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OFFICE OF THE CITY CLERK  
OAKLAND

2018 OCT 10 PM 12:18

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Anne E. Kirkpatrick  
Chief of Police

**SUBJECT:** Monthly Report on Police Overtime

**DATE:** September 25, 2018

City Administrator  
Approval

Date

10/9/18

## RECOMMENDATION

**Staff Recommends That The City Council Receive This Monthly Report From The Oakland Police Department (OPD) That Includes Information On Overtime Policies, Procedures, And Controls.**

## EXECUTIVE SUMMARY

The purpose of this informational report is to provide data on overtime policy, use, and accountability in OPD as of July 31, 2018.

## BACKGROUND AND LEGISLATIVE HISTORY

On October 24, 2017, staff presented a report titled "Fiscal Year (FY) 2016-17 Fourth Quarter Revenue and Expenditure Results and Year-End Summaries for the General Purpose Fund (GPF, 1010) and Eight Selected Funds; and General Purpose Fund (GPF, 1010) Carryforward for FY 2017-18; and Overtime Analysis for the General Purpose Fund (GPF, 1010) and All Funds" to the Finance and Management Committee. In response, the Finance and Management Committee requested a supplemental report with the following additional information:

- What are the policies, procedures, and processes in place in each Department for Authorizing and Controlling Overtime?
- If backfill overtime is authorized, who is responsible, for what purposes is it authorized, and which personnel are used to cover for others?
- Who is in charge of decision making and accountability for overtime? What rank/level?

The Finance and Management Committee requested that each department articulate how the department will control overtime expenditures with real actionable changes to policies, procedures, and processes, and corresponding accountability mechanisms.

On January 9, 2018, staff presented the first supplemental report to the Finance and Management Committee as well as the Public Safety Committee. Members of both committees stated that they were unable to locate the information they were seeking in the report. One of the concerns expressed by committee members was that it was difficult to distinguish

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information concerning OPD from information concerning OFD. In response, OPD and OFD each drafted standalone comprehensive overtime reports that were responsive to the initial questions posed by Finance and Management Committee members on October 24, 2017 as well as the concerns expressed by Finance and Management Committee members and Public Safety Committee members on January 9, 2018.

On February 27, 2018, staff presented the second supplemental report to the Finance and Management Committee and the Public Safety Committees. In response, the Public Safety Committee requested a monthly report from both OPD and OFD, and additional information from OPD. All of the below information has previously been provided to the Public Safety Committee:

- The different categories in the overtime budget including actual amounts.
- A breakdown of the areas where overtime is budgeted.
- An explanation of who approves overtime expenditures.
- What amount is approved for each commander (such as area captains) and how this amount is tracked to ensure that it is not overspent.
- An explanation of the service level demands that have resulted in an insufficient overtime budget including a justification for critical work that has resulted in an appreciable decrease in crime.
- An explanation of why reimbursable events are included in the list of Special Event/ Enforcement overtime and what the tracking mechanisms concerning reimbursement.
- Specific Negotiated Settlement Agreement (NSA) requirements and actual overtime costs created by each.
- Overtime reduction strategies and tracking to ensure reduction.

On April 24, 2018, staff presented a monthly overtime report to the Public Safety Committee. In response, the Public Safety Committee requested information concerning the effectiveness of OPD's overtime reduction strategies as well as clarification concerning OPD Special Events and Special Enforcement as well as reimbursable overtime. On May 22, 2018, OPD presented an overtime report that included information on overtime reduction strategies and clarification about OPD Special Events and Special Enforcement as well as reimbursable overtime. On June 26, 2018, OPD presented information about the impact on patrol while filling overtime positions for special events on overtime as well as negative impacts on the performance and conduct of individual officers who work large amounts of overtime.

### **ANALYSIS AND POLICY ALTERNATIVES**

As of June 31, 2018, OPD spent \$2,895,804 in General Purpose Fund (GPF) overtime for FY 2018-19. **Attachment A** provides breakdowns by element and by organizational code (org).

The OPD overtime policy has been rewritten and is expected to go into effect by November 2018. The new policy will allow for greater overtime-use accountability.

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**FISCAL IMPACT**

The adopted GPF overtime budget for OPD for FY 2018-19 was \$12.34 million. The internal GPF overtime budget for OPD for FY 2017-18 was \$21 million.

**PUBLIC OUTREACH / INTEREST**

This item does not require additional public outreach, other than posting on the City's website.

**COORDINATION**

This report was prepared by OPD Research and Planning in coordination with OPD Fiscal Services.

**SUSTAINABLE OPPORTUNITIES**

***Economic:*** There are no economic opportunities associated with this item.

***Environmental:*** There are no environmental opportunities associated with this item.

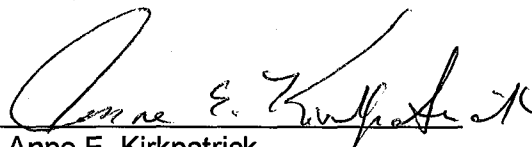
***Social Equity:*** There are no social equity opportunities associated with this item.

**ACTION REQUESTED OF THE FINANCE AND MANAGEMENT COMMITTEE**

Staff Recommends That The City Council Receive This Monthly Report From The Oakland Police Department (OPD) That Includes Information On Overtime Policies, Procedures, And Controls.

For questions regarding this report, please contact Timothy Birch, Police Services Manager I, at (510) 238-6443.

Respectfully submitted,



Anne E. Kirkpatrick  
Chief of Police  
Oakland Police Department

Prepared by:  
Timothy Birch, Police Services Manager I  
OPD, Training Division, Research and Planning

Reviewed by:  
Oliver Cunningham, Deputy Chief of Police  
OPD, Bureau of Investigations

Attachments (1):

A – Overtime spent in the Oakland Police Department as of July 31, 2018

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Public Safety Committee  
October 23, 2018

## Oakland Police Department Overtime Expended July 1, 2018 to July 31, 2018

OPD OT BY  
ELEMENT:

Type of Overtime	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Tota
Acting Higher Rank	42,200												42,200
Administrative Investigation	103,300												103,300
Backfill	616,507												616,507
Callback	107,474												107,474
Canine	3,220												3,220
Community Meetings	376												376
Comp Time Earned	33,309												33,309
Court	26,882												26,882
Extension of Shift	486,968												486,968
FLSA	105,135												105,135
Holiday	286,049												286,049
Recruiting/Background	74,441												74,441
Special Events/Enforcement	807,940												807,940
Training	202,003												202,003
<b>Total</b>	<b>2,895,804</b>												<b>2,895,804</b>





## Oakland Police Department Overtime Expended July 1, 2018 to July 31, 2018

Organizational Unit	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Tota
107510 - Traffic Operations	64,487												64,487
107710 - Special Operations	542,544												542,544
108010 - District Command Administration	2,682												2,682
108110 - Area 1	372,197												372,197
108120 - Area 2	184,136												184,136
108130 - Area 3	211,680												211,680
108140 - Area 4	139,550												139,550
108150 - Area 5	297,194												297,194
108630 - Ceasefire	147,168												147,168
108710 - Neighborhood Services Section 1	517												517
108820 - Neighborhood Services Section 2	243												243
<b>Total</b>	<b>2,895,804</b>												<b>2,895,804</b>





FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2018 SEP 12 PM 4:43

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Anne E. Kirkpatrick  
Chief of Police

**SUBJECT:** Monthly Report on Police Overtime

**DATE:** August 28, 2018

City Administrator  
Approval

Date

9/11/18

## RECOMMENDATION

**Staff Recommends That The City Council Receive This Monthly Report From The Oakland Police Department (OPD) That Includes Information On Overtime Policies, Procedures, And Controls.**

## EXECUTIVE SUMMARY

The purpose of this informational report is to provide data on overtime policy, use, and accountability in OPD as of June 30, 2018.

## BACKGROUND AND LEGISLATIVE HISTORY

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- What are the policies, procedures, and processes in place in each Department for Authorizing and Controlling Overtime?
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Public Safety Committee  
September 25, 2018

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- The different categories in the overtime budget including actual amounts.
- A breakdown of the areas where overtime is budgeted.
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### ANALYSIS AND POLICY ALTERNATIVES

As of June 30, 2018, OPD spent \$28,486,914 in General Purpose Fund (GPF) overtime for FY 2017-18. **Attachment A** provides breakdowns by element and by organizational code (org).

The OPD overtime policy has been rewritten and is expected to go into effect by November 2018. This policy should serve to provide greater accountability for overtime use.

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September 25, 2018

**FISCAL IMPACT**

The adopted GPF overtime budget for OPD for FY 2017-18 was \$12.4 million. The internal GPF overtime budget for OPD for FY 2017-18 was \$21 million.

**PUBLIC OUTREACH / INTEREST**

This item does not require additional public outreach, other than posting on the City's website.

**COORDINATION**

This report was prepared by OPD Research and Planning in coordination with OPD Fiscal Services.

**SUSTAINABLE OPPORTUNITIES**

***Economic:*** There are no economic opportunities associated with this item.

***Environmental:*** There are no environmental opportunities associated with this item.

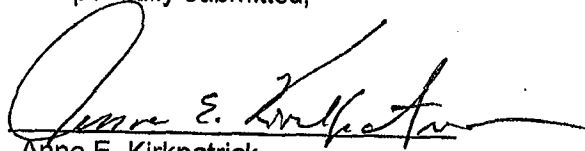
***Social Equity:*** There are no social equity opportunities associated with this item.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Receive This Monthly Report From The Oakland Police Department (OPD) That Includes Information On Overtime Policies, Procedures, And Controls.

For questions regarding this report, please contact Timothy Birch, Police Services Manager I, at (510) 238-6443.

Respectfully submitted,



Arne E. Kirkpatrick  
Chief of Police  
Oakland Police Department

Prepared by:  
Timothy Birch, Police Services Manager I  
OPD, Training Division, Research and Planning

Reviewed by:  
Oliver Cunningham, Deputy Chief of Police  
OPD, Bureau of Investigations

Attachments (1):

A – Overtime spent in the Oakland Police Department as of June 30, 2018

Item: \_\_\_\_\_  
Public Safety Committee  
September 25, 2018

## Oakland Police Department Overtime Expended July 1, 2017 to June 30, 2018

OPD OT BY  
ELEMENT:

Type of Overtime	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Acting Higher Rank	45,424	40,777	46,072	51,353	21,728	37,954	22,973	17,116	34,424	41,220	40,044	63,914	462,998
Administrative Investigation	72,796	84,219	77,725	74,883	77,476	100,259	85,118	81,450	71,929	91,897	94,608	84,310	996,670
Backfill	502,853	572,826	466,242	415,773	367,994	397,937	334,133	295,652	426,689	427,443	490,927	468,854	5,167,322
Callback	84,356	55,928	65,053	71,870	63,122	62,789	61,355	53,390	97,246	71,661	79,924	81,485	848,177
Canine	2,504	2,768	2,975	3,125	3,069	2,542	3,069	2,956	3,125	3,125	3,201	3,069	35,525
Community Meetings	412	555		1,236		412			381	369	1,925	1,202	6,492
Comp Time Earned	23,222	13,870	19,544	12,912	17,833	13,511	22,312	24,262	17,830	24,181	32,348	40,925	262,749
Court	16,413	19,084	18,952	19,476	12,223	17,635	22,572	33,194	49,117	34,377	39,606	26,854	309,503
Extension of Shift	359,178	408,978	370,172	355,667	390,567	348,638	305,191	328,158	373,637	412,859	485,991	446,921	4,585,956
FLSA	69,118	83,503	95,089	120,107	102,954	71,369	70,994	84,269	60,423	99,816	89,762	144,144	1,091,546
Holiday	185,180	597	349,938	9,565	524,635	165,027	364,466	543,155	1,146	(703)	227,357	3,914	2,374,278
Recruiting/Background	51,855	48,610	52,016	64,411	57,673	40,713	48,839	46,979	59,083	74,506	95,966	55,285	695,936
Special Events/Enforcement	595,825	857,590	871,233	1,007,962	633,816	778,686	466,657	561,508	688,484	844,975	1,184,967	1,158,386	9,650,089
Training	80,861	97,741	216,276	210,869	163,722	116,707	224,387	179,990	180,535	114,078	208,452	206,049	1,999,667
<b>Total</b>	<b>2,089,998</b>	<b>2,287,044</b>	<b>2,651,286</b>	<b>2,419,208</b>	<b>2,436,811</b>	<b>2,154,178</b>	<b>2,032,065</b>	<b>2,252,079</b>	<b>2,064,049</b>	<b>2,239,804</b>	<b>3,075,078</b>	<b>2,785,313</b>	<b>28,486,914</b>

## Oakland Police Department Overtime Expended July 1, 2017 to June 30, 2018

OPD OT BY  
ORG:

Organizational Unit	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
101110 - Office of Chief - Administration	1,262	1,605	1,266	683	2,835	1,737	2,343	2,750	293		1,711	748	17,231
101112 - Public Information Unit	2,394	3,130	165	1,689	1,772		2,625	2,026	589	1,137	1,008	2,450	18,981
101120 - Internal Affairs	34,176	25,861	25,107	36,529	41,673	36,393	24,278	39,553	26,490	32,044	31,625	25,746	379,471
101130 - Office of the Inspector General	162	21	91	59		59	396	77		342	1,994	1,436	4,631
101140 - Intelligence Unit	3,984	1,695	1,786	2,176	4,524	2,263	3,678	1,290	3,865	6,669	4,827	3,038	39,791
102120 - Property and Evidence	9,700	6,744	7,883	8,361	10,812	13,857	9,952	7,241	10,484	9,659	10,112	10,477	115,281
102130 - Special Victims Section	58,934	72,104	78,442	50,423	48,927	50,111	64,552	83,750	57,860	48,088	71,446	50,934	735,571
102140 - Research, Planning & Crime Analysis			883		475	475	1,366				565		3,761
102280 - Crime Analysis Section		112		29	13							745	891
102310 - Criminal Investigations	5,439	2,878		110	3,049	1,483	0		6,365	341	125	8,377	28,161
102320 - Homicide	74,794	144,044	179,171	106,285	113,038	106,782	95,866	80,911	76,906	100,182	97,890	88,224	1,264,091
102321 - Misdemeanor Crimes & Task Forces	27,111	24,483	28,453	17,533	24,535	20,192	20,140	22,015	28,435	23,266	25,999	36,624	298,781
	14,469	20,561	21,795	21,438	20,972	19,674	19,002	24,176	21,938	14,660	33,767	17,163	249,611

## Oakland Police Department Overtime Expended July 1, 2017 to June 30, 2018

102324 - Felony Assault & Gang Section														
102330 - Robbery & Burglary Section	26,129	22,959	34,079	35,342	17,728	22,608	29,136	32,986	45,214	30,641	48,916	44,339	390,071	
102350 - Youth & School Services Section	9,273	12,158	10,891	10,424	10,868	11,805	15,607	14,182	12,374	7,993	9,542	8,641	133,757	
102610 - Criminalistics Unit	13	234	79	246	283	316	1,147	610		370	288	7	3,595	
103110 - Bureau of Services - Administration Unit	163										1,099		1,261	
103242 - Records & Warrants	48,234	46,091	46,911	49,506	46,597	28,626	51,671	43,985	33,480	37,145	38,220	28,246	498,715	
103310 - Communications Unit	181,758	137,816	171,968	133,125	206,969	198,834	181,398	158,789	159,687	167,429	175,527	173,932	2,047,231	
103430 - Training Unit	79,968	98,386	222,092	236,152	164,302	115,199	256,337	201,430	195,471	115,692	211,280	220,332	2,116,641	
106210 - Police Personnel	14,889	18,927	13,719	12,930	8,125	1,850	5,986	3,564	6,092	6,086	12,348	10,930	115,446	
106410 - Police Information Technology	27,923	28,245	10,355	7,472	8,595	10,851	12,043	9,945	6,521	7,612	11,207	3,942	144,712	
106510 - Fiscal Services	141	292			64				256	255		377	1,385	
106610 - Background & Recruiting	52,343	59,886	56,221	63,525	60,566	48,075	57,052	54,677	64,497	80,414	96,226	61,524	755,007	
106810 - PAS Administration	4,467	1,408	1,568	9,140	3,679	5,690	6,262	3,499	1,847	2,449	4,628	4,269	48,905	
	23,195	20,383	26,847	21,546	22,076	22,726	21,385	9,022	7,482		1,893	26	176,582	

## Oakland Police Department Overtime Expended July 1, 2017 to June 30, 2018

107410 - Support Operations														
107510 - Traffic Operations	20,009	35,903	38,585	39,531	33,511	25,795	32,920	40,985	42,503	40,923	52,366	43,972	447,005	
107710 - Special Operations	382,732	686,834	709,468	906,754	427,010	571,789	338,946	411,157	512,151	699,297	1,014,622	1,135,013	7,795,772	
108010 - District Command Administration	6,028	1,490	4,012	1,977	3,342	4,601	11,835	17,008	7,670	7,588	14,583	10,425	90,560	
108110 - Area 1	215,684	164,459	222,471	162,347	240,324	186,000	193,469	236,942	194,869	196,738	277,854	224,522	2,515,678	
108120 - Area 2	173,849	111,289	143,627	63,377	158,951	145,279	115,925	162,863	96,437	90,446	159,928	93,095	1,515,066	
108130 - Area 3	158,845	148,548	175,879	97,999	169,484	114,913	142,509	139,984	123,668	143,676	200,392	154,689	1,770,587	
108140 - Area 4	136,724	93,838	137,078	68,008	178,349	102,471	92,870	141,548	93,809	124,190	149,137	95,248	1,413,271	
108150 - Area 5	207,159	197,767	233,123	187,579	318,452	190,013	184,378	233,290	199,478	213,787	226,173	187,851	2,579,049	
108630 - Ceasefire	83,082	94,564	43,308	66,309	83,191	92,245	32,188	70,707	28,329	24,866	79,309	28,947	727,045	
108710 - Neighborhood Services Section 1			340			702	681	717			989	307	3,736	
108820 - Neighborhood Services Section 2		225	959	281		762	681	1,244	281	298	4,093	2,116	10,939	
Incorrect Org	4,967	2,104	2,665	322	1,720	0	3,440	(843)	(1,297)	5,521	3,389	6,603	28,592	
<b>Total</b>	<b>2,089,998</b>	<b>2,287,044</b>	<b>2,651,286</b>	<b>2,419,208</b>	<b>2,436,811</b>	<b>2,154,178</b>	<b>2,032,065</b>	<b>2,252,079</b>	<b>2,064,049</b>	<b>2,239,804</b>	<b>3,075,078</b>	<b>2,785,313</b>	<b>28,486,914</b>	





**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Darin White  
Fire Chief

**SUBJECT:** Monthly Report on Public Safety  
Overtime

**DATE:** September 14, 2018

City Administrator  
Approval

Date

9/20/18

**RECOMMENDATION**

**Staff Recommends That The City Council Receive A Report From The Oakland Fire Department (OFD) That Includes Additional Information On Overtime Policies, Procedures, And Controls.**

**EXECUTIVE SUMMARY**

This informational report provides data on overtime policy, use, and accountability in OFD and for fiscal year 2017-18.

**BACKGROUND AND LEGISLATIVE HISTORY**

On October 24, 2017, staff presented a report titled "Fiscal Year (FY) 2016-17 Fourth Quarter Revenue and Expenditure Results and Year-End Summaries for the General Purpose Fund (GPF, 1010) and Eight Selected Funds; and General Purpose Fund (GPF, 1010) Carryforward for FY 2017-18; and Overtime Analysis for the General Purpose Fund (GPF, 1010) and All Funds" to the Finance and Management Committee. In response, the Finance and Management Committee requested a supplemental report with the following additional information:

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Public Safety Committee  
September 25, 2018

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On June 26, 2018, staff presented additional information to the Public Safety Committee on overtime and efforts to reduce overtime within OPD and OFD.

### **ANALYSIS AND POLICY ALTERNATIVES**

An analysis of OFD's overtime usage is provided in **Attachment A**.

### **FISCAL IMPACT**

This item is for informational purposes only and does not have a direct fiscal impact or cost.

Item: \_\_\_\_\_  
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**PUBLIC OUTREACH / INTEREST**

This item does not require additional public outreach, other than posting on the City's website.

**COORDINATION**

OFD coordinated its efforts with the City Administrator's Office.

**SUSTAINABLE OPPORTUNITIES**

**Economic:** There are no economic opportunities associated with this item.

**Environmental:** There are no environmental opportunities associated with this item.

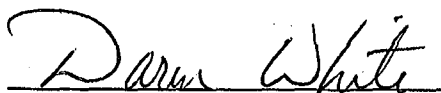
**Social Equity:** There are no social equity opportunities associated with this item.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council receive a report from the Oakland Fire Department (OFD) that includes additional information on overtime policies, procedures, and controls.

For questions regarding this report, please contact Angela Robinson Pinon, Assistant to the Director of Oakland Fire at (510) 238-4055.

Respectfully submitted,



Darin White  
Fire Chief

Attachment:

- A. Report on Overtime Use in the Oakland Fire Department: FY 2017-18

Item: \_\_\_\_\_  
Public Safety Committee  
September 25, 2018

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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 the causes and efforts to reduce overtime use in the Oakland Fire Department (OFD). This report will also demonstrate that the main contributing factor to overtime is the City's compliance with the International Association of Fire Fighters (IAFF), Local 55 memorandum of understanding (MOU) which contains a minimum staffing provision which is in effect through June 30, 2027.

## **BACKGROUND / LEGISLATIVE HISTORY**

At its February 27, 2018 meeting, the Public Safety Committee requested that 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**

<b>Rank</b>
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 MOU with IAFF, 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 follows:

- 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	8	1
Captain of Fire Department	50	42	3
Lieutenant of Fire Department	67	58	14
Engineer of Fire Department	84	75	9
Fire Investigator	3	2	1
Firefighter Paramedic	93	86	7
Firefighter - Suppression	168	158	10
Firefighter - Airport	19	7	12
<b>Total Filled / Vacant</b>	<b>493</b>	<b>436</b>	<b>57</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 thirteen (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**

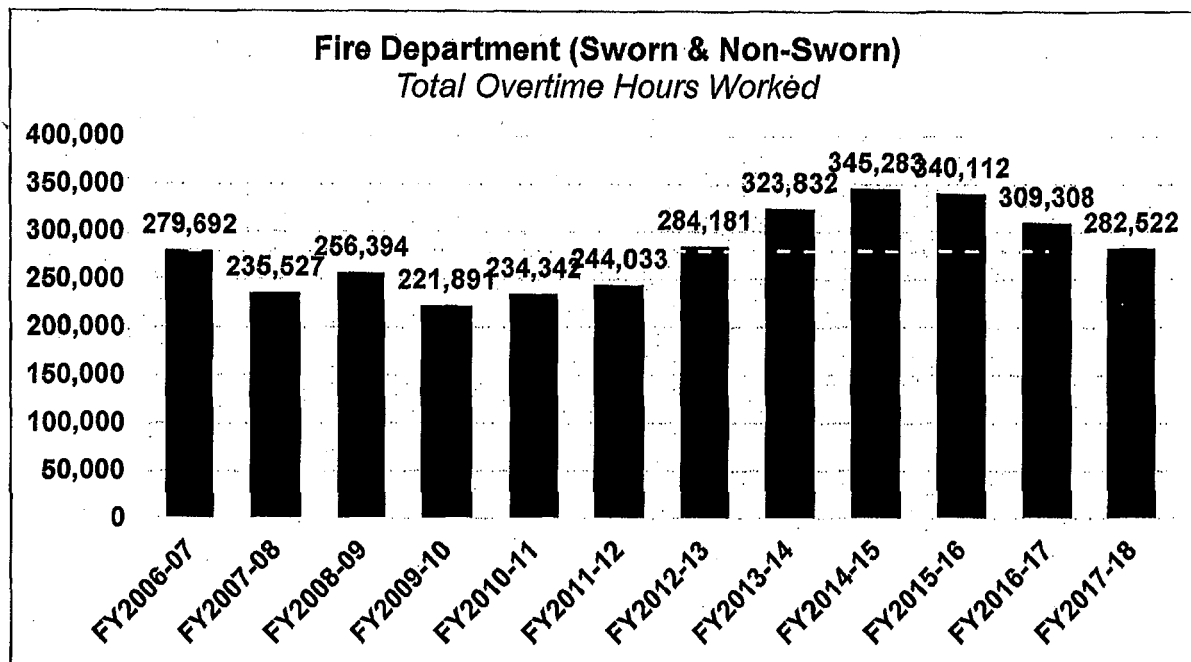
Classification	Vacant
Emergency Planning Coordinator, Sr.	2.0
Fire Communications Dispatcher, Sr	1.0
Fire Communications Dispatcher	2.0
Fire Marshal, Non-Sworn*	1.0
Fire Prevention Bureau Inspector, Civilian	8.0
Fire Protection Engineer	1.0
Office Assistant I, PPT	1.0
Fireboat Attendant, PT	0.2
Vegetation Management Supervisor	1.0
Fire Suppression District Inspector, PT	1.0
<b>Total Vacant</b>	<b>18.2</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 seven hundred and sixty (279,760) 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 eighty-two thousand and five hundred and twenty-two (282,522) or a more than eighteen percent (18%) reduction in overtime hours. **When compared to FY 2016-17, in FY 2017-18 there was nearly a nine percent (9%) reduction in total overtime hours.** Sworn staff accounted for two hundred and sixty-four thousand eight hundred and twenty-three (264,823) hours, or roughly ninety-four percent (94%), of total overtime hours. Civilian staff accounted for seventeen thousand six hundred and ninety-nine (17,699) hours, or roughly six percent (6%), of total overtime hours. Please see **Chart 1** below for more information.

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



Sources: Oracle 11i (2006-2017) and Oracle R12 (2017-2018)

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

**OFD Sworn Relief Usage**

Relief staff is utilized within 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.

**Table 5** contains a summary of the number of hours of overtime worked by sworn rank for FY 2017-18. Please note that totals include overtime paid from all accounts, not just the General Purpose Fund (1010).

The rank of Firefighter required the greatest number of hours of overtime, followed by Engineer of Fire. The ranks which had the least number of hours of mandatory overtime were Fire Investigator and Battalion Chief.

**Table 5. OFD Sworn Hours of Overtime Worked by Rank, FY 2017-18**

Rank	Overtime Hours	Percent of Total
Battalion Chief	13,385.25	5.05%
Captain of Fire Department	35,557.25	13.42%
Lieutenant of Fire Department	51,365.50	19.39%
Engineer of Fire Department	53,491.75	20.19%
Fire Investigator	3,828.00	1.44%
Firefighter Paramedic	41,588.00	15.70%
Firefighter	65,742.50	24.81%
<b>Total Hours</b>	<b>264,958.25</b>	<b>100.00%</b>

\* Source: TeleStaff

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 6** shows the sworn vacancies, hours of vacation, sick and disability leaves taken by sworn, line staff (persons on administrative assignments are not included in these totals) for FY 2017-18. In order to meet OFDs minimum staffing levels, these hours must be filled by members working overtime.

**Table 6. OFD Sworn Hours of Vacation, Sick, Disability Leave, FY 2017-18**

Leave Description	Hours
Vacation Hours Taken	92,855.00
Sick Hours Taken	52,285.50
Worker's Compensation Hours	59,992.00
<b>Total Hours</b>	<b>205,132.50</b>

\* Source: TeleStaff

In FY 2017-18, the total number of leave hours for sworn line staff was two hundred and five thousand one hundred and thirty-two hours (205,132). When compared to the total number of overtime hours worked by sworn staff (264,958 hours), leave use accounts for approximately seventy-eight percent (78%) of overtime. The remaining overtime hours may be attributed to staff on mutual aid or Urban Search and Rescue deployments, upstaffing for special events such as Art and Soul, and increased staffing due to operational need such as Red Flag/High Fire Danger Warnings, and major incidents.

### **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.

In FY 2016-17, ninety-four percent (94%) of overtime authorized was authorized to meet the Local 55 and ARFF MOU staffing requirements.

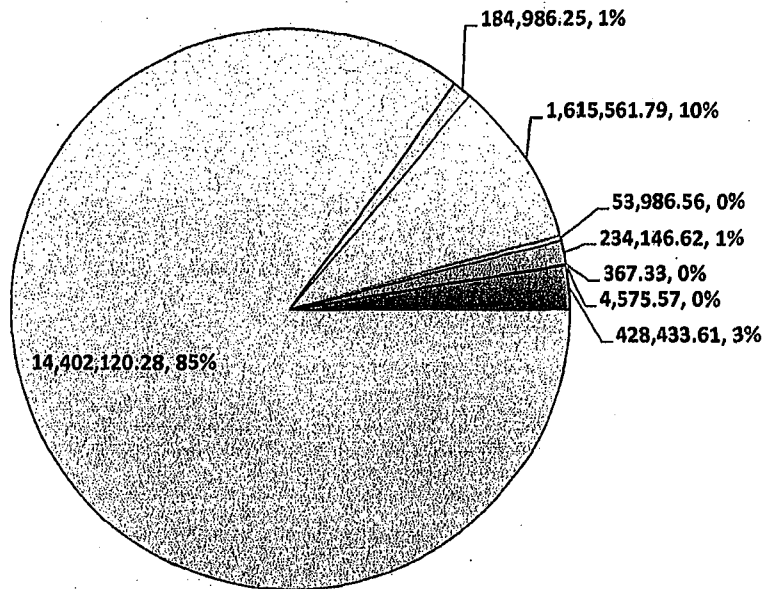
**Chart 2** shows a breakdown of OFD overtime usage by division for fiscal year, FY 2017-18, ending June 30, 2018. **Ninety-six percent (96%) of overtime authorized in FY 2017-18 was authorized to meet the Local 55 and ARFF MOU staffing requirements.** Please refer to **Attachment 3** for additional 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 2. FY 17-18 Overtime Usage by Division**



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

Source: Oracle R12

**CONCLUSION**

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

that the 2014 comprehensive successor MOU will terminate before June 30, 2027 and, for that reason, the parties agree to continue incorporating this Section 4.2: Staffing Agreement in future comprehensive successor MOUs until June 30, 2027.

**4.2.2 Agreement Supersedes Prior Agreements.**

The parties agree that specific provisions contained in this Section 4.2 Staffing Agreement shall supersede any previous agreement, whether oral or written, regarding staffing of bargaining unit positions.

**4.2.3 Definition Of Status Quo.**

After this Section 4.2 Staffing Agreement terminates on June 30, 2027, the status quo ante for all purposes including any interest arbitration under Charter Section 910 or any state statute shall be defined as the Section 4.2 language in this Agreement.

**4.2.4 Fire Suppression Staffing.**

**Engines:** Twenty-four (24) fire engines shall be regularly and routinely staffed, and deployed daily, with the minimum of one Officer, one Engineer, one Firefighter/Paramedic, and one Firefighter.

**Aircraft Rescue Fire Fighting ("ARFF") Fire Station:** During the term of this Section 4.2 Agreement and as long as the Port of Oakland contracts with the City for ARFF services, the ARFF Fire Station shall be regularly and routinely staffed, and deployed daily, with the minimum of six (6) unit members or the number of unit members mandated by federal regulations.

**Trucks:** Four (4) fire trucks shall be regularly and routinely staffed and deployed daily, with the minimum of four (4) unit members per truck (including one officer) and three (3) fire trucks, trucks 1, 2, and 4, shall be regularly and routinely staffed, and deployed daily, with the minimum of five (5) unit members per truck (including one officer).

**4.2.4.1 Companies And Bargaining Unit Members Out Of Service.**

The Fire Chief or sworn designee retains the discretion to temporarily "detail" or place a maximum of seven (7) companies out of service at any one time, inclusive of training company described in Section 4.9 for a maximum of nine (9) hours during a twenty-four (24) hour shift. Such "detail" assignments shall not create an opportunity for nor shall the Department be required to backfill the temporarily vacated station assignment with classified relief. Companies on detail that remain in service on the air shall not be included as a company out of service as defined by this Section.

In addition to the seven (7) companies referenced above, the Fire Chief or sworn designee retains the discretion to temporarily "detail" a maximum of four (4) unit members per shift from their normal station assignments for a maximum of eight (8) hours during a twenty-four (24) hour shift. Such "detail" assignments shall not create an opportunity for, nor shall the Department be required to backfill the temporarily vacated assignment with classified relief.

The Fire Chief or sworn designee retains the discretion to temporarily detail one (1) company out of service because the company's equipment, apparatus, or vehicles are being serviced. The one (1) company removed from service because the company's equipment, apparatus, or vehicles are being serviced is not a "detail" or "a company out of service" as those terms are used in Section 4.2.1.1 and shall not be counted as one of the "maximum of seven (7) companies" in Section 4.2.1.1.

**4.2.4.2 Fire Chief's Right To Reassign.**

The Fire Chief or designee retains the discretion to temporarily reassign one of the five Firefighters from Truck 1, 2, or 4 (i.e., up to three (3) Firefighters per shift) to other duties as the Fire Chief deems necessary. Such reassignments will be made, without limitation, to increase the Department's coverage and response capability. For the purpose of this Section, "increasing the Department's coverage and response capability" includes duties such as responding to known hazards, patrolling at risk areas, performing other operational needs, and providing service in geographic areas where hazards are higher than normal on a given day. In addition, the Department may temporarily reassign one (1) of the five (5) Firefighters from Truck 1, 2, or 4 (i.e., up to three (3) Firefighters per shift) to patrol in the interest of public safety and/or fire prevention on "Red Flag" or "High Hazard Days." The Department's dispatch procedures shall prescribe appropriate modified response procedures in the event of such reassignment(s).

**4.2.5 Fire Prevention Staffing.**

One (1) arson (fire) investigator shall be on-duty each twenty-four (24) hour shift.

**4.2.6 Chief Officer Staffing.**

Three (3) supervisory chief officers (Battalion Chiefs) shall be on-duty each twenty-four (24) hour shift.



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,

A handwritten signature in cursive script that reads "Darin White".

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Darin White  
Fire Chief

**ATTACHMENT 3 - OAKLAND FIRE DEPARTMENT**  
**GPF (1010) Overtime Expenditures**  
July 1, 2017 through June 30, 2018

Division	Organization	Purpose of Overtime	Cost of Overtime	Cost Recovery
Fire Chief	20110 - Chief's Office			
Operations	20411 - Suppression	Maintain minimum staffing levels in accordance with IAFF, Local 55 MOU.	14,402,120.28	Partial <i>Hurricane Harvey Projected Reimbursement \$744,253.82; Hurricane Irma Projected Reimbursement \$1,080,472.04</i>
Operations	20341 - Arson Investigation	Maintain minimum staffing levels in accordance with IAFF, Local 55 MOU.	184,986.25	No
Operations	20814 - Airport	Maintain minimum staffing as required by the MOU between the City and the Port of Oakland for airport rescue firefighting services.	1,615,561.79	Yes <i>reimbursed by Port of Oakland</i>
Training & Support Services	20631 - In-Service Training	Provide staff training to maintain operational effectiveness.	53,184.24	No
Training & Support Services	20816 - Support Services	Overtime as needed to provide logistical support.	802.32	No
Fire Prevention Bureau	20311 - Fire Marshal's Office	After-hours staffing for fire safety education school and other public events	6,881.82	No
Fire Prevention Bureau	20331 - Inspectional Services	Overtime inspection for special event permit, public assembly, festivals, circus, fire alarm, fire underground, fire sprinkler, hood & duct inspections, training, monitor Council meetings for public assembly code requirements	45,310.42	Partial <i>cost recovery is limited to customer requested overtime for special event permit, festival, circus, fire alarm, fire underground, fire sprinkler, or hood &amp; duct inspections</i>
Fire Prevention Bureau	20351 - Engineering Services	Plan review for fire life safety systems such as fire alarm, fire sprinkler, fire underground, hood and duct	151,640.07	Yes <i>customer requested overtime for expedited plan review</i>
Fire Prevention Bureau	20371 - Vegetation Management	After-hours staffing for vegetation management community meetings, Council meetings, time sensitive projects, and data entry	30,314.31	No
Emergency Management Services	20711 - Emergency Services	2.5 hours for Emergency Planning Coordinator to support Valdez Fire on 7/1/17 3 hours for Emergency Planning Coordinator	162.31 205.02	No
Fiscal & Administration Services	20511 - Budget Planning	66 hours due to connectivity issues between TeleStaff and Oracle R12, an Accountant II must manually correct data in order to provide to accurate billing the Port of Oakland for firefighting and emergency response services to the airport.  5 hours for Payroll Personnel Clerk to input timecard due to Telestaff to Oracle Payroll Transfer Issues	4,332.87	No
Fiscal & Administration Services	20551 - Time & Attendance Unit	5 hours for Payroll Personnel Clerk to input timecard due to Telestaff to Oracle Payroll Transfer Issues	242.70	No
Medical Services	20241 - Communications (Fire Dispatch Supervisor)	Backfill for Daily Minimum Staffing & Quarterly Training	244,531.48	No
Medical Services	20251 - Emergency Dispatchers (Fire Dispatcher)	Backfill for Daily Minimum Staffing & Quarterly Training	183,902.13	No