

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

October 14, 2015

TO: Miguel A. Santana, City Administrative Officer
Office of the City Administrative Officer

FROM: *RMT* Ralph M. Terrazas, Fire Chief
Fire Department

SUBJECT: SIXTH FIREFIGHTER RECRUIT CLASS – FISCAL YEAR 2015-16
(C.F. 15-0600)

SUMMARY

On May 21, 2015, City Council adopted the Fiscal Year (FY) 2015-16 Budget (C.F. 15-0600), and instructed several special studies, including requirements and costs to implement a sixth Firefighter recruit training class for paramedics, only. The report would also address the feasibility of using retired firefighters to conduct the training.

The Los Angeles Fire Department (LAFD) provides the following information in response to Council's instruction. Assistance was provided by the Personnel Department on the selective certification process to hire paramedics, only

Sixth Firefighter Recruit Academy Class

The Adopted Budget includes funding in the amount of \$13.8M for five Academy training classes to support a total of 270 Firefighter recruits. On July 28, 2015, City Council authorized the Los Angeles Fire Department (LAFD) to appoint, in each class, up to 65 at Drill Tower 81 and up to 50 at Drill Tower 40 for a total of 295 recruits (C.F. 15-0826).

The table below provides the FY 2015-16 Academy class schedules. With Drill Tower 40 available between February and June 2016, a sixth class could begin February 7, 2016 by retaining the same cadre of recruit training staff, and, thus, avoid opening a third training site and deploying additional field staff as instructors.

<u>Drill Tower</u>	<u>Start Date</u>	<u>Graduation Date</u>	<u>No. of Recruits</u>
81	07/13/15	11/24/15	63*
40	09/21/15	02/04/16	50*
81	12/14/15	04/28/16	65
40	02/07/16	06/12/16	50
81	05/16/16	09/29/16	65
40	06/27/16	11/10/16	50
Total			343**

* Number of recruits hired

** 274 Graduates assuming 20% attrition

From the point that a candidate passes the interview and is placed on the eligible list, the remaining test parts (i.e., Background, LAFD Review, Medical, Psychological) takes about four months to complete before appointment to a recruit class. Currently, 1,225 candidates are in one of these phases of the process. The Personnel Department would be required to send a notice to these candidates for submission of a paramedic license to determine if a sufficient pool is available for selective certification of the eligible list. The survey would likely take approximately four to six weeks to: (a) send out the notice; (b) give candidates reasonable time to submit their paramedic license; and (c) allow the Personnel Department to review the submissions. Because this process would be manually conducted, reassigning Personnel Department staff to survey and review the validity of paramedic licenses would negatively impact the timely processing of candidates for the current schedule of five Firefighter recruit classes. It must also be noted that the current Firefighter job bulletin does not include the option for selective certification of the eligible list. Therefore, the Personnel Department must request and obtain approval from the Civil Service Commission to selectively certify eligibles with a paramedic license.

The LAFD had 270 sworn field vacancies as of July 2015. During FY 2015-16, an estimated 180 sworn members will exit LAFD service due to retirement or the Deferred Retirement Option Plan (DROP). With about 65 sworn members anticipated to exit LAFD service in June 2016, holding a sixth Academy class would address the increasing staffing shortage by potentially filling 40 field vacancies with Academy graduates on June 12. Without the sixth recruit class, the LAFD is projected to have 289 field vacancies by July 2016. With the sixth class, field vacancies could be reduced to 249.

If City Council decides to fund the additional recruit class at a cost of \$3.1M, it is recommended that the existing selection process be maintained to hire candidates who possess at least an Emergency Medical Technician (EMT) certification. It should be noted that of the five recruit classes held since January 2014, an average of 24% of new hires possessed a paramedic license.

Feasibility of Using Retired Firefighters to Conduct Recruit Training

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;" This provision would enable the LAFD to return a retired member to an instructor position for up to three months working in a training capacity at the Academy.

The following summarizes the Internal Revenue Service policy on re-employment of retired members:

- Members who retire younger than age 59½ 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 pre-arranged agreement for re-employment. A pre-arranged 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 does not believe assigning retirees to the Recruit Training Academy provides the most effective cadre of instructors for the following reasons:

- Recruit Training Academy staff must demonstrate various evolutions to the recruits including ladder evolutions, roof operations, hose lay maneuvers, donning self-contained breathing apparatus, live fire training, practical applications, etc., which are all very physically demanding. Retirees returning after a minimum six month break in service may not possess the required fitness level and would pose workers compensation risks. This concern is also shared by representatives of the United Firefighters of Los Angeles (UFLAC).
- Instructors at the Recruit Training Academy are selected following a process that evaluates, among other competencies, proficiency in the above training evolutions, instructional capabilities, and a philosophy of training recruits toward success.
- Continuity of instructors is critical to maintaining staff proficiency and effectiveness of the recruit training program. The recall of retirees to a maximum of 90 days in a calendar year results in turnover and prevents continuity of the instructor cadre.

FISCAL IMPACT

The addition of the sixth Firefighter recruit class at Drill Tower 40 would amount to approximately \$3.1M. An appropriation to the Fire Department would be required to implement this class.