

THE STATE WORKER MAY 27, 2015

Cal Fire settles punishments for three former academy employees

HIGHLIGHTS

Open-ended demotions reset for two years

Third demotion cut from six months to three months

Changes negotiated as Cal Fire leadership is criticized



Ken Pimlott, director of the California Department of Forestry and Fire Protection, has protested that two disciplined workers regained previous ranks via jobs with new units. A union official criticized Pimlott for that stance. | **Rich Pedroncelli** - The Associated Press

BY JON ORTIZ
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A fire captain demoted in January for drinking on state time has reached an agreement that cut his punishment in half – and he has already regained the rank he lost.

Meanwhile, the Department of Forestry and Fire Protection, or Cal Fire, and two other employees agreed to a two-year term on their previously open-ended demotions. They also waived some of their rights to appeal if they break the terms of their new punishments.

All three employees, Russell Kane, Bryant Camarena and Daniel Valenzuela, were connected to a sex-and-booze scandal that hit the department's Ione academy last year. A total of 16 Cal Fire employees in January either lost their jobs or rank as a result.

Kane allegedly consumed alcohol while on duty, according to public disciplinary records obtained by The Sacramento Bee, allowed cadets to do the same and drank with Cal Fire colleagues on other occasions. The department's two-part discipline rejected Kane on probation as a battalion chief, which lowered him one rank to fire captain. Then Cal Fire demoted him to fire apparatus operator for six months to the end of July.

After appealing his punishment, Kane reached a settlement with Cal Fire that cut his demotion time to three months that ended April 30. He is now working as a fire captain again in Cal Fire's Amador-El Dorado Unit, department spokeswoman Janet Upton said.

Investigators alleged that Camarena used a state cellphone to access "a considerable amount" of links from a website with sexual photos of women, according to the disciplinary records. He accessed some of the sites while on duty, the records state, and displayed the sexually explicit photos to co-workers in the workplace. He also allegedly drank alcohol at one graduation celebration and allowed subordinates to drink at three celebrations.

Cal Fire originally demoted Camarena two ranks, from battalion chief to fire apparatus engineer, for an unspecified time.

Like Kane, Camarena appealed. The settlement reached earlier this month states that he must remain at the lower rank for two years before he can promote to fire captain, which is still one level below the rank he lost.

Disciplinary records reviewed by The Bee show Valenzuela appealed his one-rank demotion from fire captain to fire apparatus engineer and 30-day suspension without pay. His alleged violations included drinking on duty, using a Cal Fire vehicle to give drunken cadets a ride from a bar and using a state cellphone to share sex club links and to store and share pornography.

Valenzuela's settlement requires he remain a fire apparatus engineer for two years before he is eligible to promote again in January 2017.

The settlements between all three employees and the department were reached during May 7 hearings before a State Personnel Board administrative law judge. The deals avert a public hearing with witnesses that would have an uncertain outcome.

A day earlier, Cal Fire Director Ken Pimlott said publicly that he was displeased that two other employees demoted in the aftermath of the Ione scandal had quickly been promoted back up with new units.

Pimlott has since placed both those men on administrative leave and is attempting to demote them and a third employee again, according to their union. California Department Fire Fighters Local 2881 is fighting the move as double jeopardy. Union President Mike Lopez last week blasted Pimlott, saying the actions against the employees showed Pimlott's weak leadership.

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Chris Hickman

20 minutes ago

What is there to "settle"?

There are two rules of employment:

- #1: The boss is always right.
- #2: If the boss is wrong, refer to rule #1.

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