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# Monthly Report on Overtime in the Oakland Fire Department: Fiscal Year (FY) 2017-18

SEPTEMBER 25, 2018

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### Attachments (3):

1. Article 4.2.4 Fire Suppression Staffing, IAFF, Local 55 MOU
2. Memo regarding Fire Chief Approval for Overtime, November 8, 2017
3. Overtime Spending for Fiscal Year (FY) 2017-18

**EXECUTIVE SUMMARY**

The purpose of this report is to summarize staffing vacancies and efforts to fill vacant positions in the Oakland Fire Department (OFD) from April through August 2018.

**BACKGROUND / LEGISLATIVE HISTORY**

At its February 27, 2018 meeting, the Public Safety Committee requested that the Oakland Fire Department (OFD) and Oakland Police Department (OPD) provide a monthly report on overtime use in their respective departments. While OPD was asked to provide specific information regarding their use of overtime, there were no specific questions directed to OFD.

OFD also prepared a report for the April 24, 2018 Public Safety Committee. Staff received no comments on the report, or questions pertaining to overtime usage.

**ANALYSIS AND POLICY ALTERNATIVES**

***Departmental Overview***

OFD operates twenty-five (25) fire stations located throughout the city, twenty-four (24) hours per day, seven (7) days per week. OFD is responsible for fire and medical dispatch, fire prevention, fire suppression, mitigation, emergency medical response, specialized rescue operations, fire investigation, emergency management, and fire code inspection within the city.

OFD is authorized five hundred and eight (508) full time equivalent sworn personnel and ninety-four and nine hundredths (94.09) civilian personnel, for a total of six hundred and two and nine thousandths (602.09) full time equivalents.

OFD sworn members operate using a “chain of command” or “rank” system. **Table 1** shows the department’s sworn rank organizational structure by job classification:

**Table 1. Sworn Ranks**

Rank
Fire Chief
Deputy Chief of Fire Department
Battalion Chief
Assistant Fire Marshal (Sworn)
Captain of Fire Department
Lieutenant of Fire Department
Fire Investigator
Engineer of Fire Department
Firefighter Paramedic
Firefighter

There are eleven (11) 40-Hour staff positions; and there are four hundred and ninety-seven (497) 24-Hour shift positions totaling five hundred and eight (508) authorized sworn members. Operationally, OFD fire suppression shift staff is organized into three (3) shifts referred to as A, B and C Shift. Members operate on a 24/48 schedule whereby members work one (1) shift (24-

Hours) followed by two (2) days off.

**Fire Suppression Minimum Staffing**

The Memorandum of Understanding (MOU) with the International Association of Firefighters, Local 55 (Local 55) guides working conditions of the represented OFD sworn personnel. Also, OFD operates under an MOU with the Port of Oakland which guides the Aircraft Rescue Fire Fighting (ARFF) Services provided at the Oakland International Airport.

Section 4.2.4 of the MOU between the City and Local 55 identified through the year 2027 daily minimum staffing levels for "Fire Suppression Staffing" of OFD sworn members (**Attachment 1**). The MOU minimum staffing sets a daily number of sworn staff, broken out by specific ranks, which must be in the field at any given time. The total suppression staffing equates to one hundred and thirty-seven (137) sworn members per shift and four hundred and eleven (411) members to cover all three (3) shifts. This staffing level includes the ARFF staffing requirements of a minimum of six (6) sworn personnel (one (1) Officer and five (5) Firefighters).

**Table 2** shows the minimum fire suppression staffing by rank required based upon these two (2) MOUs.

**Table 2. Fire Suppression Minimum Staffing**

Rank	Daily Staffing	A, B, C Shift Staffing
Battalion Chief	3	9
Captain of Fire Department	13	39
Lieutenant of Fire Department	19	57
Engineer of Fire Department	24	72
Fire Investigator	1	3
Firefighter Paramedic	26	78
Firefighter	51	153
<b>Total Minimum Staffing</b>	<b>137</b>	<b>411</b>

Sworn members are assigned daily as follow:

- Three (3) Battalions staffed with one Battalion Chief each
- Twenty-four (24) Engine Companies each staffed with a minimum of one (1) Officer, (1) one Engineer, one (1) Firefighter Paramedic and one (1) Firefighter
- One (1) Aircraft Rescue Firefighter (ARFF) company staffed with a minimum of one Captain and five (5) Firefighters
- Seven Truck Companies staffed as follows:
  - Three (3) Truck companies with a minimum of one (1) Captain and (3) three Firefighters;
  - One (1) Truck company with a minimum of one (1) Captain, one (1) Firefighter Paramedic and two Firefighters;

- Two (2) Truck companies with a minimum of one (1) Captain and four (4) Firefighters;
- One (1) Truck company staffed with a minimum of one (1) Captain, one (1) Firefighter Paramedic and three (3) Firefighters; and
- One (1) Fire Investigator.

The positions shown in **Table 2** are the *minimum* number of sworn positions per shift. However, achieving this daily staffing level is hampered by the following:

- Vacancies;
- "40-Hour" Staff Assignments;
- Training;
- Vacation;
- Injuries;
- Deployments; and
- Other time off.

**Efforts to Reduce Overtime Usage in Sworn Ranks**

Due to the MOU fire suppression minimum staffing provision for sworn members, OFD has two primary areas of focus on reducing overtime use: 1) filling vacancies and 2) analysis and training required to reduce the number of preventable injuries in all ranks. **Table 3** shows by rank sworn funded positions that are vacant as of August 31, 2018:

**Table 3. Fire Suppression Sworn Vacancies by Rank**

Rank	Authorized	Filled	Vacant
Battalion Chief	9	9	0
Captain of Fire Department	51	41	13
Lieutenant of Fire Department	67	62	5
Engineer of Fire Department	84	80	4
Fire Investigator	3	2	1
Firefighter Paramedic	93	87	6
Firefighter - Suppression	168	161	7
Firefighter - Airport	19	7	12
<b>Total Filled / Vacant</b>	<b>497</b>	<b>443</b>	<b>48</b>

\*excludes eleven (11) 40-Hour Sworn Staff Assignments (Fire Chief, 2 Deputy Chief, Assistant Chief, 2 Battalion Chief, Assistant Fire Marshal, 3 Captain, 1 Engineer)

A small academy, Academy 1-2018, commenced on January 22, 2018 with one (1) Firefighter Paramedic Trainee and five (5) Firefighter Trainees. Four (4) Trainees graduated from the Academy on May 11, 2018. These recruits have been included in the Table 3 above.

In August, the Department promoted two (2) Battalion Chiefs to the rank of Deputy Chief of Fire. Two members were promoted from Captain to the rank of Battalion Chief, and 13 members were promoted to the rank of Lieutenant of Fire.

The Department will be conducting additional screenings to determine candidate placement into a Recruit Academy planned for Late Winter/Spring 2019.

OFD recently learned that it had been awarded a \$4.2 million-dollar Staffing for Adequate Fire and Emergency Response (SAFER) Grant from the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA). SAFER Grants are intended to assist fire departments to increase and/or maintain the number of firefighters in their community and to comply with National Fire Protection Association (NFPA) *Standard 1710: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Volunteer Fire Departments*.

**Table 4** shows by classification funded civilian vacancies as of August 31, 2018 that have no confirmed start date:

**Table 4. Civilian Vacancies by Classification**

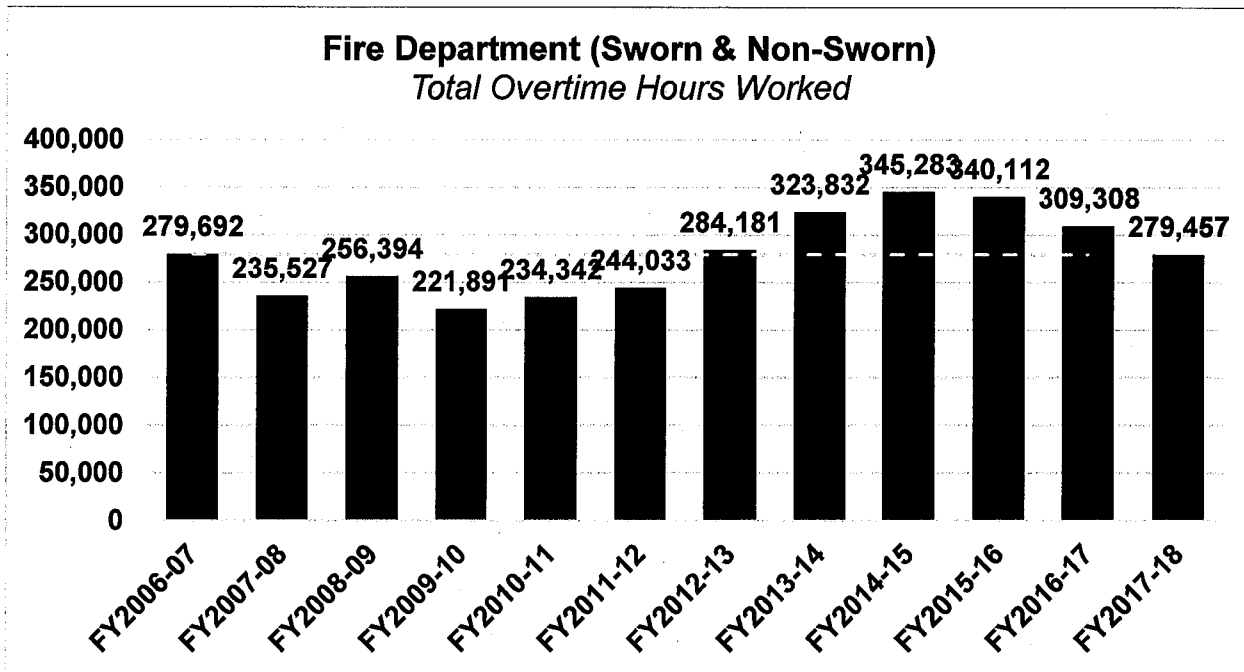
<b>Classification</b>	<b>Vacant</b>
Administrative Assistant II	1.0
Emergency Planning Coordinator, Sr.	2.0
Fire Communications Dispatcher, Sr	1.0
Fire Communications Dispatcher	1.0
Fire Marshal, Non-Sworn*	1.0
Fire Prevention Bureau Inspector, Civilian	1.0
Fire Protection Engineer	1.0
Office Assistant I, PPT	1.0
Fireboat Attendant, PT	0.2
<b>Total Vacant</b>	<b>9.2</b>

\* Interim Fire Marshal hired effective May 7, 2018

***Management of Overtime Usage***

OFD Policy and Procedure 400.9, Overtime Sworn Personnel provides guidance on overtime approval, tracking and accountability. As noted above, OFD sworn personnel utilize the TeleStaff system to track staff hours, including overtime. This system can generate reports and data showing overtime use. OFD has and will continue to work to ensure that overtime use is being used to fill a specific operational need. For the past eleven (11) years, the total of overtime hours worked has averaged two hundred and seventy-nine thousand five hundred and four (279,504) hours. In FY 2014-15, overtime use reached a high of three hundred and forty-five thousand two hundred and eighty-three (345,283) hours and in FY 2017-18, the number of hours was reduced to two hundred and seventy-nine thousand and four hundred and fifty-seven (279,457) or a more than nineteen percent (19%) reduction in overtime hours. Please see **Chart 1** below for more information.

**Chart 1. OFD Total Overtime Hours Worked (2006-2018)**



OFD have also taken steps to further minimize overtime not related to backfill to maintain minimum staffing levels in fire suppression and fire dispatch center. The most recent action includes issuing a memo (November 8, 2017) to the Deputy Chiefs and Division Managers, directing that overtime needs outside of fire suppression and fire dispatch center minimum staffing requirements must be submitted at least forty-eight (48) hours in advance for review to identify, and appropriate funding source and must have Fire Chief approval (**Attachment 2**).

**OFD Sworn Relief Usage**

The main contributing factor to overtime is the MOU minimum staffing - Article 4.2.4 Fire Suppression Staffing (**Attachment 1**). This provision is in effect through June 30, 2027. The MOU requires the above described daily fire suppression staffing. Each day where TeleStaff, the software program used to manage the staffing levels within the Oakland Fire Department, shows required minimum fire suppression staffing will be inadequate, members volunteer or are mandated to work at an overtime rate to achieve this staffing level.

Relief staff is utilized with the sworn ranks to cover minimum staffing requirements for coverage of regular day off (RDO). Additionally, relief staff is utilized to cover vacation, sick, disability leaves, and for unfilled vacancies. Relief (backfill) staff is paid at a rate that is one and a half (1.5) times the regular rate. California Labor Code Section 4850 permits sworn members to take up to a one (1) year leave of absence at full pay, and without a tax deduction, for persons temporarily or totally disabled due to an industrial injury.

The Department averages twenty-five to thirty (25-30) members per month on 4850 leave, 1-2 members per month on long term non-industrial disability leave, or on light duty assignments. **Table 5** shows the sworn vacancies, hours of vacation, sick and disability leaves taken for FY 2017-18 .

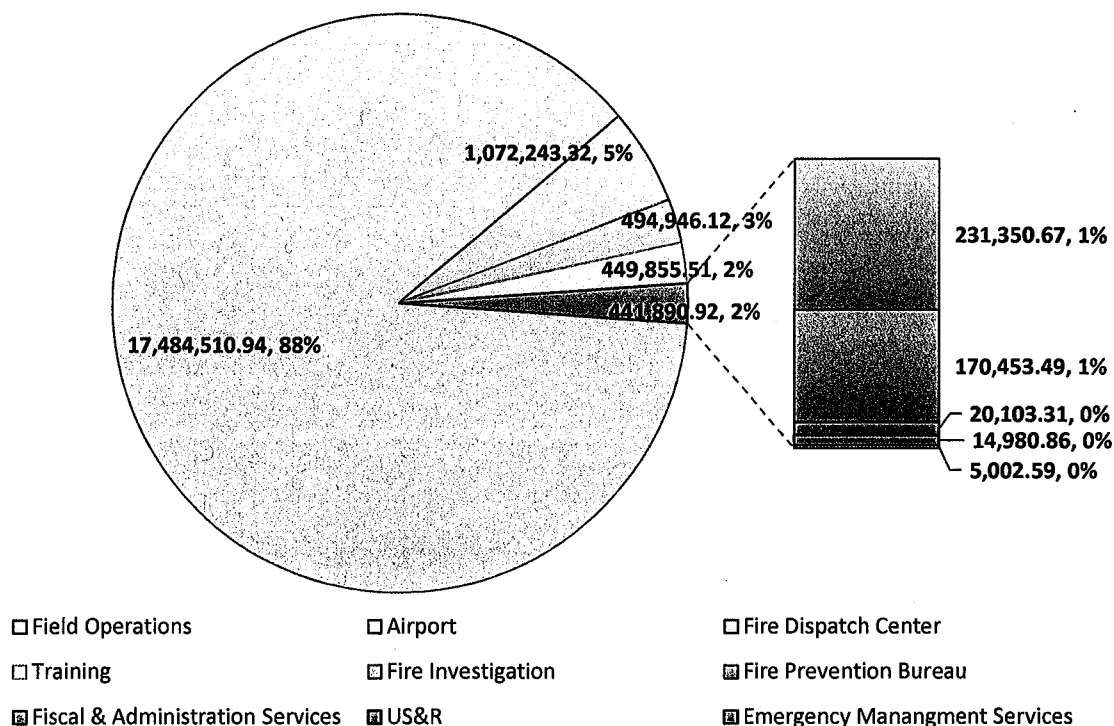
**Table 5. OFD Sworn Hours of Vacation, Sick, Disability Leave**

Leave Hours	FY 2017-18
Vacation Hours Taken	6,737.00
Sick Hours Taken	5,208.25
Worker's Compensation Hours	5,021.00
<b>Total Hours</b>	<b>16,966.25</b>
Sworn Vacancies (Year End)	55

**Overall Fire Department Overtime Usage**

Staffing shortages due to unfilled vacancies are predictable and costs are covered by the budgeted vacancy. Staffing shortages due to sick leave, family medical leave under the Family Medical Leave Act (FMLA), industrial illness or injury, military leave and mutual aid are unpredictable and costs are unbudgeted. **Chart 2** shows a breakdown of OFD overtime usage by division in Fiscal Year (FY) 2016-17.

**Chart 2. FY 16-17 Overtime Usage by Division**



In FY 2016-17, ninety-three percent (93%) of overtime authorized was authorized to meet the Local 55 and ARFF MOU staffing requirements.

**Chart 4** (below) shows a breakdown of OFD overtime usage by division for fiscal year, FY 2017-18, ending June 30, 2018. **Ninety-six percent (96%) of overtime authorized in FY 2017-18 was authorized to meet the Local 55 and ARFF MOU staffing requirements.**

Please refer to **Attachment 3** for additional details on overtime use for FY 2017-18.

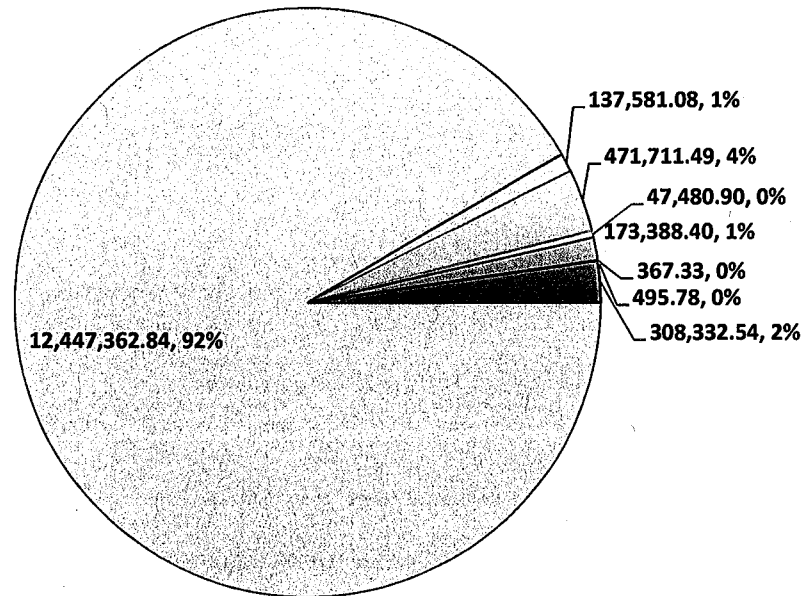


In order to ensure that minimum staffing is in place at every fire station and at the Fire Dispatch Center, voluntary and mandated backfill is utilized. For sworn suppression personnel, vacancies occur due to sick leave use, vacation leave, family medical leave use, industrial and non-industrial injury leaves and the scheduled regular day off (RDO).

At the Fire Dispatch Center, vacancies occur primarily in two (2) ranks (Fire Communications Dispatcher and Fire Communications Supervisor). Fire Dispatch Center personnel use sick leave, vacation leave, family medical leave, industrial and non-industrial leave, and compensatory time. All leave requires backfill to maintain minimum public safety service delivery to the community.

The majority of the overtime that is accumulated in the Fire Prevention Bureau are for expedited plan review or inspection services, costs which are recoverable to the City.

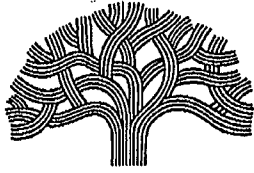
**Chart 4. FY 2017-18 Overtime Usage by Division**



- Field Operations
- Fire Investigation
- Airport
- Training & Support Services
- Fire Prevention Bureau
- Emergency Management Services
- Fiscal & Administration Services
- Medical Services

**CONCLUSION**

OFD will continue to work cooperatively to explore and implement measures to control expenditures and improve accountability.



CITY OF OAKLAND

**INTER OFFICE MEMORANDUM****TO:** Executive Team**FROM:** Darin White  
Fire Chief**SUBJECT: APPROVAL OF OVERTIME****DATE:** November 8, 2017

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**Approval****Date**

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Effective immediately, all overtime unrelated to backfill for sworn vacancies required to meet minimum staffing provisions contained in the IAFF, Local 55 memorandum of understanding (MOU) and Fire Dispatch Center staffing must be submitted to and approved by the Fire Chief. Overtime approval by the Fire Chief is being mandated to ensure that moving forward we have a process and controls for overtime expenditures that fall outside the scope of staffing backfill.

In order to expedite any request for overtime, Division Managers and Deputy Chiefs should be prepared to identify any known funding sources that can be utilized for the overtime request. This information will be routed to the Fiscal and Administrative Services Division Manager for review. As such, these requests should be placed with at least a 48-hour lead time prior to the anticipated need for overtime and are to be submitted via e-mail (or hard copy) with attached word doc, memo, or 538-8.

Although this information was communicated directly to each Executive staff member on Wednesday November 1, 2017, this memo serves to memorialize the requirement. Division Managers and Deputy Chiefs are to share this information with their respective senior staff members/supervisors.

Respectfully,

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Darin White  
Fire Chief