

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

April 22, 2015

TO: Honorable Paul Krekorian
Chair, Budget and Finance Committee

FROM: *RMT* Ralph M. Terrazas, Fire Chief, Fire Department
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SUBJECT: FIREFIGHTER RECRUIT CLASSES (C.F. 14-0600-S256)

SUMMARY

On March 23, 2015, the Budget and Finance Committee instructed the Los Angeles Fire Department (LAFD), with the assistance of the Personnel Department, Office of the City Administrative Officer (CAO) and Office of the Chief Legislative Analyst (CLA), to develop and report back with a short term and long term plan for the hiring of Firefighter recruits prior to the June 2015 class.

Background

The CAO Third (Mid-Year) Financial Status Report included the LAFD's plan to hire 165 Firefighter recruits with two classes at Drill Tower 81 (start dates of December 29, 2014 and June 1, 2015; the latter date has been tentatively revised to June 15, 2015), and one class at Drill Tower 40 (start date of April 6, 2015). During the March 23 meeting, the Committee members informed the LAFD that it had been instructed, as part of the Fiscal Year 2014-15 Budget and Finance Committee budget deliberations, to hold three classes at Drill Tower 81. LAFD staff indicated they did not recall this instruction, and instead, had relied on the instruction of record approved by City Council (see item 35. "Fire and Unappropriated Balance" in Attachment 1). The LAFD interpreted this instruction to mean that Fire and Personnel Departments were to expedite the examination process to ensure three recruit classes would be held.

Our offices have since reviewed a recording of the May 13, 2014 FY 2014-15 budget hearing, during which the Budget and Finance Committee discussed various options for maximizing the number of recruits to be hired, and the cost efficiencies of holding three classes at one Drill Tower to be held in February 2015 and June 2015, as contained in the Mayor's Proposed Budget, and a third class in October 2014. It was clear during the deliberations that the Budget and Finance Committee intended for the three classes to be held at Drill Tower 81.

Below is a discussion of the Firefighter examination process, including the candidate processing timeline, and a plan to increase the candidate pool to ensure a sufficient number will be available for appointment in future Fire Academy classes. Responses are also provided on other issues discussed in the March 23 Budget and Finance Committee meeting.

Firefighter Examination Process

The Mayor's Office formed an Innovation Team to develop a streamlined and expedited Firefighter selection process. The Innovation Team, comprised of representatives from the Police, Personnel and Fire Departments, as well as the Mayor's Office, met in May and June 2014. The CAO and CLA were not included in these discussions. In the past, it has taken approximately a year to process candidates for a Fire Academy class. In early July 2014, the Innovation Team finalized its recommendations on the process, with the goal of hiring 60 recruits for the first class. Despite the expedited processing timeline, the first class could not be held earlier than December 29, 2014.

Anticipating that tens of thousands may apply once the job bulletin opened, the Innovation Team recommended stratified random sampling (SRS) as a way to objectively manage the number of applicants that would be selected to take the written test and processed through the various test parts. SRS is a method that involves randomly sampling from the applicant pool to produce a smaller group of applicants that is demographically proportionate to the original pool of applicants. The streamlined selection process included overlapping the civil service interview with the initial background investigation where candidates take both on the same day, as well as a tighter timeline in scheduling candidates for the test parts through email notification. Also, the Fire Department's final selection of candidates after the completion of field investigation was changed to include the Fire Chief; however, the review of candidates' initial backgrounds by Fire Captains was eliminated.

A new Firefighter job bulletin along with a Civil Service Commission Board Report regarding the use of SRS was approved by the Board on July 10, 2014. The bulletin was opened on the next day, July 11th. Over 10,000 applications were received during the filing period of July 22nd through July 24th. Given the pass rates from the past exam administrations, it was estimated that sampling 300 from the applicant pool for a written test in August would provide a sufficient number of candidates to be processed for the December 29, 2014 Academy class.

From July through December 2014, staff performed selection activities, as follows:

- Conduct research and develop a computer program to conduct SRS
- Coordinate an SRS sampling session observed by Fire and Civil Service Commissioners
- Notify candidates via email that the written test was to be held on August 2, 2014
- Score the written test and schedule the interviews and initial backgrounds

- Train and coordinate all raters involved in the interviews and Fire Department's Review of Qualifications
- Conduct interviews and initial backgrounds from August 18th – August 28th
- Conduct field investigations from August 19th – October 31st
- Conduct the Fire Department's Review of Qualifications from October 27th – December 3rd
- Conduct medical and psychological evaluations from November 10th through the month of December

The Firefighter hiring process was completed in five (5) months, which is considerably less time than in previous years. This expedited hiring process was to ensure a Fire Academy as early as December 2014. It should also be noted that timely processing is contingent upon candidates and others being responsive and expeditious in providing required documents and other information (e.g., Emergency Medical Training (EMT) certificate, valid Candidate Physical Abilities Test (CPAT), employment/residential references, medical and/or psychological records, etc.).

After the initial SRS, three additional groups of candidates have been sampled – 300 for the October 2014 written test, and 500 each for the December 2014 and February 2015 written tests. When the initial written test appearance rate of 80% dropped to 63% in the October 2014 written test, the sample size of the SRS was raised to 500. In order to meet the hiring needs of the Fire Department in upcoming Drill Towers in the next fiscal year, and in anticipation that the appearance rate may decrease even more over time, the sample size of the SRS will be raised to 600 and testing will be scheduled regularly each month, rather than every other month.

With continuous testing, it is anticipated that there will be a sufficient number of candidates processed to meet the Fire Department's hiring needs. As-needed funding of \$137,000 for continuous testing to pay for proctors, interview specialists, and background investigators would be essential to maintain this effort. Without proper funding, the Personnel Department may not be able to meet the hiring needs of the Fire Department. The Personnel Department requested funding in the FY 2015-16 Budget, which was not included in the Mayor's Proposed Budget.

Opening Drill Tower 40

The LAFD has scheduled three recruit classes for this fiscal year, as follows:

<u>Drill Tower</u>	<u>Start Date</u>	<u># of Recruits</u>
81	12/29/14	43
40	4/06/15	54
81	6/15/15	<u>68</u>
	Total	165

There would be no additional fiscal impact to the General Fund in FY 2014-15 with this schedule as the classes would be held later in the fiscal year than anticipated during the budget process (October 2014, February and June 2015), and due to the smaller total number of recruits (165 rather than 210).

To accommodate the above recruit schedule, LAFD prepared Drill Tower 40 to become instruction-ready for the April 2015 class. In addition to structural updates, the modifications to Drill Tower 40 included enabling the facility to meet the technology requirements, such as WiFi, for a paperless instruction model with the use of iPads; upgrading instructional tools, such as audio visual equipment; and purchasing Functional Movement Screening fitness training with requisite equipment (which reduced injuries during the January 2014 class at Drill Tower 81).

The LAFD Special Training Fund was the funding source to prepare Drill Tower 40 and Drill Tower 81. The Fund was established to receive reimbursements from the State for in-service, EMT and regional training hours provided to LAFD members. The Fund, administered by the Fire Chief, may be expended for equipment and expenses related to training activities, as well as costs for facility improvements to enhance training capabilities.

With Drill Tower 40 becoming technology-enabled, the Department will be able to use the facility for other purposes when it is not used as a Recruit Academy. These purposes will include in-service training for tenured members, and training for the LAFD Youth Academy and Cadet Programs, which are critical to the Department's efforts toward promoting interest in the fire service to diverse youth groups. The facility could also be used as a Department Operations Center and Unified Command Post for major incidents in or around the Port complex. Further, LAFD has been discussing with Long Beach Fire Department the feasibility of developing a west coast facility for maritime training, with Drill Tower 40 as a potential site. Currently, maritime training is conducted in Texas.

Recruit Classes

Scheduling Fire Academy classes for the fiscal year at each Drill Tower factors in the following: (a) 20 weeks of recruit instructional training; (b) two week break before the next class for close-out activities, such as assessing lessons learned from the prior class, and preparing for the next class, such as repairing equipment and replenishing training materials. A class size of 60 and 45 for Drill Towers 81 and 40, respectively, provide the ideal instructional environment for instructors and learning environment for recruits.

The Academy curriculum is comprised of 20% class room lecture and 80% hands-on manipulative training in the drill yard. The hands-on instruction includes the proper and safe use of various firefighting equipment and tools, method to raise ladders, and manipulation of hose lines. There is limited space available in the drill yard to provide demonstrations of proper technique by the instructors, and for observation and practice by the recruits to develop proficiency on each module.

Attachments 2 and 3 provide two different hiring scenarios. The start dates are based on continuing the FY 2014-15 schedule of three classes, as discussed above. Although a class size of 60 at Drill Tower 81 is ideal, in the interest of maximizing the number of recruits to fill the significant field vacancies, the LAFD indicates that a class size of 65 would not negatively impact recruit performance.

Attachment 2 proposes four to five new recruit classes each fiscal year from FY 2015-16 through FY 2017-18, with 65 recruits at Drill Tower 81 and 45 at Drill Tower 40. With the current field positions of 2,934 (978/shift; includes 66 positions for ambulance augmentation), and assuming no additional field positions are authorized, staffing is projected to become "balanced" with 95 vacancies in June 2017. Based upon a long-term LAFD field operations guideline, staffing is deemed to be "balanced" at 100 vacancies or less. This is anticipated to occur with the projected 570 recruits graduating from the Academy and assigned to the field by December 2017. Beginning in FY 2017-18, only Drill Tower 81 would be needed for recruit training, to address attrition. The estimated budget request above the FY 2014-15 base budget of \$6.5M for two Drill Towers is approximately \$16.7M for FY 2015-16 and \$16.8M for FY 2016-17. With one Drill Tower beginning in FY 2017-18, the budget request would amount to \$10.3M (one class scheduled in March 2017 at Drill Tower 40 would overlap into the fiscal year.)

Attachment 2 also shows, for illustration purposes, that in FY 2019-20 and FY 2020-21, one class would be held, assuming an average attrition rate of 100, and no additional field positions would be authorized. By the end of FY 2019-20 and FY 2020-21, there would be 79 and 127 vacancies, respectively. Therefore, the number of classes to be held, and the size of each class, may vary from year-to-year to ensure balanced staffing is maintained.

Attachment 3 proposes two to three classes of 65 recruits each fiscal year at Drill Tower 81. With the one Drill Tower plan, it is estimated that there will be about an additional 160 vacancies at the end of FY 2017-18 as compared to the two Drill Tower plan described above. Assuming that attrition will continue at the average rate of 100 per fiscal year, and no additional field positions are authorized, staffing is projected to become "balanced" with 93 vacancies in March 2024. The estimated budget request above the FY 2014-15 base budget is approximately \$10.1M for FY 2015-16 (includes costs of the June 15, 2015 class overlapping into the fiscal year for an additional 18 weeks) and approximately \$7.8M for subsequent fiscal years.

It is important to note that, regardless of when the LAFD becomes "balanced" in terms of vacant positions, additional vacancies above this level would be filled with constant staffing overtime.

Alternative Training Schedules

The Committee asked the Department to consider alternative recruit training schedules, such as platoon duty, and day and night shifts, so training may be conducted at one Drill Tower. The LAFD does not recommend these options for the reasons cited below.

1. Platoon Duty Schedule

Platoon duty recruit training schedules would require a cadre of instructors for each shift. The typical LAFD platoon duty shift entails a 56-hour work week. However, the former platoon duty Fire Academy training schedule entailed recruits and sworn personnel assigned to a 72-hour work week with a Monday/Wednesday/Friday shift or a Tuesday/Thursday/Saturday shift. The last platoon duty recruit training class began in December 1983. Available data shows the following average attrition rates, comparing platoon duty and 40-hour training schedules, for the specified periods:

72-Hour Per Week Platoon Duty Schedule (1973 through 1983): 38.8%

40-Hour per Week Schedule (1998 through 2014): 20.2%

It must be noted that recruits, instructors and administrative personnel do not meet the definition of "Employees in fire protection activities" under Section 7(k) of the Fair Labor Standards Act (FLSA) to qualify for platoon duty pay. To qualify for Section 7(k) pay, among other requirements, the employee must be trained in fire suppression, have the legal authority to fight fires, have the responsibility to fight fires, and actually engage in fire suppression work. Thus, with a 72-hour platoon duty work week, recruits and all other sworn personnel assigned to recruit training would be paid 40 hours straight time and 32 hours overtime.

2. Day and Night Shifts

Similar to holding Academy classes at two Drill Towers, holding classes on day and night shifts would require a separate cadre of instructors for each shift. Therefore, staff cost savings would not be realized with this training schedule.

LAFD notes that night shifts are not conducive to ensuring a safe and effective environment for the physically and mentally demanding rigors of recruit training. It is potentially hazardous to both recruits and instructors to conduct in the drill yard under artificial light, hands-on manipulative training with firefighting equipment and tools, and physical fitness drills. Further, manipulative skills tests are timed and require proper technique. Recruits are tested and scored on their ability to complete tasks within the required time, and whether proper technique was used. The ability of instructors to accurately time the completion of the task and accurately assess if the proper technique was used would be hindered if classes were conducted during evening shifts.

Options to Fill Firefighter Field Vacancies

The Committee requested the LAFD to consider options to fill field Firefighter vacancies by recalling retirees to duty and recruiting lateral transfers.

1. Recalling Retirees to Duty

The LAFD has held discussions on this topic with representatives of the Los Angeles Fire and Police Pension System (LAFPP) and CAO, Employee Relations Division. Administrative Code Section 4.2026(e)(3(B) states, in pertinent part: "The Appointing Authority may recall a retired member to duty...For not to exceed 90 days in any one calendar year." Given that a work day is not defined, this provision would enable the LAFD to return a retired member to the field for up to nine months, working nine to ten days per month, under a 24-hour work day platoon duty schedule.

The following summarizes the Internal Revenue Service policy on reemployment of retired members:

- Members who retire younger than age 59 ½ must have a true termination of employment—that is, there must be a bona fide separation from employment. While the IRS does not specify the period of separation, LAFPP recommends a **minimum** of six months, based on advice of counsel.
- There can be no prearranged agreement for reemployment. A prearranged agreement will not be treated by the IRS as a separation from service with the employer.
- Violation of these policies will result in:
 - Imposition of a 10% penalty against all monthly pension and DROP payments received by the retiree prior to completion of the bona fide separation period.
 - Risk to LAFPP's plan qualification and the potential loss of tax-qualified status.

The LAFD, very occasionally, recalls one or two retirees during the calendar year for a special project on an administrative schedule. Because recalling retirees to field duty could potentially result in a significantly higher number, the CAO advised that such a decision would be subject to impact bargaining. The LAFD has informally discussed the matter with representatives of the United Firefighters of Los Angeles (UFLAC) who share the Department's concerns on returning retirees to field duty:

- The fitness level of a returning retiree. Responding to EMS and fire suppression emergency calls for service are physically demanding. Retirees returning after a minimum six month break in service pose risks for firefighter safety and workers compensation.
- Low interest by retirees to return to duty. Returning retirees would be assigned to the fire stations that have vacancies upon recall, rather than to the fire station of their choosing.

The LAFD has 19 Firefighter and 23 Firefighter/Paramedic positions on an administrative schedule. Firefighters on an administrative schedule could, theoretically, be reassigned to the field and retirees could backfill these administrative positions. On a 4/10 schedule, retirees could work up to five months in a calendar year. It must be noted, however, that some administrative schedule positions are filled by Firefighters on restricted duty. Further, most administrative positions, such as Community Emergency Response Team (CERT) instructors, Emergency Medical Services Training instructors, Fire Academy instructors, and Quality Improvement Firefighter/Paramedics who conduct post incident audits and follow-up instruction, require specific skill sets, and those assigned have received training and certifications to qualify for their specialized assignment (e.g., CERT training, State EMT Instructor certification, State Fire Training Instructor certification).

Some retirees may possess the required experience and certifications for these positions. However, the turnover with the expiration of the 90-day recall period, and the resultant lack of staffing continuity, could be disruptive to operational effectiveness and efficiency. In addition, instructors at the Recruit Academy must be fully capable of meeting the physical demands of providing several demonstrations per day on raising ladders and manipulating hose lines. For these reasons, it may be impractical to place recalled retirees into the administrative schedule positions.

2. Lateral Transfers from Other Fire Agencies

The LAFD will explore the feasibility of accepting lateral transfer of firefighters from other fire agencies, including surveying agencies that have implemented this practice.

FISCAL IMPACT

Holding a June 2015 Academy class would have no additional impact to the General Fund in FY 2014-15. The estimated budget request above the FY 2014-15 base budget of \$6.5M to hold classes at Drill Towers 81 and 40 is approximately \$16.7M for FY 2015-16 and \$16.8M for FY 2016-17. With a two Drill Tower plan, field staffing would become balanced with 100 vacancies or less by December 2017, thus enabling one Drill Tower to be held beginning in FY 2017-18 at approximately \$10.3M, to address attrition. If Recruit Academy classes were only held at Drill Tower 81, the estimated budget request would amount to \$10.1M for Fiscal Year 2015-16 and approximately \$7.8M for subsequent fiscal years. Under this plan, field staffing would become balanced in March 2024 assuming average annual attrition of 100 and no additional authorized positions. Until the Fire Department is "balanced," constant staffing overtime will be used to backfill vacancies.

34. Fire Safety Equipment

- a. Add funding to purchase mandated safety equipment including air cylinders and escape canisters. \$3,650,000

- b. Instruct the City Administrative Officer to report to the Public Safety and Budget and Finance Committees on a regular replacement cycle.

- c. Request the Mayor's Office to establish LAFD safety equipment as a priority in applications for the Urban Areas Security Initiative (UASI) grant program and other public safety grants, and submit a report to the Public Safety Committee within 60 days on the status of current UASI grants and associated grant-funded programs.

Fire and Unappropriated Balance

35. With regard to Firefighter Hiring:

- a. Reduce the line item in the Unappropriated Balance entitled "Reserve for Economic Uncertainties" (\$3,000,000) and add a like amount to a new line item in the entitled "Firefighter Hiring" to fund one additional recruit class in 2014-15.

- b. Authorize the LAFD, with the assistance of the Personnel Department and the CAO, to take all steps necessary to expedite the hiring process in order to fill this additional class.

- c. Instruct the City Administrative Officer and the Fire Department to report on the steps necessary to immediately institute a "Recall to Duty" program to augment Fire resources in addition to hiring new recruits.

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36. With regard to Ambulance Augmentation:

Reduce the line item in the Unappropriated Balance entitled "Reserve for Economic Uncertainties" (\$3,340,000) and add a like amount to a new line item entitled "Ambulance Augmentation Plan" to fund four additional months of this plan, for a total of six months in 2014-15.

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Fire and Police Pension Fund

37. Adjust pension contribution based on budgeted sworn salaries.

(\$1,332,000)

Attachment 2

**FIREFIGHTER RECRUIT CLASSES
(DRILL TOWERS 81 AND 40)**

Fiscal Year	New Classes		Budget Request	# of Recruits	Projected Graduates* (20% attrition)	Projected DROP Exits/ Retirements	Field Vacancies (June 30)
	DT 81	DT 40					
2014-15	10/29/14 6/15/15	4/06/15	---	165	132	129	327
2015-16	11/16/15 4/18/16	9/07/15 2/08/16	\$16.7M	220	176	183	289
2016-17	9/19/16 2/20/17	7/11/16 12/12/17 05/15/17	\$16.5M	265	212	86	199
2017-18**	7/24/17 12/27/17 5/28/18	---	\$10.3M	195	156	88	95
2018-19	10/29/18 4/01/19	---	\$7.8M	130	130	115	106
2019-20***	9/03/19	---	\$4M	65	52	100****	79
2020-21***	7/06/20	---	\$4M	65	52	100****	127

*20 weeks following class start date

** Assumes two classes at one Drill Tower beginning 2017-18 as balanced staffing will be achieved

***Assumes one class would be conducted after having achieved balanced staffing at one Drill Tower

****DROP Projections available through March 2020; assumes annual average attrition of 100 and no additional authorized positions

Attachment 3

**FIREFIGHTER RECRUIT CLASSES
(DRILL TOWER 81)**

Fiscal Year	<u>New Classes Start Dates</u>	Budget Request	# of Recruits	Projected Graduates* (20% attrition)	Projected DROP Exits/ Retirements	Field Vacancies (June 30)
2014-15	12/29/14 4/06/15** 6/15/15	---	165	132	129	327
2015-16	11/16/15 4/18/16	\$10.1M	130	104	183	340
2016-17	9/19/16 2/20/17	\$7.8M	130	104	86	322
2017-18	7/24/17 12/27/17 5/28/18	\$7.6M	195	156	88	254
2018-19	10/29/18 4/01/19	\$7.8M	130	104	115	265
2019-20	9/03/19 2/03/20	\$7.8M	130	104	100***	186
2020-21	7/06/20 12/07/20	\$7.8M	130	104	100***	182

*20 weeks following class start date

**Includes one class at DT40

***DROP Projections available through March 2020; field staffing anticipated to achieve balance of 100 vacancies or less in March 2024 assuming annual attrition of 100 and no additional authorized positions