Review of Major Wooten’s Investigative report, dated August 4, 2010

Let me begin by stating that I do not believe this RIF is necessary anymore than any of the previous RIFs.

* All of executive staff that was interviewed has stated the reason for this RIF is due to funding; however, there are several discrepancies with this statement.

1. The department completed the FY2010 in the black, but the department had previously attempted to RIF us in FY2010, citing funding issues. Page 4, Question #3.
2. The department cites the $4 million budget reduction to FY2011; however, Mr. Case agreed the annual savings from several sources, not including these RIF’s, amounts to approximately $7.2 million. Page 4, Question #10
3. Mr. Case reported to the OSPB in March that the department could sustain a budget reduction of $8.5 million without laying off any sworn employees. Page 4, Question #5.
   1. Mr. Case also stated the department could not have balanced its budget without a RIF. Page 6, question #15.
   2. The director denies any knowledge of Mr. Case’s $8.5 million projection, yet, Mr. Case sent a memo to “Senior Staff” on March 2, 2010, with this information.
   3. Either the director is lying (again), is incompetent, or his staff is working behind his back without his knowledge (which I don’t believe to be the case). Page 9, Question #13
4. Points 2 and 3 above appear to contradict each other.
5. The Director was asked if there were any alternative options to layoffs that would have created a like amount of agency savings. The director responded no; however, LEMSC Rule R13-5-802. B. Clearly states, “Alternate methods. An agency head may pursue alternative methods of reducing costs without reducing the number of employees.” By temporarily reducing all employees pay, or assigning all employees time off without pay. Page 7, question #1 and Page 8, question #6.
   1. Clearly, there are alternatives, the department simply chose to ignore them. If all employees took a 1% pay cut, the department would sustain a budget savings of approximately $1.5 million (personnel expenses + ERE).
      1. Majors are facing about a 12% reduction and Captains about 26% pay cut, including the loss of performance pay. How much of a pay cut is the director and his staff taking, especially Halliday who received a $140k raise, and Hegerty and Stanhope who each received about a 30% pay raise?
6. The director was asked if there was any other reason for the RIF, to which he replied NO; however, he later states “the reorganization played a tremendous role.” These seem contradictory. Page 7, question 2, and Page 9, question #15.
7. When asked if the retirement of two commanders and one captain caused any alteration in the RIF of sworn employees, the director replied no. He cites the economy, not our budget/funding as the deciding factor. He also, in my opinion, implies that it was not necessary to reduce all of us, “Not reducing or reappointing at this time may still cause a later reduction in grade.” Page 8, question #8.
8. The director admits to have decided in February to reduce commanders and lieutenants, regardless of the budget. He cites span of control, yet he created a Watch Commander (Captain) position that supervised no one. Page 8, question #9.
9. The director’s response to Question #17, page 9, makes no sense to me. Big Surprise! He implies that if a civilian retired that saved a different civilian from having to be RIFed; however, the same does not apply to sworn personnel.