

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

EXPEDITED FIRE AND RESCUE SERVICES – LENGTH OF SERVICE AWARDS BILL 41-23: PROGRAM FOR VOLUNTEERS – AMENDMENTS

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Expedited Bill 41-23 will have a negative impact on racial equity and social justice (RESJ) in the County as it would reallocate \$144,000 to \$169,000 annually in funding for programs benefitting all community members to FRS volunteers who are disproportionately White. OLO offers one policy option for Council consideration.

PURPOSE OF RESJ IMPACT STATEMENTS

The purpose of RESJ impact statements (RESJIS) is to evaluate the anticipated impact of legislation on racial equity and social justice in the County. Racial equity and social justice refer to a **process** that focuses on centering the needs, leadership, and power of communities of color and low-income communities with a **goal** of eliminating racial and social inequities.¹ Achieving racial equity and social justice usually requires seeing, thinking, and working differently to address the racial and social harms that have caused racial and social inequities.²

PURPOSE OF EXPEDITED BILL 41-23

The goal of Expedited Bill 41-23 is to implement provisions in the Collective Bargaining Agreement negotiated between the County Executive and the Montgomery County Volunteer Fire and Rescue Association (MCVFRA). MCVFRA is the authorized representative of Local Fire and Rescue Departments (LFRDs) in their negotiations with the County.

Bill 41-23 would implement the agreement between the County Executive and MCVFRA by increasing the benefits paid to local fire and rescue department volunteers under the Length of Service Awards Program (LOSAP). Council staff describe LOSAP as follows:

“The LOSAP provides a monthly pension for members of a [LFRDs] who have provided volunteer fire and rescue service for a certain number of years. It is similar to the defined benefit pension for career fire and rescue employees, although the amount of the pension is significantly lower. The County pays for these benefits in budget appropriations instead of establishing a trust fund.”³

If enacted, Bill 41-23 would:⁴

- Increase LOSAP benefits by 8 percent for all participants; and
- Provide an additional 7.5 percent increase for certain members who received LOSAP benefits as of December 31, 2022 as well as provide them with a 4 percent increase in FY25, and another 4 percent increase in FY26.

The Office of Management and Budget estimates increasing the benefits paid to local fire and rescue department volunteers under LOSAP would increase County expenditures between \$144,000 and \$169,000 annually over the next six fiscal years.⁵

RESJ Impact Statement

Expedited Bill 41-23

Expedited Bill 41-23, Fire and Rescue Services – Length of Service Awards Program for Volunteers – Amendments, was introduced by the County Council on behalf of the County Executive on November 14, 2023.

In April 2023, OLO published a RESJIS for Expedited Bill 21-23, Fire and Rescue Services – Credit Service for Group G Members.⁶ Please refer to this RESJIS for background on fire personnel and racial equity.

ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 41-23 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who are the primary beneficiaries of this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

For the first question, OLO considered the demographics of Montgomery County Fire and Rescue Service (MCFRS) volunteers. Data in Table 1 demonstrates that White people are largely overrepresented among MCFRS volunteers, while Black, Latinx, and to a lesser extent, Asian, people are underrepresented.

Table 1: Percent of County Constituents and MCFRS Volunteers by Race and Ethnicity, 2022⁷

Race or ethnicity	Percent of County Constituents	Percent of MCFRS Volunteers
Asian	15.3	12.4
Black	18.1	6.4
Native American	0.1	0.2
Pacific Islander	0.0	0.3
White	40.6	70.8
Hispanic or Latino, of any race	20.5	8.3

Source: Table DP1, 2020 Decennial Census, Census Bureau and “Building Organizational Capacity for Diversity, Equity, and Inclusion in the Fire and Rescue Service,” National Academy of Public Administration.

For the second question, OLO considered how the Bill could affect representation in firefighting. As discussed in the RESJIS for Expedited Bill 21-23, BIPOC are generally underrepresented among fire service personnel,⁸ and data from Table 1 further suggests that BIPOC are underrepresented among MCFRS volunteers in particular. While increased benefits through this Bill could generally attract more people to volunteer firefighting roles in the County – absent changes to recruitment strategies and organizational culture – this incentive alone is unlikely to attract and retain sufficient BIPOC to reduce existing racial disparities.

OLO anticipates Bill 41-23 will have a negative impact on RESJ in the County as it would reallocate \$144,000 to \$169,000 annually in funding for programs benefitting all community members to MCFRS volunteers who are disproportionately White.

RESJ Impact Statement

Expedited Bill 41-23

RECOMMENDED AMENDMENTS

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.⁹ OLO anticipates Expedited Bill 41-23 will have a negative impact on RESJ in the County. Should the Council seek to improve the RESJ impact of this Bill, the following policy option can be considered:

- **Review findings and recommendations from comprehensive equity assessment with MCFRS staff and BIPOC community stakeholders.** In September 2022, the National Academy of Public Administration (NAPA) published a comprehensive equity assessment for MCFRS. NAPA was tasked with evaluating the following areas in MCFRS through the lens of Diversity, Equity, and Inclusion (DEI):¹⁰
 - Internal practices (recruiting, hiring, training, promotions, evaluations)
 - Member perceptions of organizational commitment to DEI
 - Knowledge of community characteristics
 - Citizen complaints and outcomes
 - Emergency and non-emergency calls for service
 - Trust and knowledge of the Equal Employment Opportunity (EEO) complaint process

The Council could discuss findings and recommendations from the report with MCFRS staff and BIPOC community stakeholders to identify policy solutions and investments for diversifying the MCFRS workforce, including volunteers, and addressing other RESJ concerns arising from the assessment. For instance, the report recognized that reactivating and investing in MCFRS's high school cadet program, including making it a paid program, could be a promising strategy for increasing diversity in MCFRS.

CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

CONTRIBUTIONS

OLO staffer Janmarie Peña, Performance Management and Data Analyst, drafted this RESJ impact statement.

¹ Definition of racial equity and social justice adopted from "Applying a Racial Equity Lens into Federal Nutrition Programs" by Marlysa Gamblin, et.al. Bread for the World, and from Racial Equity Tools. <https://www.racialequitytools.org/glossary>

² Ibid.

³ [Introduction Staff Report for Expedited Bill 41-23](#), Montgomery County Council, Introduced November 14, 2023.

⁴ Ibid.

⁵ Fiscal Impact Statement, Introduction Staff Report for Expedited Bill 41-23.

⁶ [RESJIS for Expedited Bill 21-23](#), Office of Legislative Oversight, April 25, 2023.

⁷ Racial groups included in this table are non-Latinx.

⁸ RESJIS for Expedited Bill 21-23

RESJ Impact Statement

Expedited Bill 41-23

⁹ Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council

¹⁰ [“Building Organizational Capacity for Diversity, Equity, and Inclusion in the Fire and Rescue Service,”](#) NAPA, September 2022.