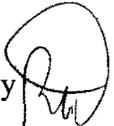


## MEMORANDUM

TO: Management and Fiscal Policy Committee  
Public Safety Committee

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: **Worksession 2:** Amendments to County government collective bargaining agreement with IAFF – Special Pay for ALS Providers

### Background

A proposed resolution to approve an out-of-cycle amendment to the County's collective bargaining agreement with the International Association of Fire Fighters (IAFF), representing members of the fire and rescue bargaining unit, was introduced by the Council President at the request of the County Executive on July 20. The IAFF Agreement and Summary is at ©1-4. The proposed IAFF Resolution is at ©12-13.

This Agreement resulted from additional bargaining after the Council indicated its intent to reject certain negotiated items due to fiscal impact in May. The Agreement was not completed during the statutory 9-day period provided for renegotiation after the Council indicated its intent to reject certain negotiated provisions. Therefore, this Agreement must be considered an out-of-cycle amendment to a collective bargaining agreement. The Council, in approving the FY11 Operating Budget on May 27, 2010, did not fund any of the provisions in any of the collective bargaining agreements providing for cost of living increases, service increments, imputed compensation for calculating retirement benefits beyond FY10, additional special pay, tuition assistance, or new equipment for volunteers.

### Legal Background

Under the County Fire and Rescue Collective Bargaining Law, County Code §§33-147 through 33-157, the Council must review any term or condition of each final collective bargaining agreement requiring an appropriation of funds or enactment, repeal, or modification of a county law or regulation. In addition, the Council must approve any item in a collective bargaining agreement covering the fire and rescue bargaining unit that "has or may have a present or future fiscal impact." The Council President must set the schedule and deadline for Council action on an out-of-cycle bargaining agreement. The Council is not bound by the agreement on those matters over which the Council has final approval. The Council may address contract items individually rather than on an all-or-nothing basis.

## July 27 Council Meeting

The Council discussed the IAFF Agreement along with out-of-cycle agreements between the Executive and the FOP and MCGEO at the July 27 Council session, but did not take final action on the IAFF Agreement. The IAFF Agreement contains a provision that would increase the special pay differential for Advanced Life Support (ALS) providers. OMB, in a fiscal impact statement, estimated the annual cost of this increase to be \$199,670. See ©5-6. The Council deferred action on the resolution and referred this matter to the MFP/PS Committee for a recommendation.

### The ALS Special Pay Agreement

The starting salary for a newly hired Paramedic is \$41,613. The following chart shows the current annual lump sum differential and the proposed new lump sum differential for a paramedic hired **before July 1, 2005**.

Years of Service	Current differential	Proposed new differential	% Increase
0-4 years	\$5830	\$6080	4.3%
5-8 years	\$6891	\$7391	7.2%
8+ years	\$7951	\$8701	9.4%

A certified paramedic hired after July 1, 2005 receives an annual lump sum differential of \$3000. In addition a paramedic hired after July 1, 2005 receives an hourly differential for all hours assigned to a transport unit. The following chart shows the current hourly differential and the proposed new differential for paramedics hired on or **after July 1, 2005**.

Years of service	Current hourly differential	Proposed new differential	% Increase
0-4 years	\$2.00	\$4.00	100%
5-8 years	\$2.50	\$4.50	80%
8+ years	\$3.25	\$5.25	62%

These increases were part of the collective bargaining agreement with the IAFF that was considered by the Council last May. The Council expressly rejected this increase in special pay when approving the FY11 Operating Budget on May 27, 2010 in order to adopt a balanced budget. The Council rejected this provision along with every other increase in regular and special pay for all County employees. In addition, the Council approved a temporary reduction in pay for all County employees through the adoption of a furlough plan for FY11. **This agreement, if approved, would be the only increase in pay for any County employee in FY11.** After the Council rejected these increases in May, the parties again negotiated the same special pay increases as an out-of-cycle agreement and submitted them to the Council in July. The Executive and the IAFF further agreed to pay for the estimated additional \$199,670 per year for this additional special pay with the following savings:

- a. eliminate random drug/alcohol testing for fire and rescue employees for FY11 and FY12 for a savings of \$34,280<sup>1</sup>;

<sup>1</sup> OHR's responses to questions about the County's current drug testing policies is at ©14-15.

- b. eliminate one filled Grade 27 exercise physiologist position in the Fire and Rescue Occupational Medical Services (FROMS) program as of August 1, 2010 for a savings of \$129,420; and
- c. save the balance through undefined salary lapse.

### **September 27 Worksession**

Fire Chief Richard Bowers and OHR Director Joseph Adler responded to the Committee's questions. The Committee requested additional information from the Fire Chief comparing the complete salary and benefit packages for MCFRS ALS providers with ALS providers with similar experience in other local jurisdictions. The Committee also requested additional information on the number of vacancies over time and the potential for overtime savings.

The Committee did not make any recommendations and agreed to review this matter again after receiving the additional information requested.

### **Issues**

#### **1. What is the justification for the increased special pay?**

MFP Chair Trachtenberg and PS Chair Andrews requested further information from the Executive Branch concerning the increased special pay in a July 30 memorandum. The Executive Branch response to these questions is at ©22-26. The rationale, as explained by the Executive Branch, is to encourage current MCFRS employees to obtain ALS certification and to retain current ALS providers. The Committee requested additional information at the September 27 worksession. On October 18, the Executive Branch provided additional information on salary and benefit comparisons, vacancies, retention rates, and potential overtime savings. See ©31-53.

Firefighter/Rescuer I, II, III, and Master Firefighter/Rescuer positions each require EMT-A certification (Basic Life Support or BLS). MCFRS tags some, but not all, positions in each class beyond Firefighter/Rescuer I as an ALS provider. The Department has developed minimum staffing requirements for ALS providers for each shift. MCFRS reports 17 currently vacant ALS tagged positions. However, the Department has overfilled its complement of BLS providers in order to fill the number of authorized positions in the budget. ALS training and certification takes approximately one year. Although filling these vacant positions is expected to reduce overtime, this would not happen in the near future due to the one-year training period for ALS certification. OHR estimated an overtime savings of \$75,000 for each additional ALS provider, but does not believe that this overtime savings would completely offset the salary and benefits for a new ALS provider. See ©32. Therefore, overtime savings would not reduce the Department's overall costs now or in the future.

MCFRS expects the increased special pay for ALS providers to encourage current BLS providers to voluntarily obtain ALS certification. OHR provided answers to follow-up questions from Council staff that show that the County's current starting salary plus special pay lags behind Fairfax County, Fairfax City, and Prince William County. See ©29-30. OHR supplemented this information with a 2008 wage and benefit comparison study done by a

consultant used by the County in collective bargaining, Public Financial Management (PFM). See ©33-53. The 2008 PFM study ranked fire fighter salaries paid by local jurisdictions over a typical career progression, excluding ALS special pay at ©36. The County has a non-supervisory master fire fighter position that does not exist in most other jurisdictions. The 2008 PFM chart shows the County ranking 4 of 12 if the master fire fighter position is included. The County's rank drops to between 5 and 7 out of 12 if the master fire fighter position is excluded. PFM also compared health benefits, pensions, and paid leave. According to Mike Nadol of PFM, this 2008 data may no longer be accurate in light of the severe economic downturn affecting State and local governments since 2008.

The County has not actively recruited outside candidates to fill ALS vacancies for more than 10 years. OHR did successfully recruit outside candidates with ALS certification or who agreed to obtain ALS certification in the late 1990's. However, MCFRS reports that the recruit class did not "have a sufficient amount of diversity." See ©23-24. Of the 2600 candidates who took the most recent firefighter/rescuer examination, only 10 had current ALS certification.

OHR provided the following chart showing ALS provider attrition since 2007 (©31):

<b>Category</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010 (to date)</b>
Retired/Separation	4	5	7	7
Dropped ALS status	3	2	2	3
<b>Total</b>	<b>7</b>	<b>7</b>	<b>9</b>	<b>10</b>

**2. What happened to the exercise physiologist position that the parties agreed to eliminate?**

The position was eliminated last month and the incumbent was subjected to a reduction-in-force. The employee was subsequently hired to fill a vacant position in the Department of Recreation.

**3. Why did the parties agree to postpone the random drug testing program for MCFRS employees?**

The Executive Branch reports that the random drug testing program was never implemented because the IAFF filed a prohibited practice charge against the Executive alleging that the program was a negotiable item. See ©26. The Executive also pointed out in a July 23 memorandum to the Council that no County employees are currently subject to random drug and alcohol testing except for employees with a commercial driver's license and undercover police officers. See ©18.

The Executive also noted in his July 23 memorandum that the IAFF agreed to random drug testing in return for other provisions in the collective bargaining agreement that were ultimately rejected by the Council. Although the IAFF may have taken that position, it is not supported by the law. County Code §33-153(p) only permits the parties to renegotiate "matters that the Council has indicated its intention to reject." Therefore, the previously agreed to provision for random drug and alcohol testing was outside the limited scope of the "further negotiations" authorized by the Council's rejection of pay increases last May under §33-153(p).

OHR responded to questions from Council staff concerning the effect of delaying the random drug and alcohol testing at ©14-15. OHR reported that the County is not subject to Federal grant conditions requiring random drug and alcohol testing of MCFRS employees. The County does conduct drug and alcohol testing of MCFRS employees when there is probable cause.

**4. Does this agreement comply with the County's policy for a structurally balanced budget?**

On June 29, the Council, at the request of the Executive, adopted new fiscal policies in Resolution No. 16-1415 providing for a structurally balanced budget where only recurring revenue is used for recurring expenses. This agreement would not follow that policy. The additional special pay would be a recurring expense into the foreseeable future. The proposed savings from the delay in random drug/alcohol testing and undefined salary lapse would not. The savings from terminating the exercise physiologist would recur if the position is never refilled.

**5. Should the Council delay this decision until after the November 2 referendum on the Emergency Medical Services Transport fee (EMST)?**

On September 29, 2010, the Court of Appeals ordered the County Board of Elections to place a referendum on the validity of Bill 13-10 on the ballot at the November 2 General Election. See ©54-55. In response to the possibility that the voters will invalidate the EMST fee established by Bill 13-10, the Executive sent a \$14 million savings plan to the Council on October 5 that would reduce spending in FY11 to offset the loss of the budgeted EMST fee revenue. See ©56-63. The Executive's proposed savings plan, if approved by the Council, would abolish 89 fire fighter positions. The Committee may want to delay action on this special pay until after the November 2 referendum on Bill 13-10.

**6. Should the Council approve the increased special pay?**

Despite the Executive Branch argument that the identified budget savings would recur, (See answer to #10 at ©26) only the savings from the elimination of the exercise physiologist position would do so. OHR points out that the random drug testing program may never be implemented because it depends upon union negotiations and subsequent Council appropriation. See ©30. However, the money for the random drug and alcohol testing is in the approved FY11 Operating budget. Using it to partially fund an increase in special pay is only a recurring savings if the program is never implemented. The significant increases in the special pay would become a recurring expense.

The inability to attract enough employees willing and able to obtain ALS certification to fill the 18 vacancies supports the need for increases in pay.<sup>2</sup> The OHR comparison of starting pay for ALS providers with surrounding jurisdictions places the County significantly behind 3 local jurisdictions in Northern Virginia. However, the County's fire fighter salaries through a typical career progression appeared to be at or slightly better than the median for the region in

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<sup>2</sup> However, these increases would benefit existing ALS providers along with new ALS providers.

the 2008 PFM study. Although MCFRS has identified a problem, it is not clear that this solution is affordable over the long term. A one-time signing bonus or a new push to recruit outside candidates with ALS certification or a willingness to obtain it could be alternatives to these across-the-board increases. Most importantly, the Executive Branch has not identified either a new recurring revenue stream or a positive change in the County's structural budget deficit that would sustain these increases into the future. **Council staff recommendation:** do not approve the increase in special pay unless a recurring revenue stream is identified to pay for it.

<u>This packet contains:</u>	<u>Circle #</u>
Executive Transmittal Memo for IAFF Agreement	1
IAFF Agreement and Summary	2
OMB Fiscal Impact Statement	5
July 7 OHR responses to MFP questions	7
July 8 OHR follow-up responses on ALS special pay differentials	10
Proposed IAFF Resolution	12
July 23 OHR responses to questions about drug testing	14
Executive's July 23 Memorandum	16
September 16 Executive Branch Response to MFP/PS Questions	22
Draft Amended IAFF Resolution	27
OHR follow-up answers dated September 22, 2010	29
OHR follow-up answers dated October 18, 2010	31
Court of Appeals Per Curium Order dated September 29, 2010	54
Executive's Proposed FY11 Savings Plan dated October 5, 2010	56

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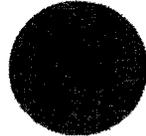
Isiah Leggett  
County Executive

OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

MEMORANDUM

June 21, 2010

057657



TO: Nancy Floreen, President  
Montgomery County Council

FROM: Isiah Leggett, County Executive

SUBJECT: Memorandum of Agreement between the County and IAFF

I have attached for the Council's review the Memorandum of Agreement resulting from additional collective bargaining negotiations between the County and the Montgomery County Career Fire Fighters Association, International Association of Fire Fighters, Local 1664, AFL-CIO (IAFF). Following the Council's resolution of intent, the parties bargained under Section 33-153(p) of the County Code but did not reach a final agreement until after the expiration of the 9-day period provided therein. This agreement reflects changes to the existing Collective Bargaining Agreement effective July 1, 2010 through June 30, 2011. This is an out of cycle amendment for Council review under Section 33-153(s). Because this agreement has fiscal impact and, in fact, is contrary to budget resolution ¶ 18, it requires Council approval. I have also attached a summary of those changes.

Attachments

cc: Joseph Adler, Director, Office of Human Resources  
Richard Bowers, Chief, Fire and Rescue Service

IL: sw

2010 JUN 21 10 38 54  
MONTGOMERY COUNTY

MEMORANDUM OF AGREEMENT  
BETWEEN  
MONTGOMERY COUNTY GOVERNMENT  
AND THE  
MONTGOMERY COUNTY CAREER FIRE FIGHTERS ASSOCIATION,  
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1664, AFL-CIO

Montgomery County Government (Employer) and the Montgomery County Career Fire Fighters Association, International Association of Fire Fighters, Local 1664, AFL-CIO, (Union) have met pursuant to Section 33-153(p) of the Montgomery County Fire and Rescue Collective Bargaining Law and have reached the following agreements. These agreements shall be effective as of July 1, 2010 unless otherwise stated.

1. Compensatory Leave. Article 49 of the parties' existing Collective Bargaining Agreement is amended to include a new Section 49.5 as follows:  
**Section 49.5 Additional Compensatory Leave Credit**  
Effective January 1, 2011, each bargaining unit employee who is assigned to a 2,496-hour work year and who: (1) will not receive a service increment in FY 2011 or (2) will not receive a longevity step increase in FY 2011 shall be credited with 48 hours of compensatory leave. Effective January 1, 2011, each bargaining unit employee who is assigned to a 42-hour or 40-hour workweek and who: (1) will not receive a service increment in FY 2011 or (2) will not receive a longevity step increase in FY 2011 shall be credited with a prorated number of hours of compensatory leave. Leave under this section may not be used if it causes the need to backfill with overtime. Leave granted under this section cannot be paid out under the procedure outlined in 49.1 above and will not apply to the maximum carryover described therein. These hours may be rolled over from leave year to leave year. Leave granted under this section will not be paid out upon separation.
2. The parties agree to a side letter stating: Neither the County Executive nor any of his representatives shall publicly or privately oppose the Union's proposal submitted to the County Council to amend Expedited Bill 16-10 so that the 4% FY '10 imputed GWA for retirement purposes shall apply to bargaining unit employees who have on file before July 1, 2010 an application for disability retirement benefits that is approved after July 1, 2010.
3. Special Pay Differentials. The increases in CRT, EMT-I and EMT-P pay differentials scheduled to take effect the first full pay period on or after July 1, 2010 pursuant to Section 17.2(A-D) of the parties' existing Collective Bargaining Agreement shall go into effect as scheduled.
4. The parties agree to a side letter stating: Random alcohol/drug testing of bargaining unit employees shall be suspended in FY '11 and FY '12. No random alcohol/drug testing program applicable to bargaining unit employees shall be implemented in any fiscal year following FY '12 unless the Employer and the Union negotiate an agreement as part of normal term negotiations

covering the decision to implement a testing program and the procedures of such program.

5. The Employer agrees to eliminate the FROMS Physiology Program, effective August 1, 2010, with the exception of the \$100,000 budgeted for the purchase of equipment. The Employer will recommend that the savings from the elimination of the FROMS Physiology Program will be used to fund the Special Duty Differentials described in Section 3 above.

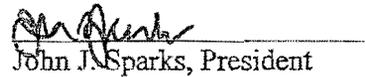
Any claimed violation of any section of this Memorandum of Agreement (either in whole or in part) may be grieved and arbitrated in accordance with Article 38 (Contract Grievance Procedure) of the parties' existing Collective Bargaining Agreement.

FOR THE EMPLOYER:

  
Isiah Leggett, County Executive

Date 5/29/2010

FOR THE UNION:

  
John J. Sparks, President

Date May 19, 2010

## Summary of Memorandum of Understanding between IAFF and MCG – May 2010

No	Article/ Subject	Summary of change	Requires appropriation of funds	Present or future fiscal impact	Requires legislative change	Consistent with Personnel Regulations
1	17, Special Duty Differentials	Effective the first full pay period on or after: 7/1/2010 - Increase the Cardiac Rescue Technician pay differential to \$4,515; increase the Emergency Medical Technician – Paramedic as follows: 0-4 years: \$6,080, 5-8 years: \$7,391, and 8+ years: \$8,701; and increase the CRT, EMT-I, and EMT-P hourly differential by \$2.00	Yes*	Yes*	No	Yes
2	49.5, Compensatory Leave	On 1/1/2011 bargaining unit members working 2,486 hour work year will be credited 48 hours of comp leave and unit members working 40/42 hour work week will be credited a prorated number of hours to be used only as leave and when overtime to backfill is not required  These hours will roll over from leave year to leave year  Leave will not be paid out upon separation	No	No	No	Yes
3	Sideletter	County Executive and his representatives shall not oppose union's proposal to amend Bill 16-10 to allow for unit members filing for disability retirement prior to 7/1/2010 to receive the 4% imputed GWA	No	No	No	Yes
4	Sideletter	Random drug/alcohol testing program shall be suspended for FY 11 and FY 12  Union and Employer must negotiate an agreement for random testing for fiscal years after FY 12	No	No	No	Yes
5		Employer agrees to eliminate the FROMS Physiology Program effective 8/1/2010 with the exception of \$100,000 budgeted for the purchase of equipment.  Employer to recommend that savings from this elimination be used to fund the special duty differentials listed in #1 of this table	No	Yes	No	Yes

\*Savings from the elimination of the FROMS Physiology Program will fund the Special Duty Differentials



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OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett  
County Executive

Joseph F. Beach  
Director

MEMORANDUM

June 24, 2010

TO: Nancy Floreen, President, County Council

FROM: Joseph F. Beach, Director

SUBJECT: Fiscal Impact Statement – FY11 Memoranda of Understanding (MOU) between Montgomery County Government and Municipal and County Government Employees Organization (MCGEO), Local 1994, Fraternal Order of Police (FOP), Lodge 35, International Association of Fire Fighters (IAFF), AFL-CIO, Local 1664, and Montgomery County Volunteer Fire Rescue Association (MCVFRA)

The purpose of this memorandum is to transmit a fiscal impact statement to the Council on the subject labor agreements.

The County Executive's FY11 recommended operating budget did not fund general wage adjustments, service increments, or tuition assistance for County government employees. Since the Council voted unanimously to reject these and other provisions that would have required an appropriation of funds, it designated a representative to meet with the parties and present the Council's views in further negotiations. This fiscal impact statement concerns the MOUs resulting from those discussions.

**FY11 MCGEO and FOP MOUs**

On January 1, 2011, MCGEO and FOP bargaining unit members will receive, on a one-time basis, twenty-six (26) hours of compensatory leave<sup>1</sup>. There is no fiscal impact due to this provision because this leave may only be taken when no overtime is required to cover absent employees and it may not be paid out at any time, including at separation.

**FY11 IAFF MOU**

The individual provisions noted below have a fiscal impact, but the net impact requires no additional appropriation.

<sup>1</sup> Please note that this leave will be extended to non-represented and Management Leadership Service employees.

- Section 17.2, A-D: The increases in certain special pay differentials for cardiac rescue technicians and emergency medical technicians for FY11 provided for in the collective bargaining agreement with IAFF, as originally negotiated, shall go into effect the first full pay period on or after July 1, 2010. Relative to the budget approved by the County Council, the estimated FY11 cost for the increased special pay differentials is \$199,670.
- Random Alcohol/Drug Testing: This program is suspended in FY11, which will save an estimated \$34,280 in FY11.
- Fire and Rescue Office of Medical Services (FROMS) Physiology Program: This program will be eliminated, effective August 1, 2010, resulting in the abolishment of one Exercise position and the cessation of the peer fitness component of the program, for a total savings of \$129,420.

The remaining \$35,970 in required savings will be realized through increased lapse.

#### FY11 MCVFRA MOU

In FY11, the same 100% discount on all recreation fees received by career Fire and Rescue Service personnel will be extended to active MCVFRA members. This increases a partial discount<sup>1</sup> to a full discount for recreational facility classes, pool passes, and weight room fees. The impact on revenues can not be quantified because it is not known how many of the eligible volunteers will take advantage of this benefit but is not expected to be significant.

JFB:lob

- c: Kathleen Boucher, Assistant Chief Administrative Officer  
Dee Gonzalez, Offices of the County Executive  
Joseph Adler, Director, Office of Human Resources  
Thomas Manger, Chief, Montgomery County Department of Police  
Richard Bowers, Chief, Montgomery County Fire and Rescue Service  
Dominic Del Pozzo, Montgomery County Fire and Rescue Service  
Alex Espinosa, Office of Management and Budget  
John Cuff, Office of Management and Budget  
Blaise DeFazio, Office of Management and Budget

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<sup>1</sup> MCVFRA members are currently entitled to receive partial recreation discounts of 20% off classes, 20% off pool passes, and 50% off weight room fees.

## **MFP Committee Questions on MOA with IAFF**

1. For FY11, the Council did not approve pay increases of any type (no general wage adjustments, no service increments, and no increases in any pay differentials). Why does the proposed Memorandum of Agreement restore the increases in the special differentials for CRT, EMT-I and EMT-P which the Council already disapproved?

**The restoration of any previously negotiated differential to members of the IAFF in the course of mandatory negotiations under Section 33-153(p) of the Montgomery County Code was the result of a negotiated settlement and was offered within the context of reaching agreement on a total package. The cost of the restoring the above referenced differentials was offset by the elimination of the FROMS Physiology Program.**

2. Why does the Executive feel it is urgent to restore these pay differential increases? Are CRTs, EMT-Is, or EMT-Ps leaving County employment? Is it difficult to recruit individuals to become certified at these levels? Do you have any unfilled positions for these certifications? Are there other difficulties in attracting or retaining individuals to fill these positions?

**CRTs, EMT-Is and EMT-Ps (ALS providers) are generally not leaving County employment for other higher paying jurisdictions. Rather MCFRS has always strived for a healthy internal recruitment and retention program targeting ALS providers. Unfortunately, this has not always been successful. MCFRS loses ALS providers to promotions or the employee's interest in being an ALS provider abates, with a historical average time of paramedic service about eight to ten years.**

**In addition, due to the opening of new stations and the expansion of ALS service within existing MCFRS resources, the demand for ALS providers is greater than the supply. Currently, we have 18 vacant medic positions.**

**Maintaining all current ALS providers and recruiting incumbents to receive the ALS training is a priority for MCFRS.**

3. How does the County's compensation for CRTs, EMT-Is, and EMT-Ps compare with compensation for these positions in other neighboring jurisdictions? Is the compensation in other nearby Counties creating an incentive for EMS personnel to move to other jurisdictions for better pay or benefits?

**Surrounding jurisdictions pay ALS providers on average anywhere from \$7000 to \$10,000 more than a BLS firefighter. ALS providers**

hired after July 1, 2005 are on a pay scale where they receive a base differential of \$3000 and then an hourly differential for time spent on an ALS transport unit. This hourly differential was scheduled to nearly double July 1, 2010 thus bringing the compensation to comparable levels with ALS providers hired prior to July 1, 2005.

**Surrounding jurisdictions who have recently advertised for Firefighter/Paramedics:**

DC	\$48,731
Fairfax County	\$53,887
Fairfax City	\$48,870 (increases to \$51,674 after ALS internship)
Prince William	\$48,182 (not including hourly riding differential)
Montgomery Co.	\$41,673 (not including hourly riding differential)

4. To what extent are other jurisdictions hiring new personnel at this time?

**Other jurisdictions are cautiously hiring. ALS providers are in high demand causing some jurisdictions to offer lucrative signing bonuses (\$7K in DC).**

5. What is the current status of the random drug and alcohol testing program in MCFRS?

**We currently do not have a random drug testing program in operation.**

6. What would be the impact of suspending the program in FY11 and FY12?

**Random testing will not occur during these years if the program is suspended. The cost of conducting the program will not be incurred. It is important to note that "suspended" may be read to indicate that there is a random testing program in place and we will stop it. However, MCFRS has never implemented a random testing program.**

7. Is a random drug and alcohol testing program required to meet any State or federal requirements regarding safety-sensitive or first responder positions?

**No. Firefighters are exempt from the drug testing requirements imposed by the federal Department of Transportation for CDL's. Other testing requirements remain in place.**

8. Why must any random drug and alcohol testing program after FY12 be negotiated as part of normal term negotiations? Why not just restart the existing random drug and alcohol testing program?

**The need to renegotiate the random alcohol testing was a term of the final agreement. The agreement was negotiated as a total package. The inclusion of this provision was necessary to obtain an agreement between the parties.**

9. Please briefly describe the FROMS Physiology Program.

**The program was created when the County adopted the Wellness Fitness Initiative, and represents the Fitness portion of the initiative. The Fitness program includes the design and implementation of specific fitness activities and exercises that are used by recruits and incumbents on a daily basis. It also includes supervision of ACE Certified Peer Fitness Trainers (PFTs). The PFTs provide advice and guidance to personnel concerning fitness activities, etc. The Fitness program was also designed to provide all personnel with individualized fitness assessments and prescriptions (in conjunction with medical evaluations at FROMS). The Exercise Physiologist worked in the Fitness Program and was responsible for the development and oversight of the program as well as maintaining the inventory of fitness equipment.**

10. What will be the impact of eliminating the program as of August 1?

**MCFRS will no longer have the Exercise Physiologist position and will no longer support the PFTs. The immediate impact will be that our fitness and exercise methods will not be updated. MCFRS will continue to require Recruit Firefighter/Rescuers and incumbents to complete fitness activities. Fitness assessments and fitness prescriptions will no longer be performed.**

11. What will happen to the filled Exercise Physiologist position if the FROMS Physiology Program is eliminated on August 1?

**The position will be eliminated.**

**Drummer, Bob**

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**From:** Adler, Joseph  
**Sent:** Thursday, July 08, 2010 11:24 AM  
**To:** Drummer, Bob  
**Cc:** Lacy, George; Radcliffe, Edward; Milewski, Jeremy  
**Subject:** FW: Questions on MOA with IAFF

Bob  
FYI

*Joe Adler  
Director, Office of Human Resources  
Montgomery County, MD  
101 Monroe Street 7th Fl  
Rockville, MD 20850  
240-777-5100 voice  
240-777-5162 fax  
joseph.adler@montgomerycountymd.gov*

-----Original Message-----

**From:** Milewski, Jeremy  
**Sent:** Thursday, July 08, 2010 10:41 AM  
**To:** Adler, Joseph  
**Cc:** Lacy, George  
**Subject:** RE: Questions on MOA with IAFF

Starting salary for a newly hired Paramedic is \$41,613

A paramedic who was hired prior to June 30, 2005 is currently on the following lump sum differential schedule:

0-4 years EMT-P Service	\$5,830/year
5-8 years EMT-P Service	\$6,891/year
8+ years EMT-P Service	\$7,951/year

Increases to this schedule were negotiated to increase to the following:

0-4 years	\$6,080
5-8 years	\$7,391
8+ years	\$8,701

For paramedics hired after July 1, 2005, the following differentials currently apply:

All certified Paramedics receive a \$3,000/year lump sum differential. In addition, these paramedics also receive an hourly differential for all hours they are assigned to a transport unit:

0-4 years certification	\$2.00/hour
5-8 years certification	\$2.50/hour
8+ years certification	\$3.25/hour

Increases to this schedule were negotiated to increase to the following:

0-4 years	\$4.00/hour
5-8 years	\$4.50/hour
8+ years	\$5.25/hour

These hourly differentials are only paid during hours that a paramedic is scheduled to be riding in a transport position. They do not receive the differential during other assignments so the total differential received for paramedics hired after July 1, 2005 varies based upon schedule and assignment.

In regards to the language from the MCVFRA agreement, the reference to the Transportation discount is the

7/8/2010

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same discount granted to volunteers under section 21-21(g) of the County Code. The language of the agreement grants volunteers the same recreational discounts as career firefighters and places a reference to the transportation discount they already receive into their bargaining agreement. No change was made to the transportation discount

Jeremy Milewski, PHR  
Human Resources Specialist  
Office of Human Resources  
Montgomery County Government  
240-777-5017

-----Original Message-----

**From:** Adler, Joseph  
**Sent:** Wednesday, July 07, 2010 6:33 PM  
**To:** Milewski, Jeremy; Radcliffe, Edward  
**Cc:** Lacy, George; Weisberg, Stuart  
**Subject:** Fw: Questions on MOA with IAFF

Jeremy  
Pls compile the information ASAP  
Thanks

Resolution No: \_\_\_\_\_

Introduced: July 20, 2010

Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the request of the County Executive

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Subject: **Collective Bargaining Agreement with Career Fire Fighters Association**

**Background**

1. Section 510A of the County Charter authorizes the County Council to provide by law for collective bargaining with binding arbitration with authorized representatives of County career fire fighters.
2. Chapter 33, Article X of the County Code implements Section 510A of the Charter and provides for collective bargaining by the County Executive with the certified representatives of the County's fire fighters and for review of the resulting contract by the Council.
3. The Executive and Local 1664, International Association of Fire Fighters, entered into an amendment to the existing agreement effective July 1, 2010 through June 30, 2011. The Memorandum of Agreement is attached to this Resolution.
4. On June 21, 2010, the Executive submitted to the Council the terms and conditions of the out-of-cycle collective bargaining agreement that require or may require an appropriation of funds, changes in County law or regulation, or may have a present or future fiscal impact.
5. The Management and Fiscal Policy Committee is scheduled to consider and make recommendations on the agreement at a worksession scheduled for July 26, 2010.
6. The County Council has considered these terms and conditions and is required by law to indicate its intention to fund or approve any legislation or regulations required to implement the agreement.

**Action**

*The County Council for Montgomery County, Maryland, approves the following resolution:*

The County Council intends to approve funding for the following amendments:

1. on January 1, 2011, a one-time award of **48 hours** of compensatory leave to each bargaining unit member working a 2496-hour work year and a prorated number of compensatory leave hours for each bargaining unit member working a 42-hour or 40-hour work week. This compensatory leave may not be taken when it would require backfilling with overtime and cannot be paid out at any time;
2. an increase of special pay for CRT, EMT-I and EMT-P pay on July 1, 2010 that was previously rejected by the Council in the FY11 Operating Budget approved on May 27, 2010;
3. a suspension of random alcohol and drug testing for FY11 and FY12; and
4. the elimination of the FROMS Physiology Program effective August 1, 2010, except for the \$100,000 budgeted for equipment. This provision would eliminate one filled Grade 27 exercise physiologist position.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council

**Drummer, Bob**

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**From:** Adler, Joseph  
**Sent:** Friday, July 23, 2010 1:30 PM  
**To:** Drummer, Bob  
**Cc:** Cook, Sarah; Lacy, George; Boucher, Kathleen; Miller, Sally; Miller, Dorothy; Lacefield, Patrick  
**Subject:** FW: MFP Questions for drug testing--priority  
**Importance:** High

Bob

As per your request. Only Commercial Drivers License holders and undercover police officers are randomly drug tested by Montgomery County Government. Please contact Sarah Cook 7/5064 for any follow up dealing with labor issues, or Dorothy Miller, Manager of OMS for any medical protocol questions.

Joe Adler  
Director, Office of Human Resources  
Montgomery County, MD  
101 Monroe Street 7th Fl  
Rockville, MD 20850  
240-777-5100 voice  
240-777-5162 fax  
joseph.adler@montgomerycountymd.gov

1) Have we received federal funding through a grant or contract that requires random drug testing; this language is typically written in the terms and conditions as required through federal Drug-Free Workplace regulations? We receive funding through Federal DOT (Department of Transportation) from FTA (Federal Transit Administration) and FMCSA (Federal Motor Carrier Safety Administration) for DOT related drug testing. There is no funding for Fire/Rescue.

2) Have we specifically received either state or federal funding to do random drug testing in the workplace? When have we applied for such funding if at all? Currently, funding is received only from DOT for employees whose jobs require a CDL (Commercial Drivers' License). Maryland does not require Fire Rescue to have a CDL.

3) If so, when were we required to accomplish this by? If we haven't implemented such testing although we've received funding, why not? N/A

4) What exactly has been agreed to in terms of required drug testing, random or not with ALL three unions: MCGEO, IAFF, and FOP? AP 4-11 (Employee Drug/Alcohol Abuse) refers to the Drug Free Workplace Act as does Section 32 of the Personnel Regulations. The MCGEO CBA references AP 4-11 for OPT and SLT employees subject to drug/alcohol testing. Substance abuse testing for FOP members is regulated by Appendix A of the FOP contract. During negotiations with the IAFF for contract years FY 09-11, the parties agreed, by sideletter, to amend the current MCFRS drug/alcohol testing policy to include random drug testing. Agreement on the procedure of random testing for firefighters is pending a ULP settlement.

5) What kind of education has been provided to management on Drug-Free Workplace best practices? Is any training offered? OMS offers training through OHR's Training Program – Substance Abuse in the Workplace – that provides information on regulation compliance, testing types and requirements, what drugs are tested, recognizing when post accident or reasonable suspicion testing is necessary, and what to do with a positive test and necessary follow up. There are two classes a year offered for general knowledge and two classes a year for DOT specific regulations. MCFRS also offered a Substance Abuse – in service (2008-2010) that they will continue to offer and possibly provide

7/23/2010

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online.

6) What options are available to employees and management should there be drug use/abuse situation? Specifically, what is the standard response if management experiences a difficulty with an employee who has apparent drug use/abuse issues? Are ALL three unions handling this kind of employee situation in the same manner? Or does it vary in terms of what has been specifically bargained or agreed to? If so, how? OMS and EAP act as resources for supervisors and employees facing substance abuses issues. OMS conduct all drug and alcohol testing for the three unions using the same procedures as those established, and approved, by DOT. Although there are a few differences between the DOT policy and the County's policy - specimen collection, handling, transport to the testing lab, review by the Medical Review Officer, and communication of results are all the same. Differences include that 2 supervisors must approve a 'For Cause' test while DOT only requires 1 for the same test type, referred to by them as 'Reasonable Suspicion' and the DOT urine drug screen tests for only 5 drugs while the County panel is for 10 drugs.

In most cases, when an employee receives positive drug/alcohol test results, the employee is sent to EAP with a referral for substance abuse counseling. First offense employees typically receive a last chance agreement to include unannounced drug testing for up to five years. Employees receive EAP approval to return to the workplace.

-----Original Message-----

**From:** Drummer, Bob

**Sent:** Thursday, July 22, 2010 12:03 PM

**To:** Adler, Joseph

**Cc:** Boucher, Kathleen; Bowers, Richard (FRS)

**Subject:** MFP Questions for drug testing

Joe,

Duchy asked me to send you the following questions about our need for drug testing of fire employees.

- 1) Have we received federal funding through a grant or contract that requires random drug testing; this language is typically written in the terms and conditions as required through federal Drug-Free Workplace regulations?
- 2) Have we specifically received either state or federal funding to do random drug testing in the workplace? When have we applied for such funding if at all?
- 3) If so, when were we required to accomplish this by? If we haven't implemented such testing although we've received funding, why not?
- 4) What exactly has been agreed to in terms of required drug testing, random or not with ALL three unions: MCGEO, IAFF, and FOP?
- 5) What kind of education has been provided to management on Drug-Free Workplace best practices? Is any training offered?
- 6) What options are available to employees and management should there be drug use/abuse situation? Specifically, what is the standard response if management experiences a difficulty with an employee who has apparent drug use/abuse issues? Are ALL three unions handling this kind of employee situation in the same manner? Or does it vary in terms of what has been specifically bargained or agreed to? If so, how?

I apologize for the late request, but MFP is reviewing the labor agreements on Monday morning.

*Robert H. Drummer  
Senior Legislative Attorney  
Montgomery County Council  
100 Maryland Ave.  
Rockville, MD 20850  
240-777-7895*

7/23/2010



OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

## MEMORANDUM

July 23, 2010

TO: Nancy Floreen, President, County Council

FROM: Isiah Leggett, County Executive

SUBJECT: Collective Bargaining Agreements

This memorandum is intended to convey my continuing and strong support for the Memorandum of Agreements (MOA) with the Montgomery County Career Fire Fighters Association (IAFF); Municipal and County Government Employees Organization (MCGEO); and the Fraternal Order of Police (FOP) which the Council will consider and act on in the coming week and which affect all County employees.

The County continues to face difficult fiscal challenges. Over the past four years, I have worked with the Council and with County employees to make the difficult choices to reduce the size of the County budget, which have included significant sacrifices by County employees, in order to produce a more sustainable budget.

In negotiating these agreements, I considered both the significant and painful sacrifices and concessions made by County employees in both the FY10 and FY11 budgets as well as our need to work closely with our County employees in the coming years as we continue to meet our fiscal challenges and provide critical community services during these difficult economic times.

Several issues have been raised about these MOAs, which should be addressed so that the Council has an accurate understanding of the context and impact of these agreements.

1. Compensatory Leave: As stated in the Office of Management and Budget's (OMB) fiscal impact statement, the compensatory leave improvements contained in these agreements do not have a fiscal impact because they do not require any additional appropriation and the leave can not be taken if it would result in backfill with overtime, and the leave can not be paid out in any fiscal year.

I very strongly disagree with the Office of Legislative Oversight's (OLO) description of the fiscal impact of these agreements. OLO maintains in its estimate that compensatory leave will result in additional costs to the County Government in two ways: 1) compensatory leave is taken as an alternative to using annual leave and results in higher leave balances that would be available for cash out at the end of an

Nancy Floreen, President, County Council  
July 23, 2010  
Page 2

employment with the County; and 2) the award of compensatory leave induces an employee to increase the amount of time away from work.

The OLO analysis neglected to mention that maximum caps exist for annual leave for all County employees which limit the amount of carryover and subsequent leave payouts (see attached chart).<sup>1</sup>

The OLO estimate is misleading in that it implies that the subject agreements will result in \$7 million in additional unbudgeted costs for the County Government. This is absolutely not the case.

Even the OLO analysis itself admits that the time away from work as a result of the compensatory leave **"does not affect the amount of public dollars expended."**

Further, the OLO analysis is inconsistent with its earlier analysis of the impact attributed to the furlough leave imposed on all County Government employees. In the case of furlough leave, the only fiscal impact identified by both OLO and OMB was the reduction in pay and benefits (Social Security contribution) to County employees. While unpaid, furlough leave would have the same purported impact as the additional compensatory leave in that it could result in employees carrying a higher annual leave balance available for cash out at the end of his/her employment.

In addition, the furloughs increase the amount of time away from work, yet such a fiscal impact was not quantified by OLO in its review of either the Executive's or the Council's furlough plans.<sup>2</sup>

The fact is that neither furlough leave nor compensatory leave have the "fiscal impact" described in the OLO analysis. Given the conditions placed on furlough leave in Council Resolution 16-1373 and in the subject MOA's on the additional compensatory leave, neither requires an additional appropriation or the additional expenditure of public funds.

As per the opinion of the County Attorney, this provision requires neither an appropriation nor a legislative change by the County Council. I am sharing it with you as "information only" – as per Council directives from our late good friend Marilyn Praisner, who wanted the Council to see all parts of an agreement, not just those that required approval.

Further, the Council staff recommendation on the compensatory leave provision fails to consider that this benefit was exchanged as part of the give and take of the collective bargaining process. I can not simply reject the Union's proposals as the Council is in the position to do so, but rather I must negotiate in good faith with our employee representatives and take into consideration the significant concessions they have already made in developing the FY11 budget.

The staff analysis unfortunately leaves out that arithmetic.

Let's take a good look at the concessions I negotiated and the Council supported and the other changes to the pay and benefits that we have jointly supported to help get this County through these difficult fiscal times.

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<sup>1</sup> As the attached chart indicates, the cap provisions vary depending on date of hire and hours worked per year, but generally the maximum leave carryover per year is 240 hours for most employees. The average annual leave balance for County employees is 173.4 hours.

<sup>2</sup> OLO conceded that time away from work "does not affect the amount of public dollars expended..." but only "...represents a measurable reduction in service received for government expenditures."

These County Government savings totaled \$28.8 million in FY10 and \$32.6 million in FY11 when you take into account the elimination of COLAs, steps and increments, tuition assistance, as well as furloughs for all County Government employees, and the elimination of the calculation of imputed compensation from retirement benefits. These concessions and other savings represent substantive, real, continuing savings that address the County's immediate and long-term fiscal needs.

The granting of additional leave is a reasonable and modest concession in light of the sacrifice and concessions made by County employees. In the Council's initial rejection of provisions in these contracts, you made it clear you wanted nothing that would require additional appropriations. This does not.

2. Tuition Assistance: The MOA with the FOP included a provision for \$135,000 for tuition assistance in FY12. As the Council staff packet notes, capping the program at \$135,000 produces significant savings over previous FOP tuition expenditures which were approximately \$450,000 and at the same time preserves a valuable career development program for the County's police officers. You will recall that previous contracts permitted FOP members alone to continue to receive tuition assistance, even after the appropriated amount was expended, up to a maximum of \$1,730 for each police officer. As you know, we have not funded any part of the Tuition Assistance program in FY11.

I would also note that this item remains subject to the appropriation process and Council can defer this issue as part of the FY12 budget approval process.

3. Random Drug and Alcohol Testing: Except for those with commercial drivers' licenses and undercover police officers, there is currently no random drug testing of County employees, including fire fighters.

The staff packet does not mention that the IAFF previously agreed to such testing in exchange for other provisions you rejected. Since those provisions were not approved, the IAFF would not agree to include the provision in the renegotiated agreement.

In closing, I believe supporting these agreements is the right thing to do -- especially in light of the millions of dollars in economic concessions made by our employees in the FY11 budget and especially to sustain employee morale in these difficult times.

Leadership means looking beyond the short-term to the medium and long-term. As we work to continue to put our fiscal house in better order and to restructure and make more effective our County government, we are going to need to work with our County employees -- whether represented or unrepresented -- as partners.

We are not out of the "fiscal difficulties" woods yet -- not by a long shot -- and we may need to engage our employees in further sacrifices and changes in the coming years.

Rejection of these MOAs will send a very negative message to our employees during these very stressful and difficult economic times -- times in which they are already doing more with less. I urge the Council to approve these agreements.

IL:cs

Attachment

## Annual/Comp/Sick Leave Accrual and Roll-Over

### MCGEO

- Annual Leave
  - Accrues at 120 hours/year for employees with less than 3 years of service, 160 hours/year for employees with 3-15 years of service, 208 hours/year for employees with more than 15 years of service.
  - Employees hired before 12/31/56 may accumulate a maximum of 560 hours, employees hired between 1/1/57 and 7/1/72 may accumulate up to 320 hours, employees hired after 7/1/72 may accumulate a maximum of 240 hours. At the end of the calendar year, any annual leave in excess of these maximums is converted to sick leave. Subject to budget limitation up to 50% of the excess hours may be paid out instead of rolling to sick leave.
- Sick Leave
  - Employees accumulate sick leave at 120 hours/year.
  - There is no maximum to the amount of sick leave that can be accrued.
- Comp Leave
  - Comp leave balances of up to 80 hours can be rolled over from year to year. Any balance over 80 hours is to be paid out at the end of the year or rolled over for one year at the employee's option.

### FOP

- Annual Leave
  - Accrues at 120 hours/year for employees with less than 3 years of service, 160 hours/year for employees with 3-15 years of service, 208 hours/year for employees with more than 15 years of service.
  - Employees hired before 12/31/56 may accumulate a maximum of 560 hours, employees hired between 1/1/57 and 7/1/72 may accumulate up to 320 hours, employees hired after 7/1/72 may accumulate a maximum of 240 hours. At the end of the calendar year, any annual leave in excess of these maximums is converted to sick leave. Subject to budget limitation up to 50% of the excess hours may be paid out instead of rolling to sick leave.
- Sick Leave
  - Employees accumulate sick leave at 120 hours/year.
  - There is no maximum to the amount of sick leave that can be accrued.
- Comp Leave
  - Comp leave balances of up to 120 hours can be rolled over from year to year. Any balance over 120 hours is to be paid out at the end of the year or rolled over for one year at the employee's option..

### IAFF

- Annual Leave
  - Bargaining unit employees with less than 3 years of County service earn annual leave at the rate of 120 hours per leave year. Full-time employees

with at least a minimum of 3 years, but less than 15 years of County service earn annual leave at the rate of 160 hours per leave year. Full-time employees with 15 years or more of County service earn annual leave at the rate of 208 hours per leave year. Bargaining unit employees assigned to a 2,496-hour work year earn annual leave at the following rates: Less than 3 years County service - 144 hours per leave year; with at least a minimum of 3 years but less than 15 years of County service - 192 hours per leave year; with 15 years or more of County service - 249 hours per leave year. Further, Bargaining unit employees assigned to a 2,184-hour work year earn annual leave at the following rates: less than 3 years County service - 126 hours per leave year; with 3 years but less than 15 years of County service - 168 hours per leave year; with 15 years or more of County service - 219 hours.

- An employee who began work on or before December 31, 1956, may accumulate annual leave up to a maximum of 560 hours, provided the employee has been continuously employed since that date. An employee assigned to a 2,496 or 2,184-hour year and who meets this condition may accumulate annual leave up to a maximum of 672 or 588 hours respectively. An employee who began work on or before December 31, 1956, who subsequently has used accumulated annual leave in excess of 320 hours for the purposes of purchasing retirement service credits may only accumulate annual leave up to a maximum of 320 hours. Bargaining unit employees assigned to a 2,496 or 2,184-hour work year and who meets this condition may accumulate annual leave up to 384 or 336 hours respectively. An employee hired on or after January 1, 1957, but prior to July 1, 1972, may accumulate annual leave up to a maximum of 320 hours. A bargaining unit employee assigned to a 2,496 or 2,184-hour work year and who meet this condition may accumulate annual leave up to 384 or 336 hours, respectively. An employee hired on or after July 1, 1972, may accumulate annual leave up to a maximum of 240 hours. A bargaining unit employee assigned to a 2,496 or 2,184-hour work year and who meets this condition may accumulate annual leave up to 288 or 252 hours, respectively.

- Sick Leave

- Bargaining unit employees assigned to a 2,496-hour work year earn 144 hours of sick leave per year. Bargaining unit employees assigned to a 2,184-hour work year earn 126 hours of sick leave per year. Notwithstanding the accrual rate provided for above, employees in the bargaining unit who work a schedule of 2,080 hours in the work year earn 120 hours of sick leave per year.
- There is no maximum to the amount of sick leave that can be accrued.

- Comp Leave

- A bargaining unit employee who has a compensatory time balance in excess of 80 hours at the end of the leave year (96 hours for an employee assigned to a 2496-hour work year) may elect to be paid for the excess hours by the first pay period following March 15 of the succeeding year or

to carry them over for one year. The carry-over of excess compensatory time must be reduced by no later than December 31 of the succeeding leave year.

### **Personnel Regulations**

- Annual Leave
  - Accrues at 120 hours/year for employees with less than 3 years of service, 160 hours/year for employees with 3-15 years of service, 208 hours/year for employees with more than 15 years of service.
  - Employees hired before 12/31/56 may accumulate a maximum of 560 hours, employees hired between 1/1/57 and 7/1/72 may accumulate up to 320 hours, employees hired after 7/1/72 may accumulate a maximum of 240 hours. MLS can carryover 320 hours, former State/County employees may carry a maximum of 400 hours. At the end of the calendar year, any annual leave in excess of these maximums is converted to sick leave. Subject to budget limitation up to 50% of the excess hours may be paid out instead of rolling to sick leave.
- Sick Leave
  - Employees accumulate sick leave at 120 hours/year.
  - There is no maximum to the amount of sick leave that can be accrued.
- Comp Leave
  - Comp leave balances of up to 80 hours can be rolled over from year to year. For exempt employees any balance over 80 hours is to default to sick leave at the end of the year or be rolled over for one year at the employee's option. For non-exempt exempt employees any balance over 80 hours is to be paid out at the end of the year or rolled over for one year at the employee's option.



OFFICE OF HUMAN RESOURCES

Isiah Leggett  
County Executive

Joseph Adler  
Director

MEMORANDUM

September 16, 2010

TO: Duchy Trachtenberg, Chair, Management and Fiscal Policy Committee  
Phil Andrews, Chair, Public Safety Committee

FROM: Joseph Adler, Director   
Office of Human Resources  
Richard Bowers, Chief   
Montgomery County Fire and Rescue Services

SUBJECT: Response to Questions Regarding IAFF Agreement to increase Special Pay for ALS Providers

On July 30, 2010, the joint MFP and Safety Committee issued a memo requesting a response to specific questions regarding the IAFF Agreement to increase special pay for ALS providers. Staff from both the Fire and Rescue Services department and Office of Human Resources worked together to provide the responses to the questions below.

1. **What is the rationale for the proposed increase? What is the problem, and how would the increase address it? Has the problem changed in recent years due to a change in policy? If so, what was the change?**

The restoration of any previously negotiated differential to members of the IAFF in the course of mandatory negotiations under Section 33-153(p) of the Montgomery County Code was the result of a negotiated settlement and was offered within the context of reaching a total agreement.

Attaining the desired number of (Advanced Life Support ALS) providers has always been a challenge for MCFRS. The amount of additional training ALS providers must obtain, and the workload of responding to a high number of EMS incidents during their shift, have been factors of being able to recruit ALS providers. However, this is not a unique issue to Montgomery County. The recruitment of paramedics has been an emphasis for most Departments nationally that deliver ALS service.

Implementing our ALS service delivery model of Advanced First Responders Apparatus (AFRA)'s in stations that traditionally did not have an ALS transport unit and the opening of new stations has increased the need and the number of ALS providers for MCFRS.

Increasing the differential will not solely solve the problem. Compensation is one piece in attracting, recruiting and retaining ALS providers. Increasing the number of ALS providers in addition to providing a competitive differential is another important piece in reducing the reliance on overtime for ALS staffing. Other jurisdictions also use compensation to attract ALS providers. Here are the starting salaries of a few jurisdictions that have recently advertised for Firefighter/Paramedics, including Montgomery County:

DC	\$48,731*
Fairfax County	\$53,887*
Fairfax City	\$48,870*
Prince William	\$48,182*
Montgomery County	\$41,673*
Prince George's County	\$40,848.*

*\* All of these starting salaries do not include pay differentials and/or hourly riding differentials.*

2. **What information do you have that convinces you that this increase would help solve the problem?**

We currently have 18 paramedic vacancies. ALS positions cannot be filled by Basic Life Support (BLS) providers because of certification requirements for ALS providers. Increasing the number of ALS providers is a critical pathway in reducing the reliance on overtime to staff ALS positions. The differential increases will provide an incentive for incumbent firefighters to become MCFRS ALS providers.

It takes approximately one year to train a BLS provider (EMT-B) to become a paramedic. However, to take the course, the EMT-B must have either one year of experience as an EMT-B, or 150 calls as a "charge" EMT-B responsible for patient care. There is also a qualification exam with language, reading comprehension, and math skills. The actual hours involved to go from EMT-B to EMT-Intermediate (still a paramedic, but with fewer skills and knowledge) is 524 hours of didactic and clinical time. To become a full paramedic (EMT-P) it takes 737 hours of didactic and clinical time. This may be done in a weekday type of setting, or a combination of night and weekend sessions. Both levels require an internship based on proficiency. The absolute minimum is 108 hours though the average is closer to 400 hours.

3. **What efforts have we made to recruit ALS provides from outside County employment? Are we currently advertising for outside applicants?**

During the late 1990s, MCFRS sought to increase the number of ALS providers by having recruit classes that were comprised of either current ALS providers or candidates that signed a contract agreeing they would obtain their ALS certification with 1 year of employment, or be terminated. This was effective in bringing the number of ALS providers into MCFRS. However, there was not a sufficient amount of diversity in the class. MCFRS recently advertised for new employment for firefighter rescuer candidates. Out of the 2600 candidates who took our entrance exam, only 10 were ALS certified.

MCFRS has recruited ALS providers from the State of Maryland, Pennsylvania, and the National Registry of EMTs. Recruiting from within the State speeds up the hiring process by negating the need for equivalency of licensure. Pennsylvania and other nearby states are targeted based on geography, and the ability for employees to commute. As a "National Registry State", Maryland is able to accept training from any other jurisdiction and add a minimum of certification for Maryland licensure. The inherent difficulty here is that this is the same resource for most departments in the region and nation. There remains a very high level of competition in the DC region and nationally. It is not uncommon for the department to be competing with not only Washington DC, but Kansas City, MO or Pittsburgh, PA.

4. **What is the recruitment problem you now encounter? Are the vacant ALS positions filled by BLS providers? How many vacant ALS positions do you currently have and how many vacancies have you had over the past 2 years? What is the time period needed to train a BLS provider to become and ALS provider?**

The recruitment challenge is that MCFRS needs to attract our incumbent firefighter-rescuers to become ALS providers. The recruitment and retention of MCFRS ALS providers is a critical part of the multidimensional challenge to increase our paramedic capacity.

As indicated in response #2, it takes approximately one year to train a BLS provider (EMT-B) to become a paramedic. However, to take the course, the EMT-B must have either one year of experience as an EMT-B, or 150 calls as a "charge" EMT-B responsible for patient care. There is also a qualification exam with language, reading comprehension, and math skills. The actual hours involved to go from EMT-B to EMT-Intermediate (still a paramedic, but with fewer skills and knowledge) is 524 hours of didactic and clinical time. To become a full paramedic (EMT-P) it takes 737 hours of didactic and clinical time. This may be done in a weekday type of setting, or a combination of night and weekend sessions. Both levels require an internship based on proficiency. The absolute minimum is 108 hours though the average is closer to 400 hours.

5. **If the purpose of the increase is to attract current employees to obtain ALS certification, why does the agreement increase the special pay for the ALS providers who receive the largest lump sum supplement because they were hired before July 1, 2005? Did you consider offering signing bonuses for employees who fill current vacancies?**

The ALS providers who were hired prior to July 1, 2005 are those paramedics that MCFRS wants to retain along with our other paramedics. The increase of ALS differential pay is in itself a signing bonus for those personnel that fill the current vacancies. The ALS pay differential increases will help in the recruitment and retention of ALS providers from the MCFRS ranks.

6. **How many ALS positions are regularly filled with overtime on an average daily basis? What is the cost of this overtime? To what extent would the cost be mitigated by the proposed increase in the supplement? When could we see this overtime cost drop if we are able to induce current employees to take ALS training?**

We currently have 18 paramedic vacancies. ALS positions cannot be filled by BLS providers because of certification requirements for ALS providers. Increasing the number of ALS providers is a critical pathway in reducing the reliance on overtime to staff ALS positions. The differential increases will provide an incentive for incumbent firefighters to become MCFRS ALS providers. Interested incumbent firefighter-rescuers would need to be trained and certified as ALS providers over a 12 month time period.

It is unlikely that the increase of the differentials will have an immediate impact on OT. However, with an increase in the number of ALS providers, the reliance on overtime will be decreased. The ALS differential increases are seen as a long term commitment to the recruitment and retention of ALS providers.

7. **How was the \$199,670 annual cost estimated? What were the assumptions used to calculate this estimate? Is this still our best estimate of the cost? If not, please revise it? What would you project this cost to be over the next 6 years?**

In the fall of 2008, a count was made of current IAFF and Fire Management employees in each differential category. At the same time, a count was made of the number of hours paid in each hourly differential category.

The number of employees receiving the pay differentials was multiplied by the increase in the differential in each category (0-4, 5-8, and 8+ EMT-P Service).

In addition, the number of hours devoted to time qualifying for the hourly differential was multiplied by the increase in the differential.

Calculation includes both differentials estimated for IAFF members (\$198,580) and differentials estimated for Fire Management employees (\$1,090).

Differential increases were originally scheduled to go into effect the last year of the FY09-FY11 IAFF MOU, beginning July 1, 2010.

**Is this still our best estimate of the cost? If not, please revise it? What would you project this cost to be over the next 6 years?**

This is still the best estimate of the cost and it may increase/decrease in future years based on the number of certified MCFRS personnel who are eligible.

8. **With regard to the proposed elimination of the exercise physiologist position, what is the cost offset to the County, not just to MCFRS, if the position is being transferred to Recreation?**

The position was not transferred to recreation. The employee was laid off (subject to a RIF) from the MCFRS position and hired to fill a vacant recreation position. Instead of paying for two employees – one in recreation and another in MCFRS – the county is only paying for the one in recreation.

9. **If random drug and alcohol testing has previously been agreed to by the Executive and the IAFF, why did we fail to implement it? Why should we not implement it now?**

The random drug testing program was not implemented because the Union filed an Unfair Labor Practice against the County arguing that the process of the random drug testing was negotiable.

At the time of the Concession MOU, the parties were close to settling on a random drug testing program process. However, as part of the final reopener Memorandum of Agreement with the local IAFF, it was agreed that the Random Drug Testing program implementation would be discussed after FY13. Presently, MCFRS has “for cause” and post collision drug testing for career and volunteer personnel.

10. **As you know, the Council just adopted a revised fiscal plan that requires recurring expenditures to be paid with recurring revenues. If the Council decides that the cost to increase this special pay can only be approved if the corresponding savings used to offset this cost must be recurring savings, what do you propose we eliminate or reduce to provide these recurring savings?**

The identified savings are recurring.

cc: Valerie Ervin  
Nancy Navarro  
Roger Berliner  
Marc Elrich  
Steve Farber  
Bob Drummer  
Joseph Beach, OMB  
John Sparks, IAFF

Resolution No: \_\_\_\_\_  
Introduced: July 20, 2010  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the request of the County Executive

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Subject: **Collective Bargaining Agreement with Career Fire Fighters Association**

**Background**

1. Section 510A of the County Charter authorizes the County Council to provide by law for collective bargaining with binding arbitration with authorized representatives of County career fire fighters.
2. Chapter 33, Article X of the County Code implements Section 510A of the Charter and provides for collective bargaining by the County Executive with the certified representatives of the County's fire fighters and for review of the resulting contract by the Council.
3. The Executive and Local 1664, International Association of Fire Fighters, entered into an amendment to the existing agreement effective July 1, 2010 through June 30, 2011. The Memorandum of Agreement is attached to this Resolution.
4. On June 21, 2010, the Executive submitted to the Council the terms and conditions of the out-of-cycle collective bargaining agreement that require or may require an appropriation of funds, changes in County law or regulation, or may have a present or future fiscal impact.
5. The Joint Management and Fiscal Policy and Public Safety Committee ~~[[is scheduled to consider and make]]~~ made recommendations on the agreement at a worksession ~~[[scheduled for July 26, 2010]]~~ on September 27, 2010.
6. The County Council has considered these terms and conditions and is required by law to indicate its intention to fund or approve any legislation or regulations required to implement the agreement.

**Action**

*The County Council for Montgomery County, Maryland, approves the following resolution:*

The County Council intends to approve funding for the following amendments:

1. [[on January 1, 2011, a one-time award of **48 hours** of compensatory leave to each bargaining unit member working a 2496-hour work year and a prorated number of compensatory leave hours for each bargaining unit member working a 42-hour or 40-hour work week. This compensatory leave may not be taken when it would require backfilling with overtime and cannot be paid out at any time;
- 2.]] an increase of special pay for CRT, EMT-I and EMT-P pay on July 1, 2010 that was previously rejected by the Council in the FY11 Operating Budget approved on May 27, 2010.]];
3. a suspension of random alcohol and drug testing for FY11 and FY12; and]]
- [[4. the elimination of the FROMS Physiology Program effective August 1, 2010, except for the \$100,000 budgeted for equipment. This provision would eliminate one filled Grade 27 exercise physiologist position.]]

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

F:\LAW\TOPICS\Collective Bargaining\10collbar\June 2010 Agreements\IAFF Draft Amended Resolution.Doc

1. I appreciate the list of starting salaries for ALS providers recently advertised by other jurisdictions. However, it is difficult to compare these salaries without the inclusion of any special pay differentials in each jurisdiction. What are the special pay differentials for ALS providers in each jurisdiction?

Jurisdiction	Starting Salary	Lump Sum Pay Differential	Hourly Differential	Annual Retention Supplement	Signing Bonus
DC	\$48,731	\$4,430	none		\$9,000
Fairfax County	\$53,887*		\$2 - \$3		
Fairfax City	\$48,870	\$5,000	\$4		
Prince William	\$48,182	\$5,291	\$2 - \$3	3% - 5%	
Montgomery Co.	\$41,673	\$3,000	\$2 - \$3.25		
Prince Georges	\$40,848	N/A			

\*ALS Providers begin at a higher pay grade and step

2. Since we last recruited for outside ALS candidates more than 10 years ago, what are our current plans to do so in the near future to fill our 18 ALS vacancies?

**MCFRS would be interested in hiring a class of currently trained ALS providers, or requiring new hires to obtain ALS status within a specified time-period as a condition of employment. However, our current recruitment process shows that there is a significantly lower labor pool of trained ALS providers to draw from. In the current pool of candidates who passed the most recent written examination, there are only 10 ALS providers, not all of which will pass the other elements of the hiring process.**

3. I am still confused about the 18 ALS vacancies. Do we have 18 vacant positions in FRS or are the positions filled with BLS certified providers?

**We have 18 vacant ALS provider positions – not filled by BLS providers.**

4. I understand that ALS providers hired before July 1, 2005 receive a larger lump sum pay differential. If a current BLS provider who was hired prior to July 1, 2005 becomes certified as an ALS provider in 2010, would that employee receive the pre-2005 lump sum or the post 2005 special pay differential?

**Any ALS provider who receives ALS certification after July 1, 2005 will receive the post 2005 pay differential. (This does not include a small group of employees listed in a 2006 Side Letter.)**

5. I understand how the elimination of the exercise physiologist position can be considered a recurring savings. However, how can you consider the undefined salary lapse a recurring savings? What FRS positions are currently vacant that will result in the salary lapse? Also, how does the 2-year delay in the random drug testing program create recurring savings beyond 2 years?

**The salary lapse is a recurring savings because there are no plans to add back this budget authority. MCFRS currently has several vacant positions with many more to come as there are no recruit classes scheduled this year to offset attrition. MCFRS is not certain it will be funded two years from now because it is dependant on the outcome of union negotiations and the county's budget process. Ultimately, the funding could not be added back to the MCFRS budget without approval from council. Until then, since there is no random drug test program, it seems reasonable to use that budget authority to offset the cost of this agreement.**

1. Please provide a comparison of the current salary, special pay, and benefit package for MCFRS ALS providers with different levels of experience with similarly situated ALS providers in the surrounding local jurisdictions. For example, look at ALS providers with 0, 5, 10, 15, and 20 years of service.

**The most recent comprehensive data is from a 2008 comparison study done by Public Financial Management, a consultant group whose services the County retains for collective bargaining. The comparison was the current data at the time the ALS duty differential was originally negotiated. The attached packet contains a comparison between Montgomery County and most of the surrounding jurisdictions covering most aspects of total compensation.**

2. How many ALS providers do we need to reach a full complement? How many do we currently have?

**We need 170 FF/PM and MFF/PM assigned to field operations to reach full complement. We currently have 153 assigned to field operations, thus currently have 17 vacancies.**

3. Please provide the number of vacant ALS positions we have had at the end of each quarter for the last 5 years?

**MCFRS does not keep this type of historical data for more than 12 months. Based on data from the last 12 months, ALS provider vacancies:**

<b>9/29/09</b>	<b>18</b>
<b>12/29/09</b>	<b>17</b>
<b>3/22/10</b>	<b>11</b>
<b>6/30/10</b>	<b>18</b>
<b>9/30/10</b>	<b>17</b>

4. Please categorize the reason for each person who left a position as an ALS provider in the past 3 years. For example, retirement, dropping ALS certification and remaining with MCFRS, or leaving for another department.

<b>Category</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010 (to date)</b>
Retired/Separation	4	5	7	7
Dropped ALS status	3	2	2	3
<b>Total</b>	<b>7</b>	<b>7</b>	<b>9</b>	<b>10</b>

5. Please calculate the potential overtime savings as the vacancies decrease? If we hire new ALS providers from outside, would reducing overtime be less expensive than the salary and benefits for additional employees? How do you calculate the savings?

**The overtime savings depends on the number of vacancies filled and the ranks involved. Hiring an additional firefighter/rescuer III, for example, might save roughly \$75,000 in overtime costs annually. This reduction in overtime probably would not offset the cost to pay the salary and benefits of the new employee. We calculate the savings by comparing the salary and benefits cost of the proposed hire to the overtime cost that would be avoided (the product of hours worked and an average overtime rate).**

6. What other areas in the MCFRS budget can be cut to pay for this increased special pay that would be permanent recurring savings?

**MCFRS remains dedicated to providing the highest level of service to the community possible. We are constantly evaluating our structure and operations to ensure we are providing the community the best service possible through an efficient expenditure of resources. This efficiency without sacrifice in service has been, and continues to be one of our highest priorities.**

# Senior Non-Supervisory Fire/Rescue Title - ALS EMT-I or CRT Certified, Assigned to Medic Unit, Non-Competitive



	Match	Maximum Base + Longevity	Hourly Equivalent
Montgomery County	Firefighter/Rescuer III	\$78,204	\$31.33
Median (w/o MontCo)	-	\$78,035	\$34.70
Alexandria City	Medic/Emergency Rescue Tech II	\$75,787	\$34.70
Anne Arundel County	Firefighter/EMT-P	\$78,035	\$35.73
Arlington County	Firefighter/EMT II	\$90,201	\$30.98
Baltimore City	Firefighter/Paramedic	\$61,343	\$28.09
Baltimore County	Paramedic/Firefighter	\$93,313	\$42.73
District of Columbia	Technician Paramedic	\$86,656	\$39.68
Fairfax County	Firefighter/Medic	\$92,884	\$31.90
Howard County	Fire Fighter	\$66,972	\$26.83
Loudoun County	Fire Fighter EMT	\$76,891	\$35.21
Prince George's County	Fire Fighter Medic III	\$83,348	\$38.16
Prince William County	Fire & Rescue Technician I	\$75,830	\$30.38

**\*Notes:**

<sup>1</sup> Data for the District of Columbia reflects salary schedule effective October 1, 2006. New data will be reflected once available.

<sup>2</sup> Data for Prince George's County reflects salary schedule effective July 9, 2006. No successor agreement in place.

# Senior Non-Supervisory Fire/Rescue Title - ALS EMT-I or CRT Certified, Medic Unit, Including Competitive



	Match	Maximum Base + Longevity	Hourly Equivalent
Montgomery County	<b>Master Firefighter/Rescuer</b>	\$85,592	\$34.29
Median (w/o MontCo)	-	\$83,348	\$35.01
Alexandria City	<i>Medic/Emergency Rescue Tech II</i>	\$75,787	\$34.70
Anne Arundel County	<i>Firefighter/EMT-P</i>	\$78,035	\$35.73
Arlington County	<i>Firefighter/EMT II</i>	\$90,201	\$30.98
Baltimore City <sup>1</sup>	<i>Firefighter/Paramedic</i>	\$61,343	\$28.09
Baltimore County	<i>Paramedic/Firefighter</i>	\$93,313	\$42.73
District of Columbia <sup>1</sup>	<i>Technician Paramedic</i>	\$86,656	\$39.68
Fairfax County	Fire Technician	\$83,849	\$28.79
Howard County	<i>Fire Fighter</i>	\$66,972	\$26.83
Loudoun County	<sup>1</sup> Fire-Rescue Technician	\$75,113	\$38.33
Prince George's County	<i>Fire Fighter Medic III</i>	\$83,348	\$38.16
Prince William County	Fire & Rescue Technician II	\$87,377	\$35.01

<sup>1</sup> Despite repeated outreach, comparable jurisdiction was unable to be contacted to identify whether they have a title match for the Montgomery County Master Firefighter competitive promotional title. Title listed above is the highest non-competitive rank for the jurisdiction.

Note: For those comparable jurisdictions without competitive titles, the highest non-competitive titles are included above. Non-competitive titles are italicized.

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# Bargaining Unit Overview

## Base Salary + Longevity



- Base annual salaries for unit members range from \$39,997 for entry level firefighters up to \$97,414 for Fire/Rescue Captains
- Additional longevity pay of 3.5% maximum base pay provided at 20 years of service

	Firefighter/ Rescuer I - III	Master FF/Rescuer	Fire/Rescue Lieutenant	Fire/Rescue Captain
Min Base	\$39,997	\$48,507	\$53,363	\$60,174
Max Base	\$71,390	\$78,528	\$86,386	\$97,414
20-Yr Longevity	\$73,889	\$81,277	\$89,410	\$100,824

- EMS titles and other special assignments receive additional pay, as shown on the following slide

# Typical Career Progressions



Entry through Journey Level: Base + Scheduled OT + Longevity

Completed Years of Service	Year of Service	Montgomery County	Median	Alexandria	Anne Arundel	Arlington	Baltimore City	Baltimore County	DC	Fairfax	Howard	Loudoun*	Prince George's	Prince William
0	Year 1	\$39,997	\$39,144	\$44,786	\$36,022	\$45,832	\$32,038	\$33,433	\$44,301	\$48,744	\$38,538	\$39,144	\$38,880	\$44,087
1	Year 2	\$43,487	\$43,921	\$47,025	\$38,773	\$47,648	\$34,857	\$34,846	\$45,831	\$51,180	\$41,571		\$42,211	\$45,850
2	Year 3	\$44,989	\$45,991	\$51,949	\$38,812	\$49,591	\$37,275	\$41,902	\$47,844	\$53,740	\$44,367		\$43,689	\$47,614
3	Year 4	\$48,893	\$47,540	\$54,442	\$40,542	\$51,820	\$43,974	\$43,768	\$50,080	\$56,426	\$45,702		\$45,218	\$49,377
4	Year 5	\$50,605	\$50,908	\$57,164	\$42,589	\$53,692	\$50,872	\$45,573	\$53,182	\$59,248	\$47,087		\$48,984	\$51,141
5	Year 6	\$52,377	\$52,365	\$58,166	\$44,898	\$57,600	\$51,825	\$47,480	\$53,182	\$62,210	\$48,535		\$50,699	\$52,904
6	Year 7	\$54,211	\$53,571	\$61,235	\$46,833	\$58,501	\$52,458	\$49,587	\$56,294	\$65,321	\$50,045		\$52,473	\$54,866
7	Year 8	\$56,109	\$55,287	\$63,379	\$49,278	\$61,445	\$52,458	\$51,678	\$56,264	\$68,588	\$51,586		\$54,310	\$56,431
8	Year 9	\$58,073	\$57,208	\$65,597	\$51,743	\$63,479	\$52,458	\$53,835	\$59,384	\$68,588	\$53,140		\$56,211	\$58,155
9	Year 10	\$60,106	\$59,771	\$67,889	\$54,831	\$65,588	\$52,458	\$56,273	\$59,384	\$72,019	\$54,763		\$58,178	\$60,958
10	Year 11	\$62,210	\$60,988	\$69,454	\$57,047	\$67,063	\$54,276	\$58,753	\$62,463	\$72,019	\$56,422		\$60,214	\$61,722
11	Year 12	\$64,388	\$62,392	\$71,052	\$59,900	\$68,821	\$54,278	\$58,753	\$62,463	\$72,019	\$58,107		\$62,322	\$63,845
12	Year 13	\$66,642	\$64,876	\$72,886	\$62,894	\$70,180	\$54,278	\$58,753	\$65,586	\$72,019	\$58,958		\$64,503	\$65,249
13	Year 14	\$68,975	\$66,299	\$74,358	\$65,838	\$71,760	\$54,278	\$61,387	\$65,586	\$72,019	\$69,880		\$66,781	\$67,012
14	Year 15	\$71,390	\$68,811	\$76,068	\$68,838	\$73,447	\$54,276	\$61,387	\$68,846	\$75,619	\$80,803		\$68,087	\$68,776
15	Year 16	\$71,390	\$68,893	\$77,817	\$65,838	\$75,134	\$68,094	\$64,097	\$68,846	\$75,619	\$81,714		\$71,518	\$70,539
16	Year 17	\$71,390	\$69,683	\$77,817	\$65,838	\$76,843	\$66,094	\$64,097	\$68,846	\$75,619	\$82,525		\$74,019	\$70,539
17	Year 18	\$71,390	\$69,683	\$77,817	\$65,838	\$78,618	\$68,094	\$66,981	\$68,846	\$75,619	\$83,549		\$76,291	\$70,539
18	Year 19	\$71,390	\$69,683	\$77,817	\$65,838	\$78,618	\$68,094	\$66,981	\$68,846	\$75,619	\$84,472		\$79,289	\$70,539
19	Year 20	\$71,390	\$71,332	\$77,817	\$65,838	\$78,618	\$68,094	\$68,988	\$72,125	\$75,619	\$84,472		\$82,066	\$70,539
20	Year 21	\$73,889	\$71,332	\$77,817	\$65,838	\$78,618	\$68,174	\$68,988	\$72,125	\$79,401	\$84,472		\$84,938	\$70,539
21	Year 22	\$73,889	\$72,626	\$77,817	\$65,838	\$78,618	\$68,174	\$73,126	\$72,125	\$79,401	\$84,472		\$86,359	\$70,539
22	Year 23	\$73,889	\$72,626	\$77,817	\$65,838	\$78,618	\$68,174	\$73,126	\$72,125	\$79,401	\$84,472		\$88,359	\$70,539
23	Year 24	\$73,889	\$72,626	\$77,817	\$65,838	\$78,618	\$68,174	\$73,126	\$72,125	\$79,401	\$84,472		\$86,359	\$70,539
24	Year 25	\$73,889	\$75,925	\$77,817	\$65,838	\$78,618	\$68,174	\$76,447	\$75,403	\$79,401	\$84,472		\$88,359	\$70,539
25	Year 26	\$73,889	\$75,925	\$77,817	\$65,838	\$78,618	\$68,280	\$76,447	\$75,403	\$79,401	\$84,472		\$86,359	\$70,539
26	Year 27	\$73,889	\$75,925	\$77,817	\$65,838	\$78,618	\$68,250	\$76,447	\$75,403	\$79,401	\$84,472		\$88,359	\$70,539
27	Year 28	\$73,889	\$75,925	\$77,817	\$65,838	\$78,618	\$68,250	\$76,447	\$75,403	\$79,401	\$84,472		\$86,359	\$70,539
28	Year 29	\$73,889	\$75,925	\$77,817	\$65,838	\$78,618	\$68,250	\$76,447	\$75,403	\$79,401	\$84,472		\$88,359	\$70,539
29	Year 30	\$73,889	\$77,817	\$77,817	\$65,838	\$78,618	\$68,250	\$76,447	\$75,403	\$79,401	\$84,472	\$65,316	\$86,359	\$70,539
<b>Rankings</b>														
0	Year 1	8	-	3	10	2	12	11	4	1	9	7	8	5
5	Year 8	8	-	2	11	3	7	10	4	1	9	-	8	5
10	Year 11	5	-	2	9	3	11	8	4	1	10	-	7	8
15	Year 16	5	-	1	8	3	11	9	7	2	10	-	4	8
20	Year 21	5	-	4	9	3	11	8	6	2	10	-	1	7
25	Year 26	7	-	4	9	3	11	5	6	2	10	-	1	8
29	Year 30	7	-	6	9	5	12	2	4	3	11	10	1	8
<b>Maximum Rate for Highest Non-Supervisory Firefighter (Including Promotional Titles - Details Below)</b>														
Rate		\$81,277	\$78,217	\$77,817	\$69,131	\$78,618	\$61,820	\$83,595	\$78,682	\$83,188	\$84,472	\$73,154	\$90,065	\$77,094
Rank		4	-	7	10	6	12	2	5	3	11	9	1	8

\* Loudoun was unable to describe a typical 30-year career progression due to pay-banding approach. As such only the minimum and maximum pay levels are reflected on this chart.

Montgomery County	Alexandria	Anne Arundel	Arlington	Baltimore City	Baltimore County	DC	Fairfax	Howard	Loudoun	Prince George's	Prince William
Minimum Base Pay	\$48,507	\$36,773		\$32,889	\$43,788		\$51,068		\$43,842	\$42,867	\$48,154
Maximum Base + Longevity	\$81,277	\$68,781		\$61,820	\$83,595		\$83,188		\$73,154	\$90,065	\$77,094
Minimum Service Requirement	4	2		3	3		2		4	3	2

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# Health Benefits: Premium Cost Sharing

- Every department in the survey group requires premium cost sharing for health benefits (highest enrollment health plan)
- Montgomery County's 20% employee cost-sharing percentage is at the median for family coverage
- For single coverage, Montgomery County is just above the median of 13%

*\*Data shown is for health plans with the highest enrollment, except where otherwise noted\**

Comparable	Benefit Plan Year	Plan Type	Employee Contribution (Single)	Employer Contribution (Single)	Employee Contribution (Family)	Employer Contribution (Family)
Montgomery County	Calendar Year 2007	POS	20%	80%	20%	80%
Alexandria City	7/1/2006 - 6/30/2007	HMO	10%	90%	10%	90%
Anne Arundel County	Calendar Year 2007	POS	10%	90%	10%	90%
Arlington County	1/1/2007 - 6/30/2007	HMO	20%	80%	20%	80%
Baltimore City	Calendar Year 2007	PPN	20%	80%	20%	80%
Baltimore County	9/1/2006 - 8/31/2007	HMO	3%	97%	3%	97%
District of Columbia*	Calendar Year 2007	HMO	25%	75%	25%	75%
Fairfax County	Calendar Year 2007	POS	15%	85%	25%	75%
Howard County	7/1/2006 - 6/30/2007	HMO	10%	90%	10%	90%
Loudoun County	9/1/2006 - 8/31/2007	POS	10%	90%	23%	78%
Prince George's County	Calendar Year 2007	HMO	20%	80%	20%	80%
Prince William County	7/1/2006 - 6/30/2007	PPO	18%	82%	36%	64%
Median (w/o MontCo)	-	-	15%	85%	20%	80%

*\* Washington DC monthly employee contribution rates listed are for the Aetna HMO option, and do not include additional dental/optical copayments. Precise enrollment data is not available for the number of EMS employees enrolled in the different plans offered.*



# Health Benefits: Premium Cost Sharing

*\*Data shown is for health plans with the highest enrollment, except where otherwise noted\**

Comparable	Benefit Plan Year	Plan Type	Employee Monthly Cost (Single)	Employee Monthly Cost (Family)
Montgomery County	Calendar Year 2007	POS	\$72.15	\$210.15
Alexandria City	7/1/2006 - 6/30/2007	HMO	\$34.56	\$81.56
Anne Arundel County	Calendar Year 2007	POS	\$39.80	\$109.78
Arlington County	1/1/2007 - 6/30/2007	HMO	\$74.88	\$215.63
Baltimore City	Calendar Year 2007	PPN	\$86.60	\$210.75
Baltimore County	9/1/2006 - 8/31/2007	HMO	\$10.93	\$33.06
District of Columbia*	Calendar Year 2007	HMO	\$77.70	\$202.02
Fairfax County	Calendar Year 2007	POS	\$67.82	\$326.74
Howard County	7/1/2006 - 6/30/2007	HMO	\$36.00	\$106.00
Loudoun County	9/1/2006 - 8/31/2007	POS	\$48.51	\$272.86
Prince George's County	Calendar Year 2007	HMO	\$53.90	\$150.39
Prince William County	7/1/2006 - 6/30/2007	PPO	\$69.70	\$419.28
Median (w/o MontCo)	-	-	\$53.90	\$202.02

*\* Washington DC monthly employee contribution rates listed are for the Aetna HMO option, and do not include additional dental/optical copayments. Precise enrollment data is not available for the number of EMS employees enrolled in the different plans offered.*



# Health Benefits: Office Visit and Rx Copays

*\*Data shown is for health plans with the highest enrollment, except where otherwise noted\**

Comparable	Benefit Plan Year	Office Visit Copay	Rx Generic	Rx Preferred	Rx Non-Preferred
Montgomery County	Calendar Year 2007	\$10	\$4	\$8	\$8
Alexandria City	7/1/2006 - 6/30/2007	\$15	\$10	\$20	\$35
Anne Arundel County	Calendar Year 2007	\$5	\$5	\$15	\$25
Arlington County	1/1/2007 - 6/30/2007	\$10	\$10	\$20	\$40
Baltimore City	Calendar Year 2007	\$10	\$10	\$20	\$30
Baltimore County	9/1/2006 - 8/31/2007	\$10	\$5	\$10	\$25
District of Columbia*	Calendar Year 2007	\$15	\$10	\$25	\$40
Fairfax County	Calendar Year 2007	\$10	\$10	\$20	\$35
Howard County	7/1/2006 - 6/30/2007	\$10	\$10	\$20	\$35
Loudoun County	9/1/2006 - 8/31/2007	\$10	\$8	\$18	\$38
Prince George's County	Calendar Year 2007	\$15	\$6	\$12	\$27
Prince William County	7/1/2006 - 6/30/2007	\$15	\$10	\$20	\$35
Median (w/o MontCo)	-	\$10	\$10	\$20	\$35

# Pension – Standard Benefit Formula

Standard Benefit Formula	
Montgomery County <sup>1</sup>	If retirement is prior to full Social Security age, the benefit is equal to 2% of Average Final Earnings multiplied by years of service for years 1-20, plus 3% of Average Final Earnings multiplied by years of service for years 21-24, plus 8% of Average Final Earnings multiplied by years of service for year 25, plus 2% of Average Final Earnings multiplied by years of service for years 26-31, plus 2% of Average Final Earnings multiplied by sick leave credits for up to 2 years. Average Final Earnings equal the average of regular annual earnings for the 36 month period prior to retirement, or any consecutive 36 month period if greater.
Alexandria City	1.7% of average final compensation multiplied by the number of years of creditable service. Plus, supplemental plan benefit of .8% of average final compensation multiplied by the number of years of creditable service. Average Final Compensation is the average of the 36 consecutive months of highest salary.
Anne Arundel County	2.5% of final average basic pay multiplied by years of credited service up to 20 years, plus 2% of final average basic pay multiplied by years of credited service in excess of 20 years. Final Average Basic Pay is calculated as the three highest years annual basic pay out of the five years prior to termination of employment.
Arlington County <sup>2</sup>	If retirement is prior to full Social Security age, the benefit is 2% of Average Final Salary multiplied by years of credited service, up to a maximum of 30 years. Average Final Salary is the average of the 3 highest 26 consecutive pay periods.
Baltimore City	2.5% of Average Final Compensation multiplied by years of service up to 20 years, plus 2.0% of Average Final Compensation multiplied by years of service, for service over 20 years. Average Final Compensation is calculated as the average of the highest 18 consecutive months of regular annual earnable compensation.
Baltimore County	2.5% of Average Final Compensation multiplied by years of service up to 20 years, plus 2% of Average Final Compensation for each year of creditable service in excess of 20 years. Average Final Compensation is based on the highest paid 12 consecutive months.

<sup>1</sup> Once full Social Security age is reached, the benefit is equal to 1.3750% of Average Final Earnings multiplied by years of credited service for years 1-20, plus 2.0625% of Average Final Earnings multiplied by years of service for years 21-24, plus 5.6000% of Average Final Earnings multiplied by years of service for year 25, plus 1.3750% of Average Final Earnings multiplied by years of service for years 26-31, plus 1.3750% of Average Final Earnings multiplied by sick leave credits for up to 2 years.

<sup>2</sup> Once full Social Security age is reached by employees in Arlington County, the benefit is equal to 1.5% of Average Final Salary multiplied by years of credited service for the 1st through 10th years, plus 1.7% of Average Final Salary multiplied by years of credited service for the 11th through 20th years, plus 2.0% of Average Final Salary multiplied by years of credited service for the 21st through 30th years.



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# Pension – Standard Benefit Formula (cont'd)

Standard Benefit Formula	
Montgomery County <sup>1</sup>	<p>If retirement is prior to full Social Security age, the benefit is equal to 2% of Average Final Earnings multiplied by years of service for years 1-20, plus 3% of Average Final Earnings multiplied by years of service for years 21-24, plus 8% of Average Final Earnings multiplied by years of service for year 25, plus 2% of Average Final Earnings multiplied by years of service for years 26-31, plus 2% of Average Final Earnings multiplied by sick leave credits for up to 2 years.</p> <p>Average Final Earnings equal the average of regular annual earnings for the 36 month period prior to retirement, or any consecutive 36 month period if greater.</p>
District of Columbia	<p>2.5% of Average Base Pay multiplied by years of total service.</p> <p>Average Base Pay is the average of the highest pay for 36 consecutive months.</p>
Fairfax County	<p>2.5% of Average Final Compensation multiplied by years of service. The benefit is then increased by 3%.</p> <p>Average Final Compensation is the average of creditable compensation for the 36 consecutive months of employment that produce the highest average annual compensation.</p>
Howard County	<p>Benefit is a percentage of Average Compensation and is dependant upon years of creditable service. With 20 years of service, the benefit equals 50% of Average Compensation. With 30 years of service, the benefit equals 70% of Average Compensation.</p> <p>Average Compensation for the 36 consecutive months that produce the highest average.</p>
Loudoun County	<p>1.7% of Average Final Compensation multiplied by years of service.</p> <p>Average Final Compensation equals the average of the 36 consecutive months with the highest salary.</p>
Prince George's County	<p>3% of Average Annual Compensation for each year of service up to 20 years, plus 2.5% of Average Annual Compensation for each year over 20.</p> <p>Average Annual Compensation is the average of the highest 24 consecutive months of salary.</p>
Prince William County	<p>1.7% of average final compensation multiplied by the number of years of creditable service.</p> <p>Plus, supplemental plan benefit equal to the greatest of: 1.5% of final average earnings multiplied by years of service, 1.65% of final average earnings multiplied by years of service minus \$1,200, a monthly benefit of \$640 payable for 15 years, or a lump sum benefit with interest plus a 100% employer match.</p> <p>Average Final Compensation is the average of the 36 consecutive months of highest salary.</p>

<sup>1</sup> Once full Social Security age is reached, the benefit is equal to 1.3750% of Average Final Earnings multiplied by years of credited service for years 1-20, plus 2.0625% of Average Final Earnings multiplied by years of service for years 21-24, plus 5.5000% of Average Final Earnings multiplied by years of service for year 25, plus 1.3750% of Average Final Earnings multiplied by years of service for years 26-31, plus 1.3750% of Average Final Earnings multiplied by sick leave credits for up to 2 years.



# Pension – Employee Contribution

Employee Contribution	
Montgomery County	4.75% of regular earnings up to the maximum Social Security wage base, plus 0.5% of earnings above that amount
Alexandria City <sup>1</sup>	0.0%
Anne Arundel County	5.0%
Arlington County	5.0%
Baltimore City	6.0%
Baltimore County	Dependent upon age when member started employment. (Ranges from 6.16% to 7.33%)
District of Columbia	8.0%
Fairfax County	7.08%
Howard County	7.7%
Loudoun County	0.0%
Prince George's County	4.0%
Prince William County <sup>2</sup>	6.37%

<sup>1</sup> The City of Alexandria contributes to both the Virginia Retirement System and Supplemental Plans on behalf of the employees.

<sup>2</sup> Employees contribute 5.0% towards the Virginia Retirement System pension plan and an additional 1.37% to the County's Supplemental Pension Plan for Police Officers and Uniformed Fire and Rescue Personnel.



# Pension – Eligibility Requirements

Eligibility Requirement	
Montgomery County	Age 55 with 15 years of service; or 25 years of service at any age.
Alexandria City	Age 65 with 5 years of service; or age 50 with 30 years of service.
Anne Arundel County	Age 50 with 5 years of service; or 20 years of service at any age
Arlington County	Age 52 with 5 years of service; or 25 years of service at any age.
Baltimore City	Age 50 with 10 years of membership service; or 20 years of membership service at any age.  Employees must also have at least 10 years of membership service as a contributing Fire & Police member.
Baltimore County	Age 50 with 20 years of service; or 25 years of service at any age; or age 55 if employee is vested.
District of Columbia	25 years of service at any age.
Fairfax County	Age 55 with 6 years of service; or 25 years of service at any age.
Howard County	Age 62 with 5 years of service; or 20 years of service at any age
Loudoun County	Age 60 with 5 years of service; or age 50 with 25 years of service.
Prince George's County	Age 55; or 20 years of service at any age
Prince William County	Age 65 with 5 years of service; or age 50 with 30 years of service.



# Premium Pay

	Shift Differential	Longevity	Uniform Allowance
Montgomery County	None	20 completed YOS = 3.5%	Uniforms provided by County
Alexandria City	None	None	None
Anne Arundel County <sup>1</sup>	3PM-7AM: \$1.20/hr	None	Uniforms provided by County
Arlington County	None	None	Uniforms provided by County
Baltimore City	None	5 completed YOS = 1% 10 completed YOS = 4.5% 15 completed YOS = 8% 20 completed YOS = 11.5% 25 completed YOS = 14%	\$360 annually as a personal safety equipment & uniform adjustment
Baltimore County	Differential paid only to employees working 40 hours per week, or those assigned to Support Services or E shift.	Longevity steps vary by years of service. A FF/EMT receives the following: 10 completed YOS = \$2,270 15 completed YOS = \$4,678 19 completed YOS = \$7,235 21 completed YOS = \$9,866 24 completed YOS = \$12,647 29 completed YOS = \$15,566	Uniforms provided by County
District of Columbia <sup>2</sup>	10% of base pay for all shifts worked, except for 1st shift.	15 completed YOS = 5% 20 completed YOS = 10% 25 completed YOS = 15% 30 completed YOS = 20%	Uniforms are provided

<sup>1</sup>Employees wearing civilian clothes receive a clothing allowance of \$550 per year. Employees in Anne Arundel County also receive \$600 per year as a Physical Fitness Allowance. This premium is intended to encourage participation in physical fitness activities such as gym memberships, wellness programs, smoking cessation, purchase of physical fitness equipment, etc, but is not contingent on any actual activity.

<sup>2</sup>Differentials listed apply only to members of IAFF Local 36.



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# Premium Pay (cont'd)

	Shift Differential	Longevity	Uniform Allowance
Montgomery County	None	20 completed YOS = 3.5%	Uniforms provided by County
Fairfax County	\$.73/hr included in reported base pay	Step 10 is 15 year longevity; step 11 is 20 year longevity	Uniforms provided by County
Howard County	Differential of \$4,000 paid only to employees assigned to work the alternate work schedule of four 10 hour days, Monday through Friday.	None	Uniforms provided by County
Loudoun County	None	Employees may be eligible for Longevity Leave after 2 completed years of service, and may receive one additional day of leave for each additional completed year of service, to a maximum of 12 days.	Uniforms provided by County
Prince George's County	None	None	\$1,070 per year
Prince William County <sup>3</sup>	Mid or Swing Shift = \$0.70/hour	Retention Supplement: 1st anniversary following release from probation through Year 9 = 3% Years 10+ = 5% (\$4,000 annual cap)	Uniforms provided by County

<sup>3</sup>All recruits also receive a signing bonus of \$3,090 to be paid upon successful completion of the Academy.



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# Longevity Pay



Longevity Pay	
Montgomery County	Longevity payment awarded after 20 YOS Longevity pay step reflects a 3.5% increase over the maximum base pay
Alexandria City	None
Anne Arundel County	None
Arlington County	None
Baltimore City	Longevity calculated at the Maximum Level of an employee's classification as follows: 5 YOS = 1.0% of total annual salary 10 YOS = additional 3.5% of total annual salary 15 YOS = additional 3.5% of total annual salary 20 YOS = additional 4.0% of total annual salary 25 YOS = additional 4.0% of total annual salary
Baltimore County	Longevity built into pay scale Increases occur after 10,13,15,17,19,21,24, and 29 YOS Longevity premiums range from 4% - 4.5% of maximum base salary
District of Columbia	Longevity calculated at the Maximum Level of an employee's classification as follows: 15 YOS = 5% of total annual salary 20 YOS = 10% of total annual salary 25 YOS = 15% of total annual salary 30 YOS = 20% of total annual salary
Fairfax County	Steps 10 and 11 of pay range considered longevity steps
Howard County	None
Loudoun County	None
Prince George's County	None
Prince William County	None

# Holidays



Holiday Pay Provisions	
Montgomery County	12 holidays annually including Inauguration Day and Election Day Employees working a 2,496 hour annual schedule receive 16 hours of straight time pay for hours worked on a holiday <sup>1</sup>
Alexandria City	11 holidays annually plus Inauguration Day. If a holiday is worked, the employee may choose either 2 times their regular rate, or straight time pay and compensatory time for those hours worked
Anne Arundel County	In lieu of holidays, 15 additional days (126 hours) of annual leave
Arlington County	13 holidays granted in 2007. Holiday Premium Hours for Fire-shift employees shall be 12 hours of compensatory leave or twelve hours of pay at the converted (40/56) rate
Baltimore City	12 Holidays annually plus Inauguration Day
Baltimore County	10 holidays granted annually. If a holiday is worked, the employee receives 1.5 times their regular rate for the entire shift. Payment shall be on the basis of the shift that reports for work within the holiday hours
District of Columbia	11 holidays annually. If a holiday is worked the employee is granted straight time pay in addition to holiday pay
Fairfax County	11.5 holidays annually plus Inauguration Day If a holiday is worked, the employee receives either 2x their regular rate for hours worked, or straight pay plus compensatory time off for hours worked. If a holiday is not worked, the employee receives 8 hours pay at their hourly rate.
Howard County	Employees receive one day (8-hours) of leave for 12 holidays. In addition to leave, employees who work on Thanksgiving, the day after Thanksgiving, Christmas Eve, Christmas day, Easter Sunday, or the Monday following Easter receive 1.5 times their regular rate for up to 12 hours worked
Loudoun County	12.5 holidays annually
Prince George's County	12.25 holidays annually. Working on a holiday (24-hour shift), an employee receives double time for the first 12 hours worked and straight time for the second 12 hours worked. The employee also receives 12 hours of additional leave when a holiday is worked
Prince William County	12 holidays annually. Employees scheduled to work receive 1.5 time for the 12 hours worked and no additional comp time

<sup>1</sup> For Inauguration Day, Presidents Day, Columbus Day, and Election Day employees may elect 16 hours of compensatory time in lieu of pay

# Shift Differentials



Shift Differentials	
Montgomery County	None
Alexandria City	None
Anne Arundel County	None
Arlington County	None
Baltimore City	\$320 night shift differential added to each employee's total annual salary
Baltimore County	None
District of Columbia	None
Fairfax County	\$0.73/hr for all regularly scheduled hours actually worked between the hours of 4pm and 7am in accordance with established payroll procedures
Howard County	None
Loudoun County	None
Prince George's County	None
Prince William County	None

# Miscellaneous Premiums



Miscellaneous Premiums Received By Full Bargaining Unit (i.e., Does Not Include Pay for Special Assignments, e.g. HAZMAT, or Qualifications, e.g., Bilingual Pay)	
Montgomery County	None
Alexandria City	156 hours of built-in overtime annually
Anne Arundel County	None
Arlington County	156 hours of built-in overtime annually
Baltimore City	None
Baltimore County	None
District of Columbia	None
Fairfax County	156 hours of built-in overtime annually
Howard County	\$250 physical fitness allowance
Loudoun County	None
Prince George's County	None
Prince William County	\$3,000 signing bonus paid to all recruits upon completion of academy Annual Retention Bonus: Years 1-9 = 3% and Years 10+ = 5% (Capped at \$4,000)

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# Paid Leave



	Annual (Vacation) Leave	Personal Days
Montgomery County <sup>1</sup>	<3 YOS = 144 hours per year 3-14 YOS = 192 hours per year 15+ YOS = 249 hours per year	None
Alexandria City <sup>2</sup>	Minimum = 101 hours per year (12 days) Maximum = 202 hours per year (24 days)	None
Anne Arundel County	<5 YOS = 84 hours per year 5-9 YOS = 126 hours per year 10-19 YOS = 168 hours per year 20+ YOS = 210 hours per year	None
Arlington County	Minimum = 104 hours per year Maximum = 208 hours per year	None
Baltimore City <sup>2</sup>	<6 YOS = 101 hours per year (12 days) 6-10 YOS = 126 hours per year (15 days) 11-13 YOS = 151 hours per year (18 days) 14-18 YOS = 176 hours per year (21 days) 19+ YOS = 202 hours per year (24 days)	None
Baltimore County	0-3 YOS = 132 hours per year 4-9 YOS = 192 hours per year 10-19 YOS = 252 hours per year 20+ YOS = 312 hours per year	None

<sup>1</sup> Annual leave accrual rates are based on 2,496 annual hours

<sup>2</sup> Jurisdiction grants annual leave as "days" off. No response received regarding the conversion of "days" off to hours. The hourly figures presented above assume that 1 day equal 8.4 hours. This conversion rate was calculated using the total weekly work hours, which is 42 hours per week. Please refer to the Alexandria City General Employment Information and to the Baltimore City FOP FY08 contract for further information on their annual leave policies.

# Paid Leave (continued)



	Annual (Vacation) Leave	Personal Days
District of Columbia	<3 YOS = 117 hours per year 3-14 YOS = 182 hours per year 15+ YOS = 234 hours per year	None
Fairfax County	<3 YOS = 104 hours per year 3-14 YOS = 156 hours per year 15+ YOS = 208 hours per year	None
Howard County	0-5 YOS = 124.8 hours per year 6-10 YOS = 153.6 hours per year 11+ YOS = 182.4 hours per year	86.4 hours (6 personal leave days x 9.6 hour day = 86.4 hours total)
Loudoun County <sup>1</sup>	<u>Annual Leave:</u> 204 hours annually <u>Longevity Leave:</u> Minimum (2 YOS): 17 hours per year (2 days) Maximum (12 YOS): 101 hours per year (12 days)	None
Prince George's County	0-3 YOS = 104 hours per year 4-15 YOS = 156 hours per year 15+ YOS = 208 hours per year	24 hours (3 personal leave days x 8 hour day = 24 hours total)
Prince William County	Minimum = 104 hours per year Maximum = 208 hours per year	None

<sup>1</sup> Jurisdiction grants longevity leave as "days" off. No response received regarding the conversion of "days" off to hours. The hourly figures presented above assume that 1 day equal 8.4 hours. This conversion rate was calculated using the total weekly work hours, which is 42 hours per week. Please refer to the Howard County Employee Benefits Summary for further information on their longevity leave policy.

# Pension Benefits: DROP



	Eligibility	Term Election	Account Components
Montgomery County	Any time after an employee has met the age and service requirements for a normal retirement Age 55 with 15 YOS, or 20 YOS regardless of age	3 years with early opt out permitted	Employee's monthly pension benefit; Employee's pension contribution (pre-tax); Interest at 8.25% compounded quarterly
Alexandria	Participants must have 30 or more years of credited service	3 years maximum but may elect to retire at any point	Employee's monthly pension benefit; Interest at 3% per annum; and Any COLA adjustments that would have been credited had the person actually retired
Anne Arundel	Must have 20 years of actual service. Initial enrollment is limited to 35 employees in each plan, limited to four employees per month. Enrollment is seniority based after initial enrollment.	Three years with two one-year term renewals - five years total	Earnings on DROP balance equal the actuarial assumed rate at entry but not less than 8%. Credited monthly and paid as of December 31 on the balance; pro-rated in first year and last year.
Arlington	Age 52 with 5 YOS; or 25 YOS regardless of age	The DROP period will last a maximum of three years. Ending participation in the DROP and retiring before the end of three years is permitted, but at least 60 days notice must be given.	County contributions to the 401(a) Defined Contribution Plan continue The County opens a DROP account on behalf of the employee
Baltimore City	Hired on or before June 30, 2003: Must have acquired 20 YOS Hired on or after July 1, 2003: Must have acquired 20 YOS, and at least 10 YOS as a contributing member of the retirement system	The DROP period will be a single term of 3 consecutive years. Any member who becomes a participant in the DROP may retire or terminate service, and thereby discontinue participation in the DROP at any time during the DROP participation period.	1. For each full year of DROP participation, an amount equal to the annual service retirement allowance the member would have received had the member retired from service and commenced receiving the maximum retirement allowance 2. For each partial year of DROP participation, an amount equal to a member's prorated annual service retirement allowance; and 3. Interest compounded annually at a rate equal to 8.25% from the effective date of the DROP participation period through a members termination of service
Baltimore County	Hired on or before July 1, 2007: Must have at least 32 YOS Hired after July 1, 2007: Not eligible to participate in DROP	3 Years for 32 YOS; 3, 3.5 or 4 Years for 33 YOS; 3, 3.5, 4, 4.5 or 5 Years for 34 YOS.	A "Back DROP" is available to Sworn Firefighter under which eligible active members may elect to receive a lump sum payment at retirement in exchange for a reduced monthly benefit for life.
District of Columbia	No Response Received	No Response Received	No Response Received
Fairfax	Members are eligible for DROP when they become eligible for full unreduced service retirement benefits: Rule of 80 or age 65	The DROP period lasts 3 years. The member is expected to work the full term of the DROP period. However, at any time during the DROP period, a member may resign or be terminated. Upon resignation or termination, monthly retirement benefits will begin to be paid and since the DROP balance is fully vested at all times, the DROP balances will be payable with the same options as available at the end of the DROP period.	A DROP balance will be credited on a monthly basis with the amount that the participant would have received had they not entered DROP and retired. Interest will be credited to the balance at an annual compounded rate of 5%.
Howard		No DROP	
Loudoun		No DROP	
Prince George's		No DROP	
Prince William		No DROP	

# Pension Benefits: DROP



	Form of Distribution of Account	Service Connected Disability During DROP
Montgomery County	Lump sum cash payment; Lump sum rollover to IRA; or Annuitize	The participant will be entitled to either (at participants option): 1. The benefit as if retired from DROP without disability, or 2. The service-connected benefit that would have been received if DROP had not been entered
Alexandria	Lump sum; or Used to increase the retirement annuity	Since the employee is treated as if they were retired on the DROP effective date, they are not eligible for any disability benefits under the plan. However, if the participant has not yet reached age 55 (when coverage for a disability normally ends), they would receive disability benefits if they sustain a service connected total or partial disability prior to age 55
Anne Arundel	Lump sum; Annuity based on pre-determined table; or Joint/Survivor annuity Payout must be elected at termination and there will be no changes in payout. Payout can be deferred one time.	Retire on disability as though the employee never entered DROP. Full FAE (current earnings) used to compute payment. DROP account balance forfeited.
Arlington	As a lump sum or partial sum; As a direct rollover to an individual retirement account (IRA) or another eligible tax-qualified plan; or As an annuity (60 days notice prior to the first payment is required to elect this payment method). If an annuity is elected, the DROP account continues to be invested according to the investment selection while in the pay out phase.	Participant received either: 1. The disability retirement benefit as if one had never elected to participate in the DROP (YOS up to the disability date will be credited toward the retirement benefit, not to exceed 30 years, and the money in the DROP account is forfeited); or 2. The regular retirement benefit credited with YOS up to the DROP entry date along with DROP account balances
Baltimore City	Lump sum distribution; or The member may elect to receive the actuarial equivalent of that balance in the same form of periodic payments in which the member has elected to receive the remainder of his or her retirement benefit	Any member who retires on account of line-of-duty disability during or after a DROP participation period shall receive the line-of-duty disability benefits in place of any DROP benefits (including any balance in the member's DROP account and Annuity Savings Fund subaccount), as though the member had never participated in the DROP.
Baltimore County	The DROP election is made retroactively when the member is ready to retire. AFC is determined as if the member had retired at the beginning of the DROP. The DROP Allowance equals 74% of AFC plus the additional accruals for full and fractional years of DROP service over 29 years.	N/A
District of Columbia	No Response Received	No Response Received
Fairfax	1. Lump sum distribution 2. The member may roll over all or part of his or her balance into another qualified retirement plan or IRA 3. The member may elect to use 50% or 100% of their DROP balance to increase their monthly retirement annuity	If disabled during the DROP period and awarded a service-connected disability, the member has the choice of either taking the DROP account balance plus the normal service retirement benefit or forfeiting the DROP account balance and taking a service-connected disability benefit as though DROP participation had not occurred.
Howard		No DROP
Loudoun		No DROP
Prince George's		No DROP
Prince William		No DROP

IN THE COURT OF APPEALS OF MARYLAND

No. 86

September Term, 2010

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MONTGOMERY COUNTY VOLUNTEER FIRE-  
RESCUE ASSOCIATION AND  
ERIC N. BERNARD

v.

MONTGOMERY COUNTY BOARD OF  
ELECTIONS AND MONTGOMERY  
COUNTY, MARYLAND

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Bell, C.J.  
Harrell  
Battaglia  
Greene  
Murphy  
Adkins  
Barbera,

JJ.

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PER CURIAM ORDER  
Harrell and Battaglia, JJ., dissent.

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Filed: September 29, 2010

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MONTGOMERY COUNTY VOLUNTEER FIRE-RESCUE ASSOCIATION AND ERIC N. BERNARD	*	In the
	*	Court of Appeals
v.	*	of Maryland
MONTGOMERY COUNTY BOARD OF ELECTIONS AND MONTGOMERY COUNTY, MARYLAND	*	No. 86
	*	September Term, 2010

**PER CURIAM ORDER**

For reasons to be stated later in an opinion to be filed  
it is this 29<sup>th</sup> day of September, 2010,

ORDERED, by the Court of Appeals of Maryland, a majority of  
the Court concurring,\* that the judgment of the Circuit Court for  
Montgomery County be, and it is hereby, reversed, and the matter  
remanded to the Circuit Court with directions to enter judgment in  
favor of Appellants and an order that a referendum on the validity  
of Montgomery County Council Bill No. 13-10 be placed on the ballot  
at the General Election to be held on November 2, 2010. Costs to be  
paid by the Appellees. Mandate to issue forthwith.

/s/ Robert M. Bell  
\_\_\_\_\_  
Chief Judge

\*Judges Harrell and Battaglia would affirm the judgment of the  
Circuit Court.

BILL 13-10



have

MF  
CC  
BSM  
Con. Aide

OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
County Executive

MEMORANDUM

October 5, 2010

TO: Nancy Floreen, President, County Council  
FROM: Isiah Leggett, County Executive   
SUBJECT: Emergency Medical Services Transport Fee - FY11 Savings Plan

2010 OCT -5 PM 3:31

RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

This memorandum is to transmit to the Council an FY11 Savings Plan to address the potential loss of revenue in FY11 of over \$14.1 million if the referendum on the County's Emergency Medical Services Transport fee (EMST fee) is successful in blocking implementation of the fee. The expenditure constraints that are described below are necessary to maintain a balanced budget in the current fiscal year and to prepare for a sustainable FY12 budget.

I am proposing that these expenditure savings be made now rather than waiting for later in the fiscal year because the ballot question has already been certified, it will most likely succeed, and the longer we wait to take action in this year the more difficult it will be to find the savings to offset this loss of resources. Please keep in mind that this loss in revenue will actually amount to over \$28 million over FY11 and FY12 and that this is in addition to the projected increased costs in FY12 of \$145 million. The combination of the loss of the EMST fee revenue and the increased costs will create a budgetary gap of over \$173 million for FY12.

With the potential loss of the EMST fee, we are faced with a few clear choices: make significant and painful service reductions in the Fire and Rescue Service and other vital programs; increase taxes; or permanently reduce the County's reserves to dangerously low levels. Increasing taxes would damage the County's competitiveness in attracting and retaining businesses, as well as further burden County households during these difficult economic times. Reducing the County's reserves, especially after the Council recently approved a revision to our reserve policies, would jeopardize the County's AAA bond rating, weaken our credibility in financing markets, and significantly increase the cost of borrowing and constrain the size of our capital budget. I strongly recommend that we not adopt either of these approaches.

The only responsible course of action in the face of the potential loss of the EMST fee is to further reduce the County's spending by the projected amount of fee revenues. I have asked those whose actions have made these service cuts necessary; what expenditure reductions or revenue increases would they suggest to offset the loss of \$14.1 million in continuing and growing revenues each year to the County budget? I previously posed this question to some Councilmembers back in August, but I am still waiting for a response.

These service reductions are necessary to adjust to the realities the County faces. The EMST fee would support the Fire and Rescue Service in saving lives by providing over \$14 million annually in desperately needed resources through reimbursements from the Federal government and insurance companies. No County resident will receive a bill for emergency medical services. The opposition to the EMST fee is not supported by *any* evidence that imposition of such a fee would impair Fire and Rescue Services. In fact, all of the data available to us reinforces the common sense understanding that the fee would enhance the quality of Fire and Rescue Services, at no additional cost to County residents, by providing the equipment, apparatus, training, and staffing levels needed to maintain and improve response time. Without this fee, Fire and Rescue Services are certain to suffer and our residents and businesses will pay the price.

If the entirety of this significant revenue loss in FY11 were offset with expenditure reductions to the Fire and Rescue Service, it would be necessary to eliminate 15 ambulances (110 firefighter positions); two rescue squads (eight firefighter positions); six engines (84 firefighters); and five ladder trucks (52 firefighters). I do not recommend making these reductions because it would have a devastating impact on fire and rescue response time, transport time, and endanger public safety. I am recommending however, that the loss of EMST fee revenue be offset in part with reductions from the Fire and Rescue Service (mainly not in direct service programs) and from other County Government departments, as described on the attached chart.

The recommended reductions do not include any contributions from the Public Schools or other County agencies at this time because it is highly likely that we will have to revisit reductions in the budgets of these agencies in the foreseeable future.

In order to possibly mitigate the impact of these proposed reductions, I have asked the County Attorney's office to review the terms of the settlement agreement reached with the Local Fire and Rescue Departments (LFRD) in 1996 in the *Conway v. Montgomery County* case. In that case the County loaned the LFRDs \$7.6 million (plus the amount necessary to cover the employer's portion of payroll taxes) in order to settle outstanding claims against the LFRDs. The loan was secured by Notes and Deeds of Trust on the LFRD's property and was to be reduced in one-third increments every five years. To date \$5.1 million has been forgiven. There is approximately \$2.5 million outstanding on this loan. The County Attorney is evaluating whether the County has a basis on which to collect on the outstanding balance of this loan in order to offset the impact of the service reductions described in this transmittal.

I also want to stress that the fiscal problem that would be created with the rejection of the EMST fee in the upcoming referendum will not be a one time challenge. The loss of this recurring source of revenue will harm the County's ability to meet the needs of the Fire and Rescue Service in the current fiscal year and for the foreseeable future. It will be considerably more difficult to meet the needs of apparatus replacement, opening new stations, and maintaining adequate staffing levels with a growing and urbanizing County. The loss of these resources will not only severely impact Fire and Rescue Services, it will also have a negative impact on other County services including education and those programs serving our most vulnerable residents because tax-supported resources will be diverted from these uses to address public safety needs.

Nancy Floreen, Council President  
October 5, 2010  
Page 3

I believe strongly that receiving reimbursements from the Federal government and insurance companies is far preferable to taxing our residents or cutting vital County services. Under the current conditions however, I believe the approach I am recommending is difficult but necessary course of action to address this revenue shortfall.

I respectfully request that the Council approve this Savings Plan for the current fiscal year budget.

LL:jfb

Attachments

- c: Timothy L. Firestine, Chief Administrative Officer
- Dr. Jerry Weast, Superintendent, Montgomery County Public Schools
- Francoise Carrier, Chair, Montgomery County Planning Board
- Dr. DeRionne P. Pollard, President, Montgomery College
- Jerry N. Johnson, General Manager/CEO, Washington Suburban Sanitary Commission
- Annie B. Alston, Executive Director, Housing Opportunities Commission
- All Department Heads and Office Directors
- Administrative Service Coordinators and Functioning Equivalents
- Office of Management and Budget Staff

<b>FY11 Savings Plan in Response to Elimination of EMST Fee</b>					
	<b>Item</b>	<b>Total</b>	<b>Positions</b>	<b>Workyears</b>	<b>Note</b>
FRS	EMS Fee Implementation Costs	\$1,216,220	2	2.3	
FRS	LFRD Administrative Staff	\$592,000	15	7.5	Discontinue funding 20 LFRD civilian employees; Offset workload with 5 County administrative positions
FRS	Volunteer Recruiter	\$40,000	1	0.5	Civilian Position
FRS	LFRD Travel	\$18,000			
FRS	LFRD Education, Tuition, and Training	\$33,330			
FRS	LFRD Office Supplies and Equipment	\$30,670			
FRS	LFRD Trophies and Awards	\$17,330			
FRS	LFRD Furniture	\$32,670			
FRS	LFRD Food/Meal Standby Food	\$133,330			
FRS	LFRD Misc. Operating Expenses	\$214,590			
FRS	Nine Ambulances (24/7)	\$3,240,000	81	40.5	All positions listed are firefighters; Service areas affected to be determined; Given the minimal number of firefighter vacancies, layoffs will be required to implement this reduction
FRS	Two Ambulances (Day Work)	\$320,000	8	4.0	All positions listed are firefighters; Service areas affected to be determined; Given the minimal number of firefighter vacancies, layoffs will be required to implement this reduction
r FRS	<b>Subtotal Fire and Rescue</b>	<b>\$5,888,140</b>	<b>107</b>	<b>54.8</b>	
DOT-Transit	Call and Ride	\$1,036,000			Reduce from 2 coupon books per month to one; will cause a reduction of revenue of \$119,581
CCL	County Council	\$235,390	0	2.0	Added at Reconciliation List - Support for Office of People's Counsel (not funded in FY11) and staffing needs of other Legislative Branch offices
MCPD	Abolish balance of School Resource Officer (SRO) positions - 9 POIII	\$518,650	9	4.5	Given the minimal number of police officer vacancies, layoffs will be needed to implement this reduction.
MCPD	Various Operating Expenses	\$571,670	0	0.0	
	<b>Subtotal MCPD</b>	<b>\$1,090,320</b>	<b>9</b>	<b>4.5</b>	

FY11 Savings Plan in Response to Elimination of EMST Fee					
	Item	Total	Positions	Workyears	Note
DOT	Eliminate Contractual Residential Resurfacing	\$282,660	0	0.0	
DOT	Reduce Patching	\$1,000,000	0	8.0	This would reduce the bituminous concrete by \$500,000 and leave \$621,883 in materials for emergency patching and reduce personnel by \$500,000 as a result of less work being done. This would also have an FY12 impact because of reduced personnel costs. This would leave a total of \$7,904,370 left in this program (mostly personnel and motor pool).
DOT	Reduce Roadway Maintenance	\$500,000	0	0.0	This would result in less patching, shoulder, storm drain, roadside, curb and gutter, sidewalk, and other roadway maintenance. Safety issues can be addressed with the remaining funds but the general appearance of the County roadways would be less appealing as well as a major increases in the out year impact of deferred infrastructure maintenance. The total amount in the Roadway and Related Maintenance Program in FY11 is \$15,645,940.
	<b>Subtotal DOT</b>	<b>\$1,782,660</b>	<b>0</b>	<b>8.0</b>	
DGS	Reduce Frequency of Cleaning and Grounds Maintenance	\$1,515,680	0	8.0	
REC	Close 4 of 6 Sports Academies	\$245,090	0	7.3	The Sports Academies programs serve at-risk teenage youth at seven High Schools across the County. The programs are designed to provide a safe, engaging, and supportive environment during the critical hours immediately after school when youth are at the most risk of engaging in risky behavior. In FY' 2010, juvenile crime went down as much as 9% in communities served by Sports Academies. The program also is one of the few that do not require a minimum GPA to participate.

FY11 Savings Plan in Response to Elimination of EMST Fee					
	Item	Total	Positions	Workyears	Note
REC	Close 8 of 15 RecExtra Programs	\$93,600	0	2.7	The RecExtra program serves at risk youth at 15 Middle Schools across the County. The program is designed to provide youth with a safe, engaging, and supportive environment during the critical hours immediately after school when youth are at the most risk of engaging in risky behavior. The program also serves to enhance the after school programming at these schools by leveraging resources and paying for an after school activity coordinator.
REC	Eliminate all Neighborhood Senior Programs	\$114,900	1	3.0	The elimination of The Neighborhood Senior Programs ends service at 11 program locations. Currently over 800 residents are registered. These programs meet 1 -2 times per week and provide programs and activities such as exercise and fitness, health/wellness screening and education, special interest programs and entertainment. In addition they also bring valuable information resources to Seniors through partnerships with HHS, County hospitals, and other service providers on topics as varied as taxes, travel, legal issues, insurance, etc. Participants could access the 4 remaining Senior Centers if transportation is available. Three of the eleven Neighborhood Senior programs also participate in the HHS grant funded Nutrition Program. The HHS grant total for this program is \$64,010.
REC	Delay opening of Mid County Community Center	\$146,390	1	1.8	Closing the center, scheduled to open January 1st, 2011 will impact a central portion of the County between Sandy Spring/Norwood, Good Hope, Kemp Mill, and Rockville including a minimum of 30,000 residents. The center has been under construction for approximately 20 months. Typically, Centers provide senior day time programs, youth after school programs and evening classes along with community meeting space and social functions in addition to weight & exercise room and gymnasium activities as well as summer camps and playgrounds for all. These services will continue to be provided in other communities. Revenue impact of \$47,000.
	<b>Subtotal REC</b>	<b>\$599,980</b>	<b>2</b>	<b>14.8</b>	
LIB	Eliminate Gaithersburg Interim Library	\$139,240	0	1.8	
LIB	Eliminate Sunday Service	\$63,190	0	1.4	
	<b>Subtotal LIB</b>	<b>\$202,430</b>	<b>0</b>	<b>3.1</b>	

FY11 Savings Plan in Response to Elimination of EMST Fee					
	Item	Total	Positions	Workyears	Note
HHS	Community Vision Program	\$109,390	0	0.0	This reduction may result in closing of this program or significant reductions to the outreach component and day programming that serves homeless individuals.
HHS	In Home Services	\$100,000	0	0.0	This reduction will affect eleven current applicants for personal care services. The reduction will require that these assessed clients stay on the waiting list for the personal care services that may help them to remain in their homes in the community.
HHS	Working Parents Assistance	\$50,000	0	0.0	Twenty children will not have subsidy for 6 months. This may cause a waitlist to go into effect this year for WPA services.
HHS	Energy Rebate Program - stop providing subsidies as of January	\$239,750	0	0.0	This reduction would eliminate benefits to 4,780 low-income households who need help with their home heating costs. Utility costs have risen steadily over the past several years and this benefit is a key supplement to help households afford their utility bills. Elimination of this benefit will increase the number of households experiencing utility disconnections which can create a safety issue and would ultimately lead to homelessness.
HHS	Project Deliver	\$100,000	0	0.0	An FY11 reduction of \$100,000 to Project Deliver Program will have no adverse impact since deliveries billed through the Project Deliver Program have decreased
HHS	Care for Kids	\$80,000	0	0.0	There will be tangential service impacts as the reduction is targeted for administrative services.
HHS	Maternity Partnership	\$14,910	0	0.0	This reduction will reduce participants by 19
HHS	System Planning and Mgmt: Residential Rehabilitation Housing Program	\$40,000	0	0.0	The impact of this \$40,000 reduction will be that 10 mental health consumers will not receive residential rehabilitation housing. This could result in these consumers being either homeless or hospitalized.
HHS	Behavioral Hlth Comm Case Mgt.- Level 1 Contract Services	\$40,000	0	0.0	The impact of this \$40,000 reduction will result in reducing funding available to purchase Level 1 Addiction services; this will result in approximately 44 clients not receiving services.
HHS	Contract Reductions	\$460,990	0	0.0	Do not implement the restoration of the 2% contract reduction (except for the contracts that have already been adjusted and encumbered)
HHS	Other Misc. operating	\$500,000	0	0.0	The department will have savings in operating expenses due to the procurement freeze

<b>FY11 Savings Plan in Response to Elimination of EMST Fee</b>					
	<b>Item</b>	<b>Total</b>	<b>Positions</b>	<b>Workyears</b>	<b>Note</b>
HHS	Defer Hiring Positions	\$224,080	0	0.0	Various impacts throughout the department
	<b>Subtotal HHS</b>	<b>\$1,959,120</b>	<b>0</b>	<b>0.0</b>	
	<b>Grand Total: All Reductions</b>	<b>\$14,309,720</b>	<b>118</b>	<b>95.2</b>	
	<b>EMST Fee Revenues Assumed in FY11 Budget</b>	<b>\$14,143,140</b>			
	<b>Reduced Call and Ride Revenues</b>	<b>\$119,580</b>			
	<b>Reduced Recreation Revenues</b>	<b>\$47,000</b>			
	<b>Total Revenue loss to Offset</b>	<b>\$14,309,720</b>			