

suntimes

City firing four of 54 firefighters accused of padding expenses

By FRAN SPIELMAN

City Hall Reporter

Last Modified: Sep 16, 2011 02:18AM

In a sharp rebuke to Chicago's inspector general, Fire Commissioner Robert Hoff is firing just four of the 54 firefighters accused of padding mileage expenses to the tune of \$100,000 in 2009.

Six other firefighters have retired and 43 others face suspensions ranging from 30 to 60 days. Punishment for a 54th firefighter is still pending.

Inspector General Joe Ferguson had recommended that all 54 firefighters be fired and that the Fire Prevention Bureau be disbanded and replaced by civilian employees of the city Building Department.

Hoff overruled the IG on both counts. The commissioner said he based his disciplinary action on the "otherwise clean disciplinary records" of the 43 suspended firefighters and on Ferguson's finding that the mileage padding was "condoned by the supervisors since well before 2009."

In a written statement explaining his decision, Hoff denied giving the 43 firefighters a slap on the wrist. He noted that a 60-day suspension results in an "out-of-pocket loss" of \$12,000 per employee.

"I took these allegations very seriously, as Chicago Fire Department employees must operate with the full trust of Chicago residents and taxpayers. I will not tolerate anything less, and those who violate that trust by breaking rules and engaging in prohibited conduct will be disciplined," the commissioner said.

Ferguson declined to comment on the rebuke.

Hoff noted that his June 2010 decision to tighten mileage reporting, closely monitor reports and spot check actual mileage read-outs has already reduced the average monthly reimbursement from \$26,000 to \$10,000.

He also demoted Nick Russell, deputy commissioner of the Fire Prevention Bureau, and Sal Marquez, the deputy chief who works under him, for exercising lax supervision.

“While I feel confident that these new reimbursement policies have addressed the process, it has not dealt with the root of the problem — the culture within the Fire Prevention Bureau that operated on a ‘because we have always done it this way’ mentality. The status quo will not work for me,” Hoff said.

Even the watered-down punishment did not sit well with Tom Ryan, president of the Chicago Firefighters Union Local 2, who apparently plans to challenge the firings and suspensions.

“We are going to protect the rights of our members here and are looking at all of the options available to them through our contract and the grievance process,” Ryan said in a prepared statement.

Last month, Mayor Rahm Emanuel telegraphed the decision to overrule the inspector general by arguing that constant corruption in the Fire Prevention Bureau over the years was “not just a personnel issue.

“I don’t want to just say, ‘These people are responsible,’ because there’s a culture if you have a repetitive problem. That is what I want to get to. ... I’ve directed Commissioner Hoff to deal with it — roots and all,” the mayor said then.

At the time, Emanuel warned that a grievance process required by the union contract could drag on for months and end up costing Chicago taxpayers more than the fraud.

“That where we’re caught. ... This is a classic [case] of getting caught between a rock and a hard place,” the mayor said then.

“If ... all 54 got fired for the collective \$100,000 in mistakes, through that process that takes close to 10 months, you could end up costing us more than the \$100,000 of the original violation.”

The Chicago Sun-Times reported last month that Ferguson had recommended the termination of 54 firefighters — half the staff of the Fire Prevention Bureau — for allegedly falsifying mileage used to reimburse them for driving their personal vehicles to inspections.

The alleged fraud cost Chicago taxpayers more than \$100,000 in 2009 alone, but has been going on for years, according to several of the accused firefighters who allegedly acknowledged padding mileage expenses after being confronted with evidence from GPS-equipped cell phones that have tracked their movements since a 2007 scandal.

In 2009, the firefighters were reimbursed at the IRS rate of 55 cents-a-mile with an unspecified monthly cap. The worst offenders allegedly worked backward from the cap and falsified their mileage to justify claiming the maximum.

Earlier this week, Emanuel ordered an overhaul of the city’s travel and mileage reimbursement policies —and suspended all payments until it’s done.

The move was widely viewed as setting the stage for a lesser penalty than the inspector general wanted.
