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AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Teresa Deloach Reed
Fire Chief

SUBJECT: Oakland Fire Department Report on
Mandatory Overtime Usage

DATE: October 1, 2015

City Administrator Approval

Date:

10/15/15

RECOMMENDATION

Staff recommends that the City Council accept:

An Informational Report On Mandatory Overtime For The Oakland Fire Department (OFD) And Plans For Reducing The Use Of Mandatory Overtime.

EXECUTIVE SUMMARY

This is an informational report; therefore, no action is required from the City Council. The information contained in this report identifies the department's minimum staffing mandates and staffing assignments, the budgeted OFD sworn staffing, OFD vacancies, attrition, and promotions in sworn positions, the voluntary overtime and mandatory overtime usage since Fiscal Year (FY) 2011-12, the challenges faced with filling the Fire Engineer and the Firefighter Paramedic positions, the efforts taken to reduce overtime usage and the hiring plan through the end of FY 2015-16.

BACKGROUND / LEGISLATIVE HISTORY

On July 30, 2015, Councilmember Guillen submitted a Rules Request to have OFD present a report through the Public Safety Committee addressing the use of mandatory overtime for the positions of Firefighter Paramedic and Fire Engineer and what needs to be done to hire adequate staffing for the department.

ANALYSIS AND POLICY ALTERNATIVES

The Oakland Fire Department (OFD) operates 25 fire stations located throughout the city, 24 hours per day, seven (7) days per week. OFD is responsible for fire prevention, suppression, mitigation, emergency medical response and rescue activities within the City of Oakland, Alameda County and throughout the region and the state through a mutual aid agreement. OFD operates under a Memorandum of Understanding (MOU) with the International Association of Firefighters (IAFF) Local 55 (Local 55) which guides the working conditions for OFD sworn personnel.

Item: _____
Public Safety Committee
October 27, 2015

Memorandum of Understanding (MOU) Requirements:

Section 4.2.4 of the MOU between City of Oakland and Local 55 identifies daily minimum staffing levels for "Fire Suppression Staffing" of OFD sworn personnel. Unlike the minimum staffing for the Police Department which sets a total department-wide staffing number, the Local 55 MOU minimum staffing sets a daily number of sworn staff, broken out by specific classification, which must be in the field at any given time. The total staffing equates to 137 sworn members per shift and 411 members to cover all three (3) shifts. The required daily fire suppression staffing of 137 sworn personnel is broken out as follows:

- Three (3) Battalion Chiefs;
- 32 Officers (a combination of Fire Captains and Lieutenants);
- 24 Fire Engineers;
- 26 Firefighter Paramedics;
- 51 Firefighters; and
- One (1) Fire Investigator.

Staffing Assignments:

Based upon this staffing level, personnel are assigned as follows:

- Three (3) Battalion Districts staffed with one (1) Battalion Chief each;
- 24 Engine companies staffed with a minimum of one (1) Officer, one (1) Fire Engineer, one (1) Firefighter Paramedic and one (1) Firefighter;
- One (1) Aircraft Rescue Firefighting (ARFF) company staffed with a minimum of one (1) Fire Captain and five (5) Firefighters;
- Seven (7) Truck companies staffed as follows:
 - Three (3) Truck companies with a minimum of one (1) Captain and three (3) Firefighters;
 - One (1) Truck company with a minimum of one (1) Captain, one (1) Firefighter Paramedic and two (2) 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;
- One (1) Fire Investigator.

Budgeted Sworn Staffing:

Table 1 below provides the budgeted Fire Suppression Personnel staffing.

Table 1 – Funded Fire Suppression Positions (FY 2015-2017 Budget)

Rank	Funded
Battalion Chief	9
Captain	49
Lieutenant	72
Fire Engineer	84
Fire Investigator	3
Firefighter Paramedic	93
Firefighter	187
Total Budgeted	497
Total Minimum Staffing Agreement	411
Total Relief Staff Available*	86

* Relief staff is utilized to cover Regular Day Off (RDO), vacation, sick, and disability leave.

Vacancies, Attrition, and Promotions in Sworn Staffing:

The vacancies within the various Fire Suppression Personnel positions have fluctuated due to promotions and retirements. Over the last four (4) fiscal years the vacancies for each fire suppression position have changed. **Attachment A** contains data about vacancies, attrition, and new hire / promotions within OFD. Within **Attachment A**, Table 2 identifies the vacancies of each fire suppression position as of June 30th of the last four (4) fiscal years; Table 3 identifies the attrition rate of the Deputy Chief as well as the fire suppression positions over the last three (3) fiscal years; and Table 4 represents the OFD promotions and new hires over the last four (4) fiscal years. The vacancies, attrition and promotions / new hires within OFD cause a situation where the OFD sworn personnel composition does not always match the minimum staffing requirement. Thus, in order to meet the minimum staffing requirement which ensures proper coverage throughout the City, OFD uses overtime.

OFD Overtime Usage:

Challenges

Over the last four (4) fiscal years, overtime has increased exponentially throughout all ranks due to the need for Firefighter Paramedics, the lack of a Firefighter Paramedic entry level eligibility list, the need for Fire Engineers and the minimum staffing requirements. Fire administration is working in collaboration with Local 55, Employee Relations, the City Attorney, the City Administrator and the Human Resources Management Department to reduce the amount of overtime. The Fire Administration anticipates a reduction by the end of this fiscal year through the efforts described below in the "Efforts to Decrease Overtime Usage" subsection.

The Fire Engineer and Firefighter Paramedic ranks have consistently held the highest hours of overtime. Recruitment for both positions has been difficult. The salary scale of the Fire Engineer is lower than the salary scale of a Firefighter Paramedic. Prior to FY 2014-15, Fire Paramedics could only be hired through the lateral process or promoted (assigned) to the rank.

Participation in the Engineer Promotional process has been low possibly due to two factors – the salary schedule and the lack of proper training and preparation. The current salary schedule shows the Fire Engineer making \$9,532.69 per month, while the Firefighter Paramedic makes \$9,629.71 per month. The failure rate for this exam is high considering the number of candidates participating. A Fire Engineer has been placed on special assignment at the training division for the development and implementation of a Fire Engineer and Driver Operator training course. The last couple of promotional lists had fewer candidates than vacancies, thus resulting in overtime in this rank.

In 2011, a Lateral Firefighter Paramedic entry-level list was established and 19 Lateral Firefighter Paramedics were hired during FY 2012-13. Individuals hired off this list came as far as Washington D.C. The lateral hire process limits the opportunity to hire Oakland residents working on a private ambulance due to the requirement of laterals having firefighting experience.

Prior to FY 2013-14 the Fire Department used the Promoted Support Paramedic pilot program to fill the vacant Firefighter Paramedic position. During FY 2013-14, the City of Oakland and Local 55 renegotiated the Promoted Support Paramedic program (City/Local 55 MOU section 2.8.4). The pilot program allowed individuals who have promoted out of the rank of Firefighter Paramedic, and still maintained their paramedic license, to be assigned to a vacant paramedic position while serving in their promoted position. For example, a Fire Engineer assigned to Engine X is a Promoted Support Paramedic (PSP). The Firefighter Paramedic position on Engine X is vacant. If the department was unable to fill the Firefighter Paramedic through voluntary overtime, the Fire Engineer would serve as both the Fire Engineer and Firefighter Paramedic for a 24-hour shift (dual role), while the Firefighter Paramedic position would be backfilled with a Firefighter. When the article was renegotiated in FY 2013-14, individuals serving in the PSP role were no longer required to dual role nor work longer than eight (8) hours per shift. The change in policy addressed the safety concern of doing dual roles, while creating an unanticipated impact to the immediate need to use the position to fill the Firefighter Paramedic position.

Voluntary Overtime versus Mandatory Overtime

Telestaffing is record management software program used to manage staffing and overtime. Over the last four (4) fiscal years, according to Telestaffing, fire personnel have worked the voluntary and mandatory overtime hours as described below in Table 4. Voluntary overtime is defined as a vacant overtime shift that a sworn personnel member voluntarily chooses to fill on overtime. Mandatory overtime is defined as a vacant overtime shift that is required of sworn personnel if no one voluntarily signed up to fill the vacant overtime shift. Mandatory overtime is distributed according to departmental policy.

Table 5 – Voluntary and Mandatory Overtime Usage

Overtime Usage	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Voluntary Overtime Hrs.	206,127	242,793	246,563	259,145
Mandatory Overtime Hrs.	9,186	14,283	25,683	58,022
Total Overtime Hrs.	215,313	257,076	272,246	317,167

Overtime Usage by Rank

The following tables (5A-5D) represent the use of overtime by rank for FY 2011-12 through FY 2014-15. Data reported by Telestaffing show the positions of Fire Engineer, Firefighter Paramedic and Firefighter with the highest usage of Mandatory Overtime.

Table 5A - FY 2011-12 Overtime Usage

Rank	Voluntary Overtime Hours	Mandatory Overtime Hours	Total
Battalion Chief	6,078	109	6,187
Captain	26,200	394	26,594
Lieutenant	21,903	192	22,095
Fire Engineer	35,460	1,792	37,252
Fire Investigator	1,082	0	1,082
Firefighter Paramedic	42,753	5,886	48,639
Firefighter	72,651	813	73,464
Total	206,127	9,186	215,313

Table 5B - FY 2012-13 Overtime Usage

Rank	Voluntary Overtime Hours	Mandatory Overtime Hours	Total
Battalion Chief	10,055	401	10,456
Captain	26,899	1,632	28,531
Lieutenant	33,105	737	33,842
Fire Engineer	45,025	4,294	49,319
Fire Investigator	2,592	24	2,616
Firefighter Paramedic	39,211	5,543	44,754
Firefighter	85,906	2,314	88,220
Total	242,793	14,945	257,738

Table 5C - FY 2013-14 Overtime Usage

Rank	Voluntary Overtime Hours	Mandatory Overtime Hours	Total
Battalion Chief	9,307	493	9,800
Captain	30,268	1,581	31,849
Lieutenant	35,945	1,649	37,594
Fire Engineer	46,134	6,083	52,217
Fire Investigator	3,893	52	3,945
Firefighter Paramedic	37,022	3012	40,034
Firefighter	116,344	12,814	129,158
Total	278,913	25,684	304,597

Table 5D - FY 2014-15 Overtime Usage

Rank	Voluntary Overtime Hours	Mandatory Overtime Hours	Total
Battalion Chief	8,993	1,453	10,446
Captain	30,107	2,984	33,091
Lieutenant	35,727	3,296	39,023
Fire Engineer	49,029	17,843	66,872
Fire Investigator	2,223	264	2,487
Firefighter Paramedic	42,698	15,257	57,955
Firefighter	90,368	16,925	107,293
Total	259,145	58,022	317,167

Efforts to Decrease Overtime Usage:

The Fire Department, in collaboration with Local 55, the City Administrator's Office, the Office of the City Attorney, the Employee Relations Department and the Human Resources Management Department, has been working to reduce the amount of mandatory overtime through the development of a new job classification, testing process for the Firefighter Paramedic Trainee position and the temporary change in policies and practices. To date, the following changes have been made in an attempt to reduce mandatory overtime.

- **Creation of Firefighter Paramedic Trainee job classification** – This allows the City to hire entry-level paramedics meeting the qualifications to serve in the position of Firefighter Paramedic after graduating from the academy and completing the required Alameda County accreditation program. The accreditation program may take six (6) to 12 months to complete, depending on each individual's skill level. In FY 2014-15, Fire Administration, in collaboration with the Human Resources Management Department, created the Firefighter Paramedic Trainee job classification. This allows the city to hire entry-level paramedics with no firefighting experience but with a minimum of one (1) year experience as a paramedic. On July 20, 2015, the first class of Firefighter Paramedic Trainees was hired. This class has a total of nine (9) Firefighter Paramedic Trainees along with five (5) Firefighter Trainees. This class will graduate November 6, 2015. Another 60 candidates are going through background investigations for a tentatively scheduled December 28, 2015 academy. Eighteen (18) candidates are paramedics. This class is tentatively scheduled to graduate April 15, 2016.
- **Suspension of the 365 Rule** – The 365 Rule is a practice that allows members who choose not to work overtime for a full year to be released from being called back for mandatory overtime. There are presently 36 members participating in this program, 15 of whom are Firefighter Paramedics. The suspension of this practice allows more members to sign up for overtime or become eligible for mandatory overtime.
- **Removal of Truck 1 and Truck 3 from the Advanced Life Support (ALS) call list** – This reduces the number of Firefighter Paramedic vacancies the department must fill.
- **Making Firefighters coming out of the Academy eligible for mandatory overtime** – Probationary Firefighters are not eligible to work overtime until they pass their six (6) month probationary test. Removing this overtime time restriction to not include

mandatory overtime will place more members in the mandatory pool, reducing the number of members subject to mandatory overtime.

- **Allowing members hired as Firefighters with certified paramedic credentials to work in the higher-class position as a Firefighter Paramedic during their probationary period** – This allows a probationary Firefighter to work in a higher class as a Firefighter Paramedic without jeopardizing their probationary status.
- **Allowing members to work overtime in the position of Firefighter Paramedic** – If a member had previously held the position of Firefighter Paramedic and has maintained their license and credentials and are not in the Promoted Support Paramedic (PSP), the member may work as a Firefighter Paramedic.
- **Basing Firefighter callbacks (Recall) on the least worked least senior instead of the least senior only** – Calling members back to work on their day off will be rotated throughout the ranks based on the number of times worked. This prevents the same person from being called back because they have low seniority.

Fire Administration recognizes the impact overtime has placed on the members of the organization. Fire Administration continues to work closely with the Human Resources Management Department to assure the existence of the eligible list needed to fill vacant positions. A recruit class of 14 people is currently in the academy; nine (9) of which are paramedics and five (5) are firefighters. Another 60 are scheduled to go through background investigations for a recruit class tentatively scheduled for December 28, 2015.

Fire Administration received a new validated entry level Firefighter Trainee list and Firefighter Paramedic Trainee list in September 2015. With this eligible list, the Fire Department will be prepared to commence another academy within the first quarter of FY 2016-17.

Unfortunately, the turnout of applicants for the position of Firefighter Paramedic Trainee was lower than expected for the entry level testing; of the 417 applications submitted,

- 211 were invited to the written exam;
- 129 participated in the written exam;
- 103 were invited to the orals; and
- 71 participated in the orals.

Next Steps:

Fire Administration is currently in conversation with Human Resources about the possibility of conducting both a lateral and open test for Firefighter Paramedic and Firefighter Paramedic Trainee.

Despite the aforementioned stop gap efforts, OFD will continue to face some of the challenges described in this report which contribute to OFD mandatory overtime usage, particularly the challenges of the hiring and accreditation of Firefighter Paramedics and the recruitment and promotion of Fire Engineers. The Fire Administration will continue to work with Human

Resources get the hiring lists and fill current vacancies as quickly as possible to help reduce mandatory overtime for the department.
 The hiring plan for FY 2015-16 is as follows:

Table 6 – FY 2015-16 Hiring Plan

Rank	Number of Positions	Tentative Effective Date
Battalion Chief	4	August 29, 2015
Captain	5	September 26, 2015
Lieutenant	11	October 10, 2015
Engineer	10	List exhausted in October 2015; new list to be established according to MOU.
Firefighter Paramedic Trainee	12	December 28, 2015
Firefighter Trainee	7	December 28, 2015

FISCAL IMPACT

This is an informational report; therefore no City Council action is required and no fiscal impact is identified. Below is an analysis of the Department's overtime expenditures.

Fund	FY 2012-13		FY 2013-14		FY 2014-15	
	Budget	Actual	Budget	Actual	Budget	Actual
GPF	10,916,510.73	10,916,510.73	395,411.21	13,194,187.26	275,883.54	16,734,537.44
Measure Y	4,000,000.00	3,866,526.68	4,000,000.00	4,000,000.00	4,000,000.00	4,000,000.00
Total	14,916,510.73	14,783,037.41	4,395,411.21	17,194,187.26	4,275,883.54	20,734,537.44
Budget to Actual Variance	-	133,473.32	-	(12,798,776.05)	-	(16,458,653.90)
GPF	-	0	-	0	-	0
Measure Y	-	133,473.32	-	(12,798,776.05)	-	(16,458,653.90)

A portion of the salary savings from the vacant positions have been used to fund the Recruit Academy and purchase Personal Protective Equipment (PPE); such as, turnouts, wildland gear and helmets.

COORDINATION

The Controller's Office and the Office of the City Attorney were consulted in the preparation of this report.

SUSTAINABLE OPPORTUNITIES

Economic: N/A

Environmental: N/A

Social Equity: This report provides information about OFD operations which help to support fire prevention, response and medical services throughout Oakland.

For questions regarding this report, please contact Teresa Deloach Reed, Fire Chief, at (510) 238-4050.

Respectfully submitted,



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Table 2 – Vacancies as of June 30th of Fiscal Year

Rank	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Battalion Chief	1	0	0	4
Captain	2	11	10	7
Lieutenant	16	12	13	15
Fire Engineer	12	10	11	10
Fire Investigator	0	1	1	0
Firefighter Paramedic	15	4	12	21
Firefighter	37	33	54	24
Total	83	71	101	81

Table 3 – Attrition Rate

Rank	FY 2012-13	FY 2013-14	FY 2014-15
Deputy Chief	1	0	0
Battalion Chief	1	0	3
Captain	5	5	1
Lieutenant	0	1	3
Fire Investigator	1	0	0
Engineer	5	3	2
Firefighter Paramedic	0	2	1
Firefighter	6	6	5
Total by Fiscal Year	19	17	15

Table 4 – Promotions and New Hires Last Four (4) Fiscal Years

Promotions are identified with a (P) and new hires are identified with (NH)

Rank	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
Battalion Chief (P)	0	2	1	0
Captain (P)	5	0	8	5
Lieutenant (P)	0	0	10	8
Fire Engineer (P)	0	2	6	7
Fire Investigator (P)	0	0	0	1
Fire Paramedic (P)	0	1	0	0
Fire Paramedic Laterals (NH)	0	19	0	0
Fire Paramedics Trainee	0	0	0	0
Firefighter Trainee (NH)	0	0	25	21