in the morgue and that it was possible it was tossed during the Station's tri-annual clean. [REDACTED] also told Barca to ask McCoy. At 1:06 p.m., Barca responded: "That would be lame since I said I would fix it and that I'd take it back if the house didn't end up using it. [McCoy] claims no knowledge of the lamp. So someone acted independently without knowledge of whose it was OR having Captain approval. Who would do that? I'm sorry to put you on the spot. I really don't want to message the entire house. I can't imagine it's a secret. [McCoy] did offer to compensate me for the cost of the lamp which was super generous." At 2:49 p.m., [REDACTED] texted Barca back, "Sorry for the delay I was in a meeting. Like [McCoy], I really do not know what happened to the lamp. When you guys decide on a number that you'd like to be reimbursed I, you guys can let me know and I will go to the credit union and get you cash." Barca used a "thumbs up" emoji to this last message from [REDACTED]

As the house collector responsible for the house funds, [REDACTED] later went to the credit union and gave \$100 to Barca for the lamp. [REDACTED] believes the broken lamp was a "cheap, broken Ikea lamp" and not worth \$100.

[REDACTED] will forward DHR EEO the above texts from Barca.

2. Bracelet Issue

October 10, 2019 was the last time [REDACTED] spoke with Barca. [REDACTED] remembers the date because she had an incident with Barca about Barca claiming that she found [REDACTED] bracelet and there was some friction in getting it back from Barca.

[REDACTED] wears a brass bracelet, which she takes off per protocol and leaves it in the locker room or in her downstairs mailbox. Around October 10, 2019, Barca sent a text message that she found a bracelet in the locker room: "Found this bracelet in the women's room. Left it on the counter. I was going to throw it away since I don't know whose it is but thought I'd ask first. Kidding. Obviously. But does anyone know who threw out the lamp that was in the morgue?" The next day, [REDACTED] replied: "Where I the bracelet you left on the counter." The following day, Barca replied, "Hey [REDACTED], is the bracelet yours? I had some confusing communication with McCoy yesterday. If the bracelet is yours please let me know. It's currently safe with me and I'll bring it to work tomorrow." [REDACTED] replied, "Yes, it's my bracelet." And Barca replied, "You're welcome."

[REDACTED] did not lose the bracelet. [REDACTED] believes Barca took it and alleged she found it under the

lockers because of Barca's lamp going missing. [REDACTED] further alleged that when she came into work the next day to locate her bracelet, it was not on the counter as Barca had promised. [REDACTED] went to McCoy and McCoy when McCoy spoke with Barca, Barca first alleged she threw it away. [REDACTED] asked McCoy to ask Barca where she threw it out and [REDACTED] would go look through the trash for it. McCoy asked Barca where she threw it out at and they "went back and forth and back and forth", and then Barca admitted that she did not throw it out, but that she had it. McCoy told Barca to bring the bracelet back the following day, which Barca did. Barca brought the bracelet to McCoy and McCoy told Barca that she should apologize to [REDACTED] and Barca "blew up" at McCoy.

[REDACTED] never accused Barca of stealing, but was disturbed that Barca played this game with [REDACTED] bracelet. [REDACTED] wore the bracelet every day and believes Barca knew it was [REDACTED] also believes that if she had accused Barca of stealing, it was potentially job-ending for Barca. [REDACTED] was upset that Barca betrayed the trust of leaving personal items at the Fire house without any worry. After this incident, [REDACTED] began locking her mailbox and locker until Barca left Station 22.

D. Relationship Between Morales and Barca

[REDACTED] believes Morales and Barca were friendly at first and then they were strained after Barca was rude to Morales, as discussed below in Section II.

II. RETALIATION

A. Detail Background Info

After probation, FF become VR and get assigned to stations based on need. In October, FF bid on permanent houses, which are implemented in January. [REDACTED] believes Barca and Morales came to Station 22 at the same time, but Barca was permanent and Morales was VR.

On a date [REDACTED] could not recall, Barca had signed up for a working day off (WDO) also known as overtime. The day was Morales' regularly scheduled day. Barca was assigned to detail elsewhere due to need. There is a custom in fire houses that permanent house members have higher house seniority. Higher house seniority FFs can ask lower house seniority FFs to take their duty assignment and the custom is to give the lower house seniority FF \$20 to compensate for their food. That morning, Morales was sitting at the table eating breakfast and Barca "waived" \$20 in front of Morales' face and drop it on the table and told Morales, "You're taking my detail." Morales declined, and Barca "got super angry and raised her voice." [REDACTED] was leaving for the day and [REDACTED] addressed the issue with Barca and the rest of the house, informing them that it is courteous for VR members to take details, but it is not required and you have to ask and not tell VR members if they will take your detail.

[REDACTED] is unsure if Morales ever took Barca's detail before or after this event.

B. Bed Assignments

The beds in Station 22 are in the upstairs dormitory. [REDACTED] believes there are 10-14 twin beds,

with 2 beds per area, divided off with a pony wall partition at chest height. [REDACTED] believes two FFs sleep upstairs, one FF on watch sleeps downstairs, and the officer sleeps in their private bedroom. FFs take beds far apart from each other. [REDACTED] is not sure if bed assignments are documented anywhere other than identified with a piece of tape and the FF's name on the foot of the bed. FFs pick their beds and are not assigned.

On the second floor dormitory, there was the pole hole, an open bed, and then Barca's bed. Barca's bed was catty corner from [REDACTED] could not recall where Morales slept at the time, but believes his bed is at the very end of the dormitory.

[REDACTED] never observed or heard about Morales sleeping next to Barca. [REDACTED] does not believe Morales would do so because people do not sleep in beds they are not assigned to.

[REDACTED] believes prior to around 2020, FFs used keys to access the fire station. Since around 2020, there are badge systems on the station doors.

C. Rumors about FF Barca & FF Morales Talk About FF Barca

[REDACTED] "never got that vibe from either of them that there was any flirtation going on" and never saw Morales or [REDACTED] flirt with each other.

On a date she could not recall, Morales told [REDACTED] that Barca accused Morales of sexual harassment. Morales told [REDACTED] that it was not true and that Barca asked him out. Morales told [REDACTED] that once, Barca told Morales that her brother works at a Tiki Bar and that Morales and Barca could go get a drink. [REDACTED] does not know if Morales went. But then, Morales told [REDACTED] that Barca asked Morales to help her moved a piece of furniture. Barca had texted or called Morales on his day off. Morales has a truck and agreed to help Barca. Barca followed up with that the furniture was in Santa Cruz and they could go to the beach, make a bonfire, and sleep on the beach. Morales then declined. Sometime later, Morales was accused of sexual harassment by Barca and had to move stations. Around a year later, the case was dropped and Morales was allowed to return to Station 22. When Morales told [REDACTED] about this, [REDACTED] was surprised and thought it was "so random." [REDACTED] did because it is common for FF to help each other move and do household projects off-duty. [REDACTED] did not believe the request to move furniture was strange, but the sleepover on the beach request was strange.

D. Help FF Barca with Kitchen, Cover the Floor, Take Trade Shift Requests

1. Station 22 Watch Duty

The officer for the day has a watch chart and all the FFs in a firehouse take turns having the watch. Having the watch means you are responsible for watching the floor of the firehouse. The watch person shops and leads the cooking of meals, answers the phone, and is responsible for the floor, so the watch person "can't leave the floor and go work out," and sleeps on the bottom floor and makes coffee in the morning. [REDACTED] believes the watch detail is kept as an Excel spreadsheet.

2. Kitchen Help

█ helped Barca prep meals, including prepping salads and helping Barca with the BBQ. █ “helped [Barca] so much in the kitchen.” █ also prompted Barca to start meal prep—for instance, if Barca had not started lunch prep by 11:30 a.m., █ would ask Barca if she wanted to start lunch prep and █ would assist. Barca would not assist other Station 22 members with meal prep, and, at some point, █ stopped asking Barca to do so. No one ever told █ to not help Barca with kitchen duties.

3. Trading Shifts at Station 22

FF traded shifts at Station 22 by a trade board or by text or phone. Once FFs agreed to trade shifts, they filled out paperwork and submitted it to the Officer to approve. The Officer submitted it through a computer system and sent to the assignment office, and the new schedule would show up on the FF’s schedule. The forms were called trade agreements and were paper forms. █ believes trades are now made through the computer.

█ did not do a ton of trading, but believes she traded shifts with Barca. █ never heard of an issue with trades or that Barca could not trade her shifts. No one ever told █ not to trade shifts with Barca.

There are things known as “bad trades,” which is when someone asks you to take their shift and they can’t take any of your scheduled shifts, so a trade is promised at a later date, but is never fulfilled. █ never heard that Barca was a bad trader.

E. Women’s Bathroom / Locker Room Items

The women’s locker room at Station 22 has two sinks, a toilet, five lockers, and two shower stalls. SFFD pays for basic paper and cleaning products, including toilet paper, paper towels, and trash bags. There are “lots” of communal toiletries and “you can always get clean.” Bathroom supplies are stocked in the bathroom and in the closet.

FFs have little kits in their lockers for their personal toiletries. However, █ keeps her personal face wash in the shower stall and does not know if other people use it.

█ has never seen the women’s locker room without any toiletries. █ has never removed any toiletries from the women’s locker, and no one ever asked █ to do so. █ replied, “Never, this is so wild to me. All of this stuff is bananas. Missing toilet paper would come up with morning duties. If it wasn’t on the roll, maybe there is a roll stacked on the ledge behind the toilet. If not there, it is in the closet...I’ve never been in a firehouse and there not been toilet paper, shampoo, and soap.”

IV. MISCELLANEOUS

█ has screen shots of text messages from Barca regarding Barca’s lamp, which she will forward to DHR EEO.

██████████ had no reason to believe that Morales would be untruthful. ██████████ believes Barca would be untruthful because she told “little white lies” about not knowing how to perform certain tasks, like, pulling a 150 at a fire or driving the rig. ██████████ believes Barca is “playing the victim” and has some “weird manipulation” because of how Barca took ██████████ bracelet. ██████████ does not trust Barca because of Barca’s dishonesty. ██████████ does not believe “this is the kind of toxic shit” she has to worry about at work.

██████████ observed Barca set traps in Barca’s locker, like placing a glass of water inside with an attached piece of string.

V. CONCLUSION

██████████ had no further information for DHR EEO. ██████████ believes Jessica Lindsay and McCoy would have further information about the allegations about Barca and Morales. I thanked ██████████ for participating in the investigation and reminded her about the prohibition against retaliation and the confidentiality of the investigation.

Attachment 4: [REDACTED] H002 Firefighter



CONFIDENTIAL

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

Witness: [REDACTED]	EEO File No./Dept.: 3311 / FIR
EEO Investigator: Jennifer Burke	Date & Time: February 18, 2022 9:10 a.m. – 10:21 a.m.
Others Present:	
Location: 1SVN, 4 th floor	Pages: 4

I. BACKGROUND INFORMATION

A. Witness Employment Background

On August 24, 2015, [REDACTED] ([REDACTED]) started working for the City and County of San Francisco (City) with the San Francisco Fire Department (SFFD) as an H002 Firefighter (FF). From January to August 2018, [REDACTED] was assigned to Station 24 in the Inner Sunset as vacation relief (VR). At Station 24, [REDACTED] worked under [REDACTED] and Captain Charles McCoy. From August 2018 to January 2019, [REDACTED] was assigned to Station 19. Since January 2019, [REDACTED] has had a permanent assignment at Station 4 in Mission Bay. Station 4 is a part of Battalion 3. As a FF, [REDACTED] responds to emergency calls, cleans the fire station, maintains equipment, and participates in drill. FF live in the fire station for 24 hour shifts and cook, eat, and sleep at work.

[REDACTED] loves working for SFFD. Growing up, [REDACTED] played sports, had a big family, and had a few neighbors who were FFs. They told [REDACTED] about the job. When [REDACTED] got out of college after majoring in business, he knew he did not want to work a “typical 9-5” job. [REDACTED] is drawn to firefighting because it helps people, he gets to work as a team, he gets to be physically active, and is a bit of an adrenaline junkie.

[REDACTED] could not say why he believed he was being interviewed by the Department of Human Resources, Equal Employment Opportunity Division (DHR EEO). [REDACTED] has not spoken to any City employees regarding his interview other than Joseph DeVaty, H020 Lieutenant, and Matthew Barr, H020 Lieutenant, that he had a confidential detail to 1SVN.

B. Respondent Jorge “Pork Chop” Morales

In January 2018, [REDACTED] met Jorge “Pork Chop” Morales (Morales), H002 FF, when [REDACTED] and Morales were detailed to Station 24 as VR. From January to August 2018, approximately four times a month, [REDACTED] and Morales worked the same 24 shift at Station 22.

Morales is proficient at his job, enthusiastic, and “wanted to invest his time and energy into the house and make it better.”¹ Morales worked together with other FFs at Station 22 and was “very helpful” and “always involved.”

could not say who Morales was close with at Station 22. does not socialize outside of work with Morales. Around 2021, Morales once texted to ask if needed to trade any shifts, but did not take or trade any shifts with Morales. explained that firefighters will call and text other firefighters for coverage and it is not uncommon for to get calls from firefighters he does not know because it is such a “casual” process to find coverage.

C. Complainant Whitney Barca

In January 2018, met Whitney Barca (Barca), H002 FF, when and Barca started working at Station 22. From January to August 2018, three to four times a month, and Barca worked the same 24-hour shift at Station 22.

After much thought and hesitation, said that Barca is not a proficient FF and did not take the initiative on her own to learn. explained that Barca never grasped the basic details and tasks that go into firefighting operations. When Barca participated in drills, it appeared as though she had never done them before. worked with Barca when Barca was assigned to drive the engine or truck and it seemed as though Barca “had no idea what she was supposed to do.” Once, on a date could not recall, Gary Altenberg, then-H020 Lieutenant, was with Barca, and H002 FF. Barca was driving the rig but did not know how to position it when they arrived on scene. and looked at each other in surprise. Later that day, for at least an hour, Altenberg went over how to position the rig in various scenarios with Barca, while Barca used a white board. Altenberg was a great trainer and very patient. found it “very shocking” that Barca, who had only 6 months less seniority than could not perform these tasks.

could not say who Barca was close with at Station 22. does not socialize outside of work with Barca. The last time spoke with Barca was around August 2018, when left Station 22. In January 2021, and Barca were both assigned to Station 4, but has not seen Barca at Station 4.

D. Relationship Between Morales and Barca

believes Morales and Barca got along but does not know if they socialize outside of work.

II. RETALIATION

A. Detail Background Info

¹ Prior to January 2018, Station 22 had a reputation as being a non-desirable fire house because it had permanent members who were not seen as cordial. did not know which members were seen as so, and believes they were not present at Station 22 when worked there.

As a VR member of Station 22, [REDACTED] had lower house seniority than regular members. So when regular or permanent members of Station 22 were detailed to another Station, they could request [REDACTED] take their spot. Some Stations make it a house rule that FF are required to do so, but Station 22 did not have that formal rule. VR members taking permanent members' duty assignments was a "courtesy" and VR members had discretion to do so. However, [REDACTED] believes it is "considered the right thing to do" and could not recall turning down a detail at Station 22. [REDACTED] believes the other VR members at Station 22 were Morales, [REDACTED] [REDACTED] Quincy Henry, H002 FFs.

[REDACTED] believes details are documented in the station journal, but are not kept after the year. [REDACTED] believes FFs timesheets will show trade shifts as well.

[REDACTED] never heard that others were not taking Barca's details.

B. Bed Assignments

Station 22 has a large dormitory on the second floor that consists of a large open room with twin beds in little cubicles. For the most part, bunks are assigned. However, VR members do not always have an assigned bed and will "hot bunk" or just sleep in whatever bed is available. The regular members of Station 22 would have assigned bed. [REDACTED] could not recall where Barca's bed was located. [REDACTED] did not believe Morales had an assigned bed at Station 22. At Station 22, [REDACTED] believes there would be no more than 2 FF sleeping in the dorm because the third person would sleep downstairs for night watch duties.

C. Night Watch

The night watch duty is a role assigned for a 24 hour FF shift. Night watch duties answer the phone, door, listen for the radio, and sleep downstairs to perform these duties more appropriately. Night watch is assigned, unless FFs request it. [REDACTED] believes some FF request the night watch because they are night owls and stay up late, snore, or like to work out a lot at night and are downstairs anyway. Night watch duties and completion are documented in the house journal.

[REDACTED] believes he was assigned night watch duties approximately twice a month. [REDACTED] never observed Barca or Morales request the night watch.

D. Help Barca with Kitchen, Cover the Floor, Take Trade Shift Requests

[REDACTED] believes FFs are "not required" to assist the cook with kitchen duties, but most FFs do so as a "courtesy." [REDACTED] observed Morales and Barca help others cook, and [REDACTED] observed other FFs offer to help Morales and Barca. [REDACTED] could not recall anyone in Station 22 not assist in the kitchen, which [REDACTED] believes can sometimes be a problem for FFs. When asked if [REDACTED] recalled if Morales helped Barca with kitchen duties, Morales could not recall specifically. [REDACTED] was "bummed" to leave Station 22 and "never experienced any interactions where people weren't helpful."

██████████ and the other FFs of Station 22 would go to the grocery store “as a crew.” ██████████ never had any difficulty with Barca while grocery shopping and could not recall her ever asking him to get mushrooms. ██████████ denied he ever ignored Barca’s request for help and could not say why she would make the allegation.

██████████ denied that anyone ever told him not to help Barca. If someone were to do so, ██████████ would ignore it and help his fellow teammate and continue on how he operates.

III. SEXUAL HARASSMENT

A. Rumors about Barca & Morales Talk About Barca

██████████ never heard rumors about Barca and Morales, never heard Morales talk about Barca, and never heard that Barca liked Morales.

The only rumor ██████████ heard about Barca was that around 2016 to 2017, as Barca was going through probation at working as VR at Station 31, ██████████ heard that the other members did not prefer Barca to drive because she “didn’t know what she was doing.” ██████████ could not recall who told him this gossip. ██████████ believes that this gossip was important for him because FF “work in a dangerous job that can lead to injuries and death. We work multiple days in a row. It is important for me to do my job, so me and my fellow FF can go home to their families.” As a result of this gossip about Barca’s firefighting skills, ██████████ took away that Barca was “someone to be cautious of” regarding her skills.

Other than the above, ██████████ has never heard any romantic or sexual rumors about Barca.

B. Morales Sleeps in Bed Next to Barca

██████████ never observed Morales sleep in a bed next to Barca and no one ever told ██████████ that Morales did so.

IV. MISCELLANEOUS

██████████ did not have any documentation that would be relevant for DHR EEO to have regarding the above allegations.

██████████ had no reason to believe that Morales or Barca would be untruthful.

V. CONCLUSION

██████████ had no further information for DHR EEO. ██████████ could not say who else DHR EEO should speak to regarding these allegations. I thanked ██████████ for participating in the investigation and reminded him about the prohibition against retaliation and the confidentiality of the investigation.

Attachment 5: [REDACTED] H002 Firefighter



CONFIDENTIAL

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

Witness: [REDACTED] (he/him)	EEO File No./Dept.: 3311 / FIR
EEO Investigator: Jennifer Burke	Date & Time: February 23, 2022 8:24 a.m. – 9:35 a.m.
Others Present:	
Location: 1SVN, 4 th floor	Pages: 4

I. BACKGROUND INFORMATION

A. Witness Employment Background

On June 20, 2016, [REDACTED] started working for the City and County of San Francisco (City) as an H002 Firefighter with the San Francisco Fire Department (SFFD). From January to May 2018, [REDACTED] was assigned as vacation relief (VR) at Station 22 under [REDACTED]. [REDACTED] estimates he worked approximately 50-60 watches during that time. From May 2018 to January 2020, [REDACTED] was VR at Station 5. From January 2020 to January 2021, [REDACTED] made a regular member at Station 38. Since January 2021, [REDACTED] has made a regular member at Station 5.

As a Firefighter (FF), [REDACTED] works a 24-hour shift, called a watch. At 8am, when the watch starts at the station, the roll call announces watch assignments, like driving the engine or EMT, and house assignments, like day and night watch duty. Day watch duties include cooking lunch and dinner, answering the phone and door, listening to the radio, and checking email. Night watch duties include answering the phone and door and listening to the radio for calls. The night watch assignment requires FF to sleep downstairs in the “kip” or the murphy bed.

[REDACTED] is friends with his co-workers but does not see many of them outside of work, now that [REDACTED] has an 8-month old daughter.

[REDACTED] really enjoys working for SFFD. [REDACTED] has wanted to be a FF from a young age and believes firefighting is a “great job” and a “great job for a family,” although he acknowledged it has limitations as well. [REDACTED] believes there are a lot of different personalities at SFFD. [REDACTED] tries to get along with everyone.

[REDACTED] was dropped off at 1SVN by Engine 5, which included James McGuigan, H020 Lieutenant; Steven Keller, H002 FF; Lawrence Maxwell, H002 FF; and Charles Hoper, H002 FF.

B. Respondent Jorge “Porkchop” Morales

In June 2016, ██████████ met Jorge “Porkchop” Morales, H002 FF, when ██████████ and Morales started at the SFFD academy together. For twenty weeks, ██████████ and Morales attended the fire academy together. From January to May 2018, three to four times a month, ██████████ and Morales worked at VR at Station 22 together. During those watches, ██████████ and Morales would clean the fire station, perform drills, shop for lunch and dinner, help with cooking, and answer calls.

██████████ believes Station 22 is “not that busy” of a fire station and does not get lots of calls. In January 2022, one day, ██████████ was detailed to Station 22 and saw Morales as ██████████ was starting his shift, while Morales was leaving his shift. ██████████ and Morales exchanged pleasantries.

██████████ could not recall if he ever worked with Morales since May 2018.

██████████ believes Morales is a “middle ground” FF in that ██████████ had “nothing really bad or great to say” about Morales.

██████████ could not say who Morales was close with at Station 22. ██████████ does not socialize with Morales outside of work. The last time ██████████ spoke with Morales was in January 2022, when ██████████ was detailed to Station 22.

C. Complainant Whitney Barca

In January 2018, ██████████ met Whitney Barca, H002 FF, when ██████████ started working at Station 22. Barca was a permanent member of Station 22. From January to May 2018, three to four times a month, ██████████ had a watch with Barca. ██████████ performed the same job duties with Barca as he did with Morales, as described above. ██████████ could not recall working with Barca since May 2018.

██████████ got along with Barca and “didn’t have any problems” with her. ██████████ believed he, Morales, Barca, ██████████ ██████████ and Quincy Henry, H002 FFs, who were all assigned to Station 22 in January 2018, were all new to SFFD and were still learning their jobs. ██████████ believes Barca struggled with driving the rig and placing the rig during a working fire. However, ██████████ believes that all the new FFs were “struggling” with learning the job and becoming experts.

██████████ could not say who Barca was close with at Station 22. ██████████ does not socialize with Morales outside of work. The last time ██████████ spoke with Barca was in May 2018, when ██████████ left Station 22.

D. Relationship Between Morales and Barca

██████████ could not say if Morales and Barca got along or socialized outside of work.

In 2018 or 2019, while ██████████ was working at Station 5, ██████████ heard that “something was happening at Station 22” but could not recall what. ██████████ speculated that it was either about Barca not driving the engine or about detail assignments. ██████████ believed so because assigned members to station, like Barca was assigned to Station 22 as a regular member of the house, was

supposed to drive the engine. ██████ could not recall specific arguments about driving, but ██████ believes there was some “tension” and “issues” about Barca not driving the engine. ██████ also believes the gossip he heard at Station 5 could have been about detail assignments because at small companies, like Station 22, unassigned or VR members were “on the charts,” or given roles like day watch and night watch. Therefore, VR members were participating in the house duties like regular members and if they had to take an assigned or regular house member’s detail it was frustrating. ██████ could not recall Station 22’s detail house policy, which ██████ says varies station to station. ██████ believes that officers of the house should enforce the detail and not make FF sort it out themselves because it grows resentment between members, when an authority could step in and take responsibility

II. RETALIATION

A. Detail Background Info

██████ could not recall ever turning down a detail at Station 22. ██████ believes Barca, ██████ Jessica Lee, Camille LNU, Dustin Ruff, Rock Plichcik, H002 FFs, were regular members at Station 22 and ██████ took their details. ██████ always “took every single detail” because ██████ was “paying [his] dues” and “doing [his] time” before he became a regular member at a station. Other than Ruff and Plichcik, everyone else at Station 22 was new. ██████ could not recall Station 22’s policy on details and permanent house members and ██████ believes the house rules book would specify if unassigned members were required to take assigned members’ details.

██████ could not recall specifically taking Barca’s detail and could not say who he knew for sure took Barca’s detail. ██████ believes FF schedules are documented in the HR management system for SFFD and will show the details at Engine 22.

██████ could not recall if Barca ever told Morales that he was taking Barca’s detail and never heard about anything like that happening.

B. Bed Assignments

At Station 22, there is a “kip,” or murphy bed, downstairs for the night watch, a separate bedroom for the officer, and a co-ed dormitory upstairs on the second floor. ██████ believes Barca had an assigned bed at Station 22 because she was a permanent member, but ██████ could not recall where it was. ██████ could not say if Morales had an assigned bed. ██████ believes FF would write their name on a piece of tape and tape it to the bed and that there were always extra beds for people detailing to the house.

C. Rumors about Barca & Morales Talk About Barca

Other than the rumors discussed above, ██████ could not recall any rumors about Barca. ██████ could not recall ever hearing Morales talk about Barca, and never heard a rumor that Barca liked Morales.

D. Help Barca with Kitchen, Cover the Floor, Take Trade Shift Requests

██████████ never observed anyone at Station 22 not help or offer to help with kitchen duties. ██████████ believes he helped Barca, but ██████████ could not recall specific instances.

██████████ believes covering the floor refers to helping the day watch person perform their duties while they work out or shower. ██████████ believed he helped Barca, but ██████████ could not recall specific instances.

██████████ never saw anyone at Station 22 have an exercise circuit and not allow Barca to participate.

III. SEXUAL HARASSMENT

██████████ never saw Morales sleep in a bed next to Barca and never heard that Morales did so.

IV. MISCELLANEOUS

██████████ had no documentation for DHR EEO. ██████████ had no reason to believe Morales or Barca would be untruthful.

V. CONCLUSION

██████████ had no further information for DHR EEO. I thanked ██████████ for participating in the investigation and reminded him about the prohibition against retaliation and the confidentiality of the investigation.

Attachment 6:



H003 EMT/Paramedic/Firefighter



CONFIDENTIAL

**DHR EEO INVESTIGATION OF EMPLOYMENT DISCRIMINATION COMPLAINT
 WITNESS INTERVIEW QUESTIONS**

Witness: [REDACTED]	EEO File No./Dept.: 3311/FIRE
EEO Investigator: Samantha Tarallo, EEO Programs Specialist	Date & Time: March 8, 2023, 10:00am-10:29am
Others Present:	
Location: 1 S Van Ness 4 th Floor	Pages: 4

I. BACKGROUND INFORMATION

A. Witness Employment History

On July 7, 2014, [REDACTED] ([REDACTED]) started working for the City and County of San Francisco (City) as an H003 EMT/Paramedic/Firefighter with the San Francisco Fire Department (SFFD). In 2018-2019 [REDACTED] was stationed at Station 22 under Captain Charlie McCoy, H030 Captain Fire Suppression. [REDACTED] could not recall exact dates. [REDACTED] has worked at Engine 31 for the past two and a half years. [REDACTED] is supervised by Patricia Lee, H030 Captain Fire Suppression. While at Station 22, [REDACTED] worked most often with Chrissy Snow, H002 Firefighter, Phil Nguyen, H002 Firefighter, and Jorge “Porkchop” Morales, H002 Firefighter. As a paramedic /firefighter, [REDACTED]’s job duties included running medical calls and being a frontline firefighter. [REDACTED] does not recall ever socializing with anyone from Station 22 outside of work.

B. Complainant Whitney Barca

[REDACTED] met Whitney Barca (Barca), H002 Firefighter sometime when he was working at Station 22. [REDACTED] recalls working with Barca once or twice sometime in 2018. [REDACTED] was detailed out most days when working at Station 22 and was not there often. [REDACTED] believes he had a basic working relationship with Barca. [REDACTED] is unaware how Barca got along with coworkers and believes most people in the house liked her. [REDACTED] does not know who Barca was close with and never socialized with her outside of work.

C. Respondent Jorge Morales

[REDACTED] met Morales sometime when he was working at Station 22. [REDACTED] recalls working with Morales a couple of times each month for the entire time he was there. [REDACTED] would go out on calls with Morales or work with him inside the house. [REDACTED] believes Morales was easy to work with and believes their working relationship was “basic” – not good or

bad they did what they were supposed to. [REDACTED] believes Morales got along with coworkers because he was nice. [REDACTED] does not recall who Morales was close with at Station 22. [REDACTED] believes Morales was an average worker, not good or bad because both are subjective. [REDACTED] never socialized with Morales outside of work.

II. Allegations

A. Rumors

[REDACTED] believes that he did not work with Barca enough to be able to comment on her skills as a firefighter. [REDACTED] believes Morales to be a proficient firefighter, they have worked together on calls and [REDACTED] never noticed anything inappropriate. [REDACTED] believes Morales is proficient because he objectively does their job how they were trained to. [REDACTED] did not recall any specific skills he believes Morales or Barca does well. [REDACTED] did not recall any deficiencies in Barca or Morales's driving skills. [REDACTED] has never heard that Barca or Morales was a bad driver. [REDACTED] has never heard Barca, or Morales say the other was a bad driver.

B. Shift Trade Requests

When a firefighter wants to trade their shift, they will ask someone to trade one for one. Usually, the process is informal until it becomes formal, meaning you ask the person to trade, they accept and then it becomes formal when you trade in a computer program. A person can become known as a "bad trader" if they are never available to work the shift that they owe someone. [REDACTED] believes he traded shifts with Ronnie Lakin (Lakin), H003 EMT/Paramedic/Firefighter. [REDACTED] never traded with Barca or Morales because he can only trade with other H003s. [REDACTED] does not know who Morales or Barca have traded shifts with, but that they could trade with any H002. [REDACTED] never had any problems trading shifts at Station 22. [REDACTED] never heard that Barca or Morales had problems getting a shift trade. [REDACTED] never heard that Barca or Morales was a "bad trader." No one ever told [REDACTED] not to trade with Barca or Morales because he cannot trade with them. [REDACTED] never heard Barca, or Morales say not to trade with one another.

C. Fire Station Duties

Fire station duties generally consist of cleaning, cooking, shopping for food and house supplies, inventory of things in the house or on the apparatus, running drills, and watch duties which include: reading emails for the day, printing up rosters and chief lists for the days and notifying people if they get details for the next day. For duties at Station 22, [REDACTED] recalled there was a chart, and everyone takes turns, usually duties are assigned to just firefighters and paramedics. Someone is assigned to cook for the day based on the chart, they make a list of what they need and then go shopping. During free time that person will start to cook, whoever is cooking for the day can ask for help and then other people in the house can help them. [REDACTED] believes it is not technically required. [REDACTED] believes cooking duties aren't in their job descriptions and people are not assigned to help but there is an expectation that someone is going to help if they are asked unless the person who is assigned to cook explicitly says they do not want help.

[REDACTED] does not believe a person would be disciplined for not helping to cook. [REDACTED] does not recall a specific instance where he saw Barca or Morales cooking but believes he could have. [REDACTED] believes that it is unusual for someone to not help cook, he would not remember all the people who help cook he would remember someone who refused to. [REDACTED] never heard of someone at Station 22 refusing to help cook. [REDACTED] was never told to not help Barca or Morales cook.

[REDACTED] believes that covering the floor is also referred to as the day watch. All duties are assigned at the beginning of the day and there is a designated watch person. Everyone helps watch during the day but there is someone who is assigned to answer the phone, check emails, and print the roster. The officer on duty handles the assignments, there is a different officer every day. [REDACTED] does not recall ever seeing Barca or anyone cover the floor for Morales. [REDACTED] does not recall ever seeing Morales or anyone cover the floor for Barca. [REDACTED] believes it is not unusual for people to cover for each other, if someone wanted to go work out but they were assigned watch duty they could ask someone to cover, and it is not a problem. [REDACTED] has never been told not to cover the floor for Barca or Morales. [REDACTED] has never heard someone refuse to cover the floor for Barca or help with tasks. [REDACTED] has never heard someone refuse to cover the floor for Morales or help with tasks.

D. Verbal

[REDACTED] does not recall seeing Barca and Morales interact. [REDACTED] does not know if Barca and Morales get along or socialize outside of work. [REDACTED] only knows Barca and Morales to be his coworkers. [REDACTED] has never heard Barca, or Morales complain about one another.

E. Rumors

[REDACTED] has never heard rumors about Barca and Morales. [REDACTED] has never heard that Morales spread rumors that Barca liked him. [REDACTED] *began laughing* – [REDACTED] believes this is funny because there are always “stupid rumors” like that going around the firehouse. [REDACTED] could not recall other specific instances of rumors. [REDACTED] does not know why Barca would lie about something like that.

III. MISCELLANEOUS

[REDACTED] does not believe Barca, or Morales would be untruthful about the above claims and has never known either of them to lie.

IV. CONCLUSION

[REDACTED] believes any other firefighter, like who he mentioned previously, would know more about these claims because as a paramedic he was not around the station a lot.

I thanked [REDACTED] for participating in the interview and reminded him that this is a confidential investigation and retaliation against anyone who participates in an investigation is prohibited.

Exhibit G: Documents Provided by Barca
Attachment 1: Barca's Written Complaint
Attachment 2: Barca's Text Messages

Attachment 1: Barca's Written Complaint

SFFD HR Morales Sexual Harassment

- October 2019 - Captain McCoy reports sexual harassment incident to HR.
- October 11, 2019 - As requested by HR, I submit my account of the sexual harassment by FF Morales.

Toward the end of February 2018 Morales called me on my cell phone while I'm at home in SF on a Friday night and **tries to convince me to come over to his house and have sex with him.**

We had never spoken on the phone before this call.

I thought he was kidding at first, like an inappropriate joke, but then he kept asking. Since I thought he was just messing with me at first I wasn't taking his requests seriously.

I told him I had plans to meet my friends in Santa Cruz for a concert and I was planning on spending the night there. I even extended an invite to join us at the concert.

He said wasn't interested in the concert.

He told me not to go to the concert with my friends and to come over to his house instead. I said no.

He suggested I should come by his place first before heading over to Santa Cruz. I said no.

He asked if I could come over to his place after the concert. I kept declining. He was persistent.

Morales was new to E22 like me and I did not know him previously. I thought he was just lonely and trying to awkwardly flirt. I tried to brush it off and just pretend it didn't happen but **the fallout from this interaction nearly two years ago is the reason I've falsely been accused of "lying and stealing" today.** I was so **uncomfortable** around Morales after this incident and he used that against me.

Before this incident I was friendly with the members of Station 22 and felt comfortable there. **This incident was the catalyst for a series of events that have destroyed my friendships and reputation.**

I have NEVER been romantically interested in Morales. I have never given Morales a reason to proposition me for sex as he did. I felt **disrespected** and was disappointed in his behavior. Only a short while after this incident there were **more issues with Morales that were deeply disconcerting to me and I felt he was trying to intimidate and control me.** I was tremendously **uncomfortable** with his actions and **asked twice for help from my Lieutenants.**

I woke up on three separate mornings to find Morales in the bed next to mine. Not ok! I had no knowledge he was coming in early for shift. He had not done this before, only after he solicited me for sex. The first time he did this I was completely freaked out because I woke up to a dark figure walking toward me in the night. In truth it was probably 0530 but I was startled from my sleep unexpectedly. I thought he was a stranger in the station up to no good and my heart nearly leapt out of my chest. Obviously I was not able to return to sleep. My heart was pounding in my chest.

After some coffee that morning I thought maybe he didn't realize I was on duty, no way he would do that again. But he did. **Two more times. I felt like he was trying to bully me for rejecting his advances.** I went to my Lt. after the second time and a different Lt. after the third time. Only then did he stop the uber **creepy behavior.**

Unfortunately, whatever stories he had told the crews about me had already taken hold as evidenced by Jessica (Lee) Lindsey asking me why I didn't just move beds if I was uncomfortable?! I was blown away by this question because I own the firefighter spot on E22 and Morales was VR at that time. Morales and I are only 1 class apart. I am the 119 and he is the 120. As the newest members of the fire department I wouldn't have been comfortable staking my bed claim over a regular member. I was new to E22 and my experiences forming this opinion came for being a probie at a Division house and then VR at a Chief's house where I was on the books for cooking at both. As a member my bedding remains on my bed when I'm not there. Between that and the sleeping chart and being a regular member with house and department seniority **I felt disrespected and bullied at my own house.**

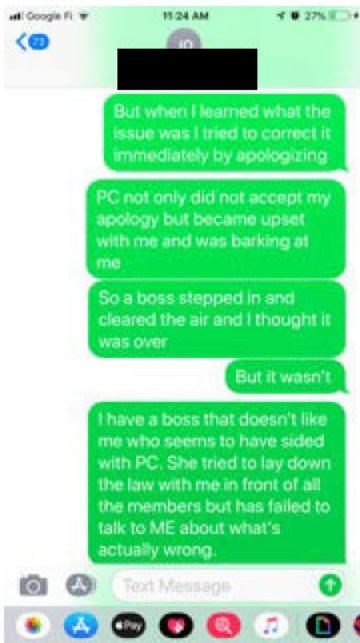
Attachment 2: Barca's Text Messages

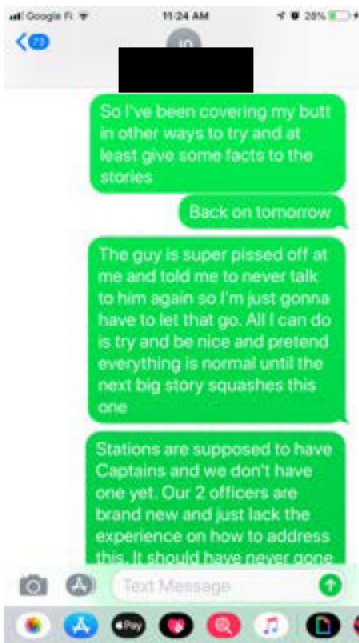
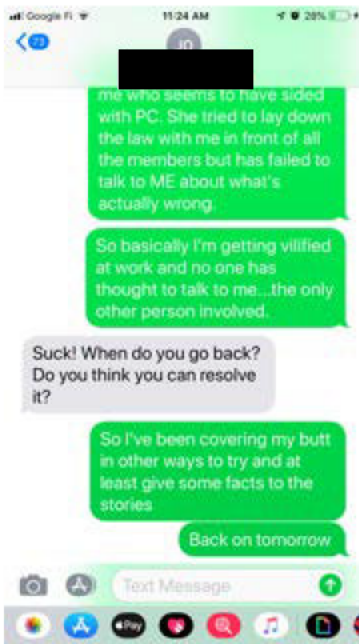
From: [Whitney Barca](#)
To: [Young, Dorothy \(HRD\)](#)
Cc: [Whitney Barca](#)
Subject: Barca text message screenshots
Date: Wednesday, February 12, 2020 4:55:30 PM
Attachments: [IMG_1954.PNG](#)
[IMG_1955.PNG](#)
[IMG_1956.PNG](#)
[IMG_1957.PNG](#)
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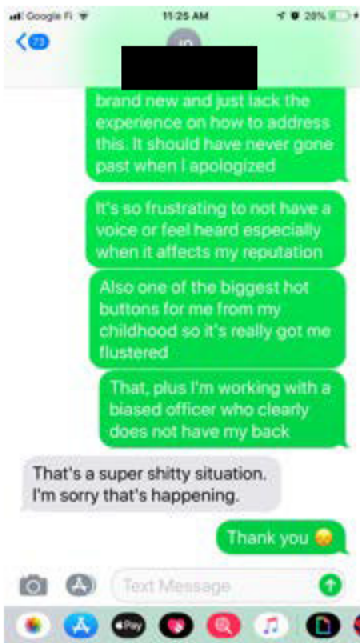
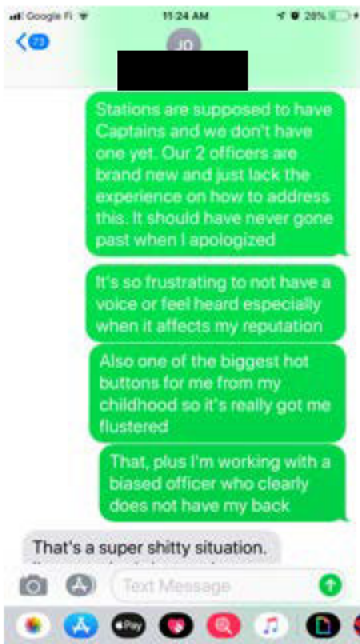
This message is from outside the City email system. Do not open links or attachments from untrusted sources.

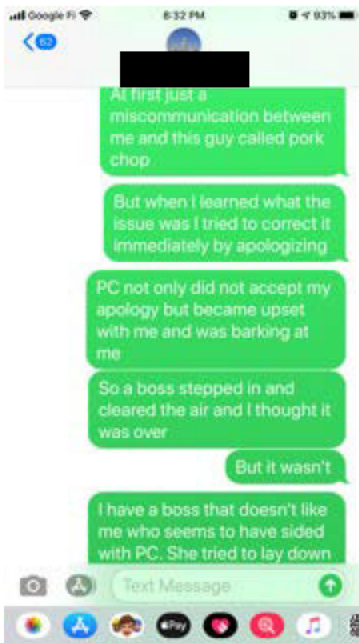
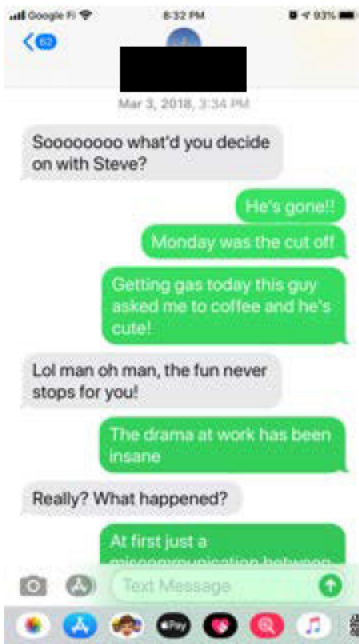


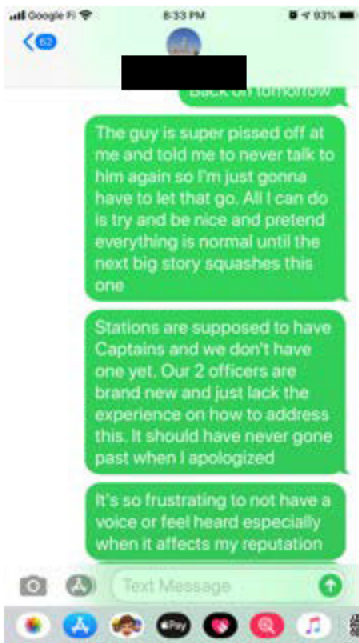
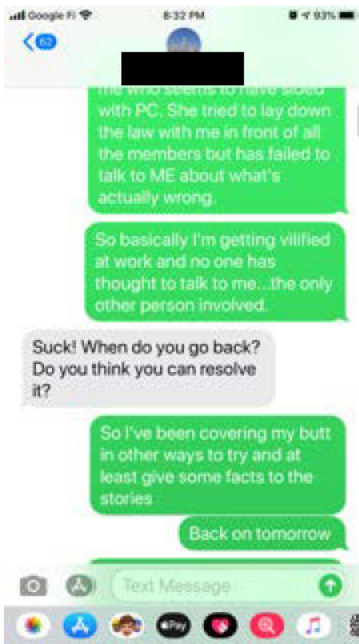




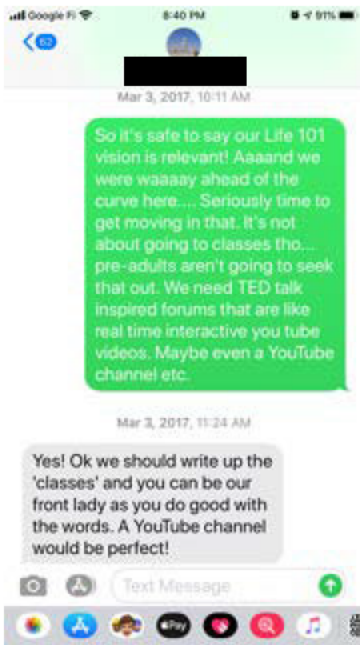
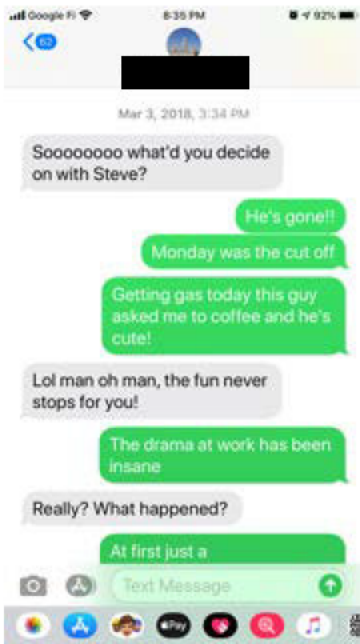


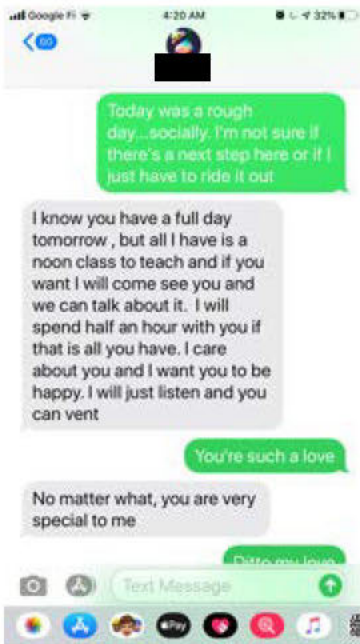














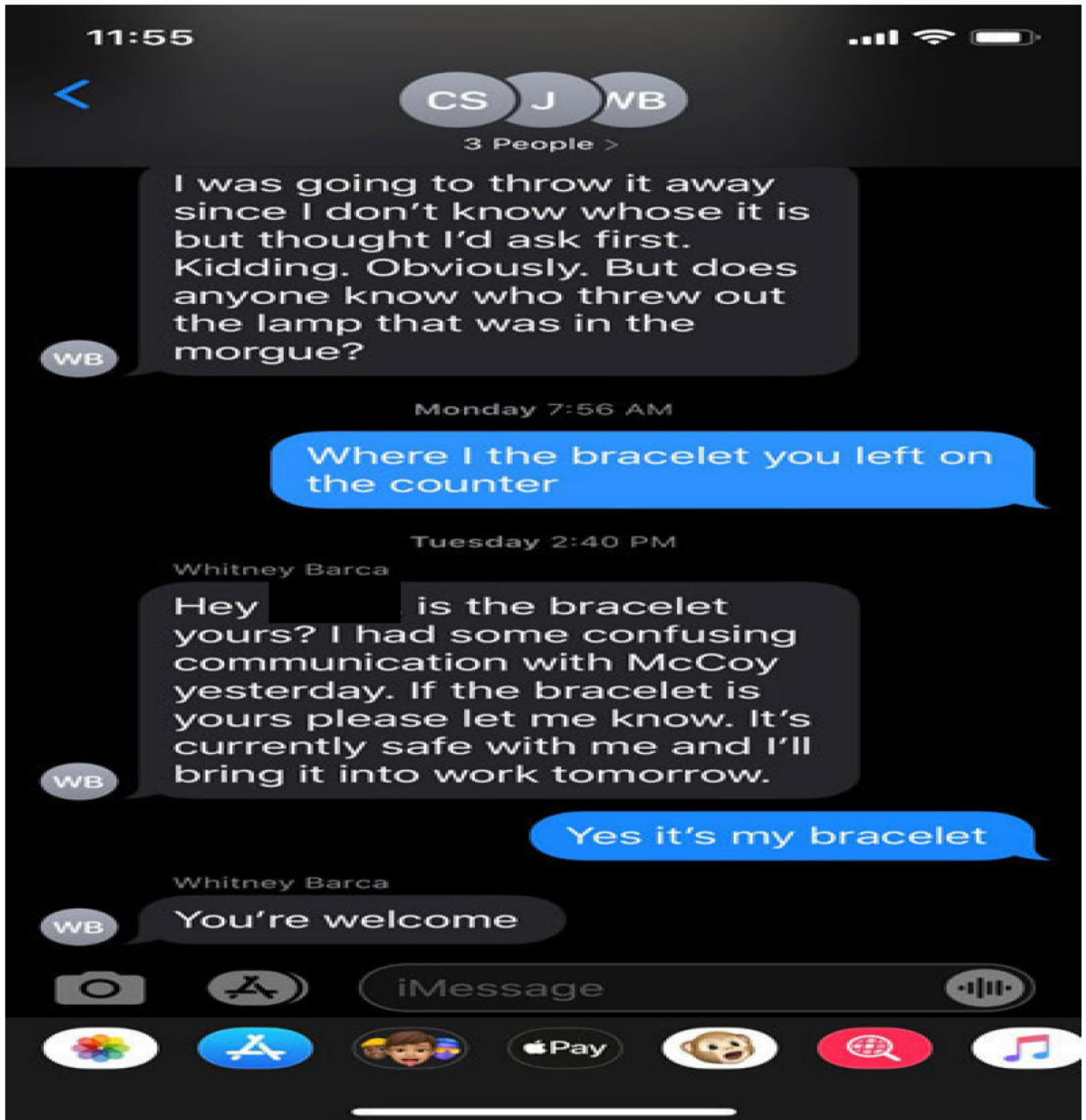
Sent from my iPhone

Exhibit H:

Text Messages Between Barca and [REDACTED]

Burke, Jennifer (HRD)

From: [REDACTED] (FIR)
Sent: Monday, February 14, 2022 2:42 PM
To: Burke, Jennifer (HRD)
Subject: Screen shots



7:51



CS J NB

3 People >

I was going to throw it away since I don't know whose it is but thought I'd ask first. Kidding. Obviously. But does anyone know who threw out the lamp that was in the morgue?

WB

Monday 7:56 AM

Where I the bracelet you left on the counter

Tuesday 2:40 PM

Whitney Barca

Hey [redacted] is the bracelet yours? I had some confusing communication with McCoy yesterday. If the bracelet is yours please let me know. It's currently safe with me and I'll bring it into work tomorrow.

WB

Yes it's my bracelet

Whitney Barca

You're welcome

WB



iMessage



7:51



CS J NB

3 People >

WB

Found this bracelet in the women's room. Left it on the counter.

WB

I was going to throw it away since I don't know whose it is but thought I'd ask first. Kidding. Obviously. But does anyone know who threw out the lamp that was in the morgue?

Monday 7:56 AM

Where I the bracelet you left on the counter

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Whitney Barca

WB

Hey [redacted], is the bracelet yours? I had some confusing communication with McCoy yesterday. If the bracelet is yours please let me know. It's currently safe with me and I'll bring it into work tomorrow.

Yes it's my bracelet



iMessage



9:27



WB

Whitney >

someone acted independently and threw it out without knowledge of whose it was OR having Captain approval. Who would do that?

I'm sorry to put you on the spot. I really don't want to message the entire house. I can't imagine it's a secret

Charlie did offer to compensate me for the cost of the lamp which was super generous 👍

Thu, Oct 3, 2:49 PM

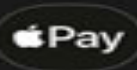


Sorry for the delay I was in a meeting. Like Charlie, I really do not know what happened to the lamp. When you guys decide on a number that you'd like to be reimbursed I, you guys can let me know and I will go to credit union and get you cash

Delivered



iMessage



9:27



WB

Whitney >

Thu, Oct 3, 9:10 AM

Hey [redacted], I have the replacement part for the lamp I brought in but I can't find the lamp

Hey last I saw it it was in the morgue, it's possible it got tossed during tri annual. Maybe ask Charlie

Thu, Oct 3, 1:06 PM

That would be lame since I said I would fix it and that I'd take it back if the house didn't end up using it. Charlie claims no knowledge of the lamp. So someone acted independently and threw it out without knowledge of whose it was OR having Captain approval. Who would do that?

I'm sorry to put you on the spot. I really don't want to message the entire house. I



iMessage



Apple Pay



4:15



3 People >

Whitney Barca



iMessage



7:50



3 People >

iMessage
Sunday 6:01 PM

Whitney Barca



iMessage



4:15



3 People >



WB Found this bracelet in the women's room. Left it on the counter.

WB I was going to throw it away since I don't know whose it is but thought I'd ask first. Kidding. Obviously. But does anyone know who threw out the lamp that was in the morgue?

Today 7:56 AM

Where I the bracelet you left on the counter



iMessage



1:28



WB

Whitney >

Thu, Oct 3, 9:10 AM

Hey [REDACTED] I have the replacement part for the lamp I brought in but I can't find the lamp

Hey last I saw it it was in the morgue, it's possible it got tossed during tri annual. Maybe ask Charlie

Thu, Oct 3, 1:06 PM

That would be lame since I said I would fix it and that I'd take it back if the house didn't end up using it. Charlie claims no knowledge of the lamp. So someone acted independently and threw it out without knowledge of whose it was OR having Captain approval. Who would do that?

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iMessage



1:28



Whitney >

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Charlie did offer to compensate me for the cost of the lamp which was super generous 👍

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Delivered



iMessage



Get [Outlook for iOS](#)

Exhibit D

The Human Resources Director's
Determination Letter to Appellant

Dated June 1, 2023



CONFIDENTIAL

June 1, 2023

Whitney Barca
[REDACTED]
[REDACTED]

Via E-mail
[REDACTED]

RE: EEO Complaint – DHR EEO File No. 3311

Dear Whitney Barca:

The San Francisco Charter, Section 10.103, and Civil Service Rule 303 provide that the Human Resources Director shall review and resolve all 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 City has investigated your complaint alleging that Jorge Morales (Morales), H002 Firefighter, sexually harassed you when at the end of February 2018, he called you and requested sex; in March or April 2018, he slept in the bed next to yours in the dormitory; in February 2018 – October 2019, Morales retaliated against you for rejecting and reporting his sexual advances when he spread rumors about you that affected your firehouse duties assistance and when he harmed your personal items in the firehouse; and in October or November 2019, Jessica Lindsey, then-H002 Firefighter, and [REDACTED] and Christina Snow, H002 Firefighters, retaliated against you for reporting Morales' conduct when they removed bathroom items. The investigation included interviews of the complainant, the responding party, and witnesses; a review of the written complaint and documentation submitted; and an analysis of related information. After a review of the evidence, I have concluded that based upon a preponderance of the evidence standard, I could not reach a finding that the City's EEO Policy was violated because witness testimony and documentary evidence did not corroborate your allegations.

Thank you for your cooperation in this matter. The investigation is now considered closed. My determination is final, unless 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 of the date of the e-mail sending this letter. For your information, you may file a complaint of employment discrimination with the California Civil Rights Department, or the United States Equal Employment Opportunity Commission. Please contact those agencies directly for filing requirements and deadlines. Please feel free to contact Amalia Martinez, EEO Director, Department of Human Resources, at (415) 557-4932, should you have any questions.

Sincerely,



Carol Isen
Human Resources Director

Encl: EEO Policy

c: Jeanine Nicholson, Fire Chief, SFFD
Jesusa Bushong, Department Personnel Officer, SFFD
Amalia Martinez, EEO Director, DHR

Exhibit E

Notice of Appellant's CSC Appeal

Dated July 3, 2023



**CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**LONDON N. BREED
MAYOR**

Sent via Email

NOTICE OF RECEIPT OF APPEAL

DATE: July 3, 2023
REGISTER NO.: 0139-23-6
APPELLANT: WHITNEY BARCA

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

Dear Carol Isen:

The Civil Service Commission has received the attached letter from Whitney Barca appealing the Human Resources Director's determination regarding their EEO Complaint, DHR EEO File No. 3311. Your review and action are required.

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 by email at civilservice@sfgov.org. CSC Form 13 is available on the Civil Service Commission's website at www.sfgov.org/CivilService on the "File an action request for a Civil Service Commission hearing" page."

In the event that Whitney Barca'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 September 7, 2023**, so that it may be heard by the Civil Service Commission at its meeting on September 18, 2023. If you will be unable to transmit the staff report by the September 7th deadline, or if required departmental representatives will not be available to attend the September 18th 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.

Appellant: Whitney Barca
July 3, 2023
Page 2 of 2

You may contact me at Lavena.Holmes@sfgov.org or (628) 652-1100 if you have any questions. For more information regarding staff report requirements, meeting procedures or future meeting dates, please visit the Commission's website at www.sfgov.org/CivilService.

Sincerely,

CIVIL SERVICE COMMISSION

/s/

Lavena Holmes
Deputy Director

Attachment

Cc: Jeanne Buick, Department of Human Resources
Kate Howard, Department of Human Resources
Amalia Martinez, Department of Human Resources
Mawuli Tugbenyoh, Department of Human Resources
Jesusa Bushong, San Francisco Fire Department



**CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

**LONDON N. BREED
MAYOR**

Sent via Email

July 3, 2023

Whitney Barca



Subject: Register No. 0139-23-6: Appealing the Human Resources Director's Determination Regarding their EEO Complaint, DHR EEO File No. 3311.

Dear Whitney Barca:

This is in response to your appeal submitted to the Civil Service Commission on June 30, 2023, appealing the Human Resources Director's determination regarding your EEO Complaint, DHR EEO File No. 3311. 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.

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 of any additional information you may wish to submit is 5:00 p.m. on the Tuesday preceding the meeting date by email to civilservice@sfgov.org. 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 Lavena.Holmes@sfgov.org or by phone at (628) 652-1100 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

/s/

LAVENA HOLMES
Deputy Director



CIVIL SERVICE COMMISSION
City and County of San Francisco
 25 Van Ness Avenue, Suite 720
 San Francisco, California 94102-6033
 Executive Officer
 (628) 652-1100

CSC Register No.

 To: _____
 CC: _____

APPEAL TO THE CIVIL SERVICE COMMISSION

<p>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.</p>	<p>TYPE OF APPEAL: (Check One) <input type="checkbox"/> Examination Matters (by close of business on 5th working day) <input type="checkbox"/> Employee Compensation Matters (by close of business on 7th working day) - Limited application <input type="checkbox"/> Personal Service Contracts (Posting Period) <input type="checkbox"/> Other Matters (i.e., Human Resources Director/Executive Officer Action) (30 Calendar days) <input type="checkbox"/> Future Employability Recommendations (See Notice to Employee)</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

"During the Shelter Order dated March 17, 2020, we are accepting appeals by email at civilservice@sfgov.org"

WHITNEY NICHOLSON BARCA		698 2 ND STREET SAN FRANCISCO, CA 94107 (415) 558-3300			
Full Name of Appellant		Work Address		Work Telephone	
H- 4	INSPECTOR	FIRE DEPARTMENT		(415) 558-3300	
Job Code	Title	Department	CA	Zip	Home Telephone
██████████	██████████	██████████	CA	██████████	██████████
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)

<p>Does the basis of this appeal include new information not previously presented in the appeal to the Human Resources Director? If so, please specify.</p>	<p>Check One: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
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Original Signature of Appellant or Authorized Representative: Whitney B. [Signature] Date: 6/30/2023

June 30, 2023

First and foremost, I feel compelled to share with you that I am a proud and passionate 6th generation San Francisco native. My legacy and passion for my hometown guided me to where I find myself now: a proud and passionate, 8 year San Francisco Firefighter.

There is truly no doubt that all firefighters possess an intrinsic desire, perhaps even compulsion, to help and serve others. This innate characteristic connects all those in civil service, but especially pronounced for those in the fire department. Which is where my frustrations understandably stem from the handling of my requests referred to throughout this document.

Even as a fellow firefighter, the fire community failed to serve my calls for help, despite repeatedly seeking assistance from my officers using chain of command as required. My requests were met with denial, blame, threats, retaliation, and physical intimidation. The continuance of these behaviors by my officers has demonstrated that this is acceptable and inconsequential treatment toward me and because of this, I continue to suffer. Why have my 911 calls been sent to the non-emergency line though I explicitly disclosed an objective emergency situation?

This initial incident was that of sexual harassment, and resulted in disparate treatment, defamatory allegations, rumors attacking my character, and retaliatory events. First at my station, then cascading to other stations, department wide, and eventually my personal life.

I have documents, messages, and photos in support of my experiences that were not available for consideration during the initial investigation. This has been an ongoing and worsening situation, significantly affecting my working conditions, to the degree that I was unable to work for a year due to the toxic stress. My worker's comp stress claim was approved April 13, 2020. I am back at work now; however, I am working at the SFFD headquarters because I do not feel safe in the field.

Today I am appealing this decision with the aforementioned information including the pertinent testimony of the following yet to be interviewed:

1. Captain Abigail Alvarenga
2. Lieutenant Ken Smith
3. Firefighter Suzanne Montes
4. Inspector Rigel Juratovac
5. Firefighter Sasha Dekelaita
6. Firefighter Paramedic [REDACTED]
7. Jennifer Olson
 - Will verify sexually harassing phone call by FF Morales (January 23, 2018)
8. [REDACTED]
 - [REDACTED] is the woman who had sexual relations with FF Morales while he was on duty at Station 22 in 2020.
 - FF Morales is the person that made the sexually harassing phone call. (January 23, 2018)

Incomplete investigation

1. The investigation focused of sexual harassment from and individual and not the 22 months of cumulative mistreatment and retaliatory actions by my officers and crew members. Their behavior was directly related to the instigative actions of Firefighter Morales.
2. Absent any intervention/resolution, the harassment **increased** after reporting in October 2019 and continues today.

Inaccurate DHR documentation

1. In a letter dated September 13, 2021, DHR inaccurately references a "disciplinary meeting" on October 10, 2019. There was no such disciplinary meeting, nor reason for discipline. Rather, there was an emergency meeting to stop my officer from continued slander towards me.
2. Unfortunately, this inaccuracy contributes to the already skewed optics of my professional and personal integrity.

Retaliation

1. Captain McCoy made egregious retaliatory allegations of **lying** and **stealing** on October 6, 2019 immediately following my claims of harassment on October 3, 2019, based solely on his personal feelings, not facts.
2. Claims remain unverified/unsupported with long term character damning optics.
3. His retaliatory documentation dated October 10, 2019, aggressively challenged my credibility, creating undue bias as evidenced in a subsequent investigation executed by Chief Cercos, Captain McCoy's longtime friend.
4. Included in that investigation were additional fabricated allegations referencing the previous opinions, not facts, conjured by Captain McCoy. This included a falsified police report to SFPD on October 17, 2019.
5. Based on Captain McCoy's personal attack on my character, I was wrongly disciplined and received days off, resulting in lost wages. He stated on several occasions, "I know good character, and you don't have it".
6. These lies were presented by Captain McCoy, escalated by Battalion Chief Kircher, and then investigated by Battalion Chief Cercos, also a close friend of Chief Kircher. Based on their long-time personal relationships, both in and out of the department, I believe I was judged unfairly, and the victim of a "Good 'Ole Boys" approach to justice.
7. At no point in the investigation did I feel that officers at any level were impartial or considered the validity of my experiences.
8. The Investigation grossly misrepresented my character.
9. This information influenced the findings of the investigation, as evidenced by verbiage included from Chief Cercos where he stated his opinion that he was "forced to question my honesty".
 1. 10. I am the victim of a smear campaign and have ample evidence demonstrating I am telling the truth.
10. If these inflammatory statements or documents by my commanding officers influenced THIS interview process, it is further evidence of an investigative system failure with alarming, intentionally life-altering effects for me both at work and personally.

Consequences

1. Exposed to 53 months and counting of unacceptable and harmful conduct by officers and crew members, including members I do not know/have never worked with.
2. Actions both performed and not performed by officers and crew are violations of EEO and SFFD protocols.
3. SFFD protocols have the goal of fostering a positive and safe work environment free from harassment or retaliation of any kind.
4. I have not experienced a positive or safe work environment free from harassment or retaliation because of this lack of accountability to those protocols.
5. No SFFD members have been held accountable/responsible for the multitude of infractions that allowed this unwanted conduct and pervasive character degradation. This behavior continues to negatively impact me.

Conclusion

I believe the situation surrounding my claims of harassment and sexual harassment would not have escalated and would have been resolved in February 2018 with the appropriate standard of officer involvement according to protocols set forth by the San Francisco Fire Department. My officers did not hold themselves, nor crew, to these standard and were negligent in their most fundamental responsibilities.

It has been permissible for my officers and crews to harass, ignore, use microaggressions, retaliate, and slander my name at my place of employment. This treatment has spread throughout the fire department, and I continue to experience the magnitude of their negligence and egregious abuse of authority. I have been singled out and treated differently than other members for far too long. SFFD utilizes the Managing Employee Performance and Procedures (MEP's) to define officer roles and responsibilities. One such role is to settle station discord and protect each crew member. My officers did not do that, resulting in Station discord led by the actions of FF Morales.

Lastly, the officers involved during this time at Station 22 were on probation as "acting" officers and they were all subsequently promoted to "permanent" officers, despite derelict behavior of their duties.

I implore you, The Civil Service Commission, to approve my appeal and allow for further investigation into this case. This has been a very long and painful experience for me and those I love. My wish is to have this treatment stop, clear my name, and have the appropriate parties held accountable for the harm they have caused. I do not want anyone else to experience what I have been through, feeling voiceless and isolated.

Key Involved Parties

Firefighter Jorge Augustine "Pork Chop" Morales

1. Phone call soliciting sex
2. Watches me sleep
3. Refuses to take detail (SFFD Policies & Procedures violation)
4. Foul language, discourteous, disrespectful, rude
5. Unauthorized locker entry



1. Did not take immediate action to stop FF Morales from watching me sleep. Required multiple requests, allowing for repeated offenses.
2. Failure to identify/report (sexual) harassment
3. Failed to document FF Morales' behavior
4. Contributed and fostered station discord
5. Singled me out, demonstrated bias
6. Used her position of power/authority to manipulate information with the intent to harm me
7. Failure to hold subordinates in compliance or bring knowledge of infractions to member attention with regards to SFFD R&R 4019

Captain Charles McCoy

1. Refused to address station discord upon multiple requests
2. Verbally threatening, menacing, and abusive speech
3. Unauthorized locker entries
4. Set a booby trap in my locker
5. Failure to document missing/stolen property
6. Failure to report harassment
7. Failure to report sexual harassment in a timely manner
8. Retaliatory false allegations of theft (bracelet)
9. Physically threatening
10. Additional retaliatory false allegations of theft to SFPD and SFFD (badge)
11. Intentional character defamation (M.E.P. violation)
12. Repeated perjury
13. Failure to hold subordinates in compliance or bring knowledge of infractions to member attention with regards to SFFD R&R 4019

Simplified Timeline

2018

- January 14, 2018, My first day at Station 22.
- January 15, 2018, I meet Morales for the first time during shift change on his first day at Station 22.
- January 23, 2018, Morales calls me off duty, on my personal cell phone, and solicits me for sex.
- January 23, 2018, I go to the concert with my friends as planned.

- February 3, 2018, Morales says, "Good luck getting a boyfriend with that haircut."
- February , 2018, Refuses to take my detail to another station. Against SFFD Rules & Regulations.
- Feb 28, Photo of FF Morales bedding next to mine.

- February & March 2018, FF Morales in sleeping quarters next to mine while I'm on duty and he's not.
- March 1, 2018, Altenburg apology witnessed.
- March 1, 2018, Without speaking to me at all, Acting ██████████ holds an unannounced meeting and singles me out, publicly reprimanding me for a one-sided story she heard from Morales and cooperated by his friend, Jessica Lindsey (Fired from SFFD 2022)
- March 31, 2018, Reported to Captain McCoy mistreatment experienced on duty.

- December 2018, Was not invited to Station 22 Christmas party

2019

- **August 2, 2019, Again reported to Captain McCoy the continued escalating hostility toward me.**
- August 16, 2019, FF McCoy refuses to fix his clerical mistake that benefits all crew members with the exception of myself.

- September 2, 2019, Lt. Kosta asks me to make a window covering for an interior door in *preparation* for triannual.
- September 11, 2019, Station 22 stands triannual.
- September 13, 2019, Crumpled flag found in my locker with my personal items tossed about.
- September 29, 2019, in lieu of no key and unauthorized access, set water booby trap to deter locker entry before I leave shift in the morning.
- September 29, 2019, Captain McCoy authorizes and oversees E22 crew members FF Morales (FF Snow) to enter my locker, leave crumpled flag *again*, dishevel my gear and personal items, and re-set the water booby trap on top of my locker to deploy on me when I return next shift (10/3/19).

- October 3, 2019, Reported to Captain McCoy multiple personal infractions, multiple unauthorized locker access, missing personal items (lamp, blender, bedding), as well as sexual harassment. Captain McCoy dismissed these claims and accused me of lying.

- October 6, 2019, At a fire, Morales knowingly put me in a dangerous situation when he did not follow department protocols which delayed him getting me water while I was on the nozzle inside the fire room. After the fire was out, I relayed my officers request to have the driver (Morales) shut down the water, but he refused saying he didn't take orders from me, choosing his feelings over teamwork. (SFFD Policy 1405)
- October 7, 2019, In retaliation, McCoy accused me of stealing of a bracelet and threatened me with disciplinary paperwork for this unfounded claim.
- October 8, 2019, McCoy hostile and menacing toward me.
- October 9, 2019, McCoy threatening and physically intimidating.
- October 9, 2019, Via chain of command, I requested Battalion Chief intervention for the allegations of lying and stealing. Battalion Chief Kircher escalated this to an investigation.
- October 9, 2019, Following knowledge of my claims, and while the only female on duty, I arrive in the morning to find all the toilet paper, paper towels, toiletries, soap, and shower items had been removed from the women's locker room prior to my arrival. This happened again later.
- October 10, 2019, Captain McCoy filed a document on that referenced only my sexual harassment allegations from 7 days prior on 10/3/2019. Then a second form documenting sexual harassment and my mistreatment over the last 22 months, stating he had no prior knowledge, despite me asking him for help/advice on several occasions over 2 years.
- October 12, 2019, the offending FF Morales was reassigned to Station 20 for allegations of sexual harassment.
- October 14, 2019, Text message received from FF Roya stating that a LT said FF Morales was going to file a disclination claim after learning he was facing potential disciplinary charges
- October 17, 2019, Captain McCoy misplaced his badge. Prior to finding it later that same day he filed a police report with SFPD and two additional documents with SFFD Command. On for the misplaced badge, the second one he insinuated I had stolen his badge. To support his conjecture, he referenced his own lies of the made up bracelet theft and used additional fabricated information from his retaliatory documentation on 10/7/2019.
- Winter 2019, station 33 reaction, never met nor worked with members of Station 33 except the officer, Abigail Alvarenga.

2020

- January 2020, Officer McGorin (retired 2023) gossips about my "bad reputation" to Officer Alvarenga and Officer Cardinale (retired 2023) I have never met Officer McGorin; however he did work with FF Morales at Station 20 from October 2019 into mid-January 2020. Additionally, Officer McGorn is known to both Susie Horn and Jessica Lindsey from purchasing their puppies from him/his wife.
- January 2020, Interview with DHR.
- March 6, 2020, Following an investigation performed by Captain McCoy's friend, Chief Cercos, states twice that in his opinion he questions my honesty, having considered Captain McCoy's written allegations of theft and fabricated misconduct. These allegations were successful attempts at defaming my character. I was not provided the opportunity at a fair or impartial investigation. I did not lie nor steal anything, ever. These events have had devastating effects for me. Also lost wages, due to the biased investigation and resulting discipline from the baseless allegations of Captain McCoy.

- April 13, 2020, I filed a stress claim that was approved because of my experiences stemming from FF Morales phone call soliciting sex, watching me sleep in the bed next to mine while he was not on duty, defamation of character, and all the disparate treatment and micro-aggressions leading up to that point from FF Morales, crew members, and officers alike.

2021

- 2021 - Station 4 slander based on prior false allegation originating from Station 22

2022

- 2022 - [REDACTED]

2023

- 2023 - Station 12 false allegations originating from Station 22
- April 8, 2023, My friend (Janelle Mammini) was approached by a San Francisco firefighter, recently promoted to lieutenant, who "warned her" about me in reference to me dating her roommate, alluding to my damaged reputation in the fire department.
- June 1, 2023, 31 months after the initial documented reporting, a decision was reached that there was inconclusive evidence for an EEO violation. I believe the fresh evidence available now will paint a much more accurate picture of the EEO violations originating from January 2018.
- June 30, 2023, Appeal submission to the Civil Service Commission for consideration.