

## 📖 **COMCOR 21.02.16 Administration of the LOSAP Program**

### 📖 **21.02.16.01 Purpose**

The purpose of this regulation is to establish uniform procedures to administer the Length of Service Awards Program for volunteers of the Local Fire and Rescue Departments in Montgomery County.

### 📖 **21.02.16.02 Applicability**

This regulation applies to all current and former Montgomery County local fire and rescue department volunteers, Local Fire and Rescue Departments, and appropriate Montgomery County Government agencies.

### 📖 **21.02.16.03 Definitions**

- a. Active Volunteer. A volunteer who has accumulated a minimum of 50 points in a calendar year, under the point system outlined in Sec. 4. d. of this regulation.
- b. Appeal. A written statement documenting the reason(s) a member believes he/she is eligible for LOSAP credit.
- c. Collateral Duties. Volunteer service duties listed by the FRC as eligible for LOSAP point accumulation, including apparatus and building maintenance; fire prevention and education activities; fund raising activities; and administrative or auxiliary duties.
- d. Domestic Partner ("Partner"). A person whose relationship with the volunteer would meet the requirements for a domestic partner under County Code Sec. 33-22 if the volunteer were a County employee.
- e. Drill. A minimum two-hour training session not listed in the approved training course list.
- f. Emergency Service Provider. An individual who is trained and certified under the Fire and Rescue Commission's Certification Standards for Training and Experience Requirements, and is physically capable of providing firefighter, rescuer, or emergency medical service.
- g. Fire Administrator. The non-uniformed department head of the Montgomery County Fire and Rescue Service appointed by the County Executive. The Fire Administrator serves as ex officio chair of the Fire and Rescue Commission and is responsible for implementing and enforcing Commission policies, administering all fire and rescue services provided in the County, and supervising the Chiefs of both the Division of Fire and Rescue Services and the Division of Volunteer Fire and Rescue Services.
- h. Local Fire and Rescue Department (LFRD). The component of the Montgomery County Fire and Rescue Service that provides direct fire suppression, rescue, and emergency medical services, in conjunction with the Division of Fire and Rescue Services.
- i. LOSAP. Acronym for the Length of Service Awards Program.

j. LOSAP Administrator. An individual designated by the Fire Administrator to receive and verify point totals, maintain individual and LFRD files of LOSAP participants, and notify the Montgomery County Finance Department to begin sending payments to eligible members.

k. LOSAP Coordinator. An individual designated by a Local Fire and Rescue Department who is responsible for registering, preparing, maintaining, and submitting to the LOSAP Administrator an accurate LOSAP report for each person who has provided service as a volunteer to that LFRD for any portion of the calendar year.

1. Sleep-in. One full night (minimum of 6 continuous hours) spent at the station, available for responses.

m. Standby. On-duty activity of the fire department or rescue squad, lasting at least 4 hours, not in any other category of active service under Sec. 4.d. Not more than 2 standby periods may be credited for any 24-hour period.

n. Training Course. Classes including: one-day courses, seminars, and short courses; fire protection courses given by Montgomery College, the University of Maryland, the National Fire Academy, and the Maryland Fire and Rescue Institute; and regional emergency service training, etc., that may be eligible for LOSAP credit if approved by the Fire and Rescue Commission.

o. Volunteer. A person who is at least 16 years of age, and who, without salary, performs administrative, firefighting, rescue, and/or emergency medical services for a LFRD. This includes former volunteers who have received appropriate certification for service under this regulation.

#### **21.02.16.04 Administration**

a. Eligibility to Participate. A volunteer is eligible for the LOSAP program if he/she is an active volunteer on or after August 15, 1965, or if on August 15, 1965, he/she had completed 25 years of service as an active volunteer. A volunteer may participate in the Length of Service Award Program by meeting the registration and service requirements below. A volunteer who was not an active volunteer on August 15, 1965 must receive credit for service performed before August 15, 1965, if the volunteer completes 5 years as an active volunteer after August 15, 1965.

To be eligible to participate in the LOSAP program, a volunteer who is less than 18 years old must be enrolled in high school, obtain parental consent to join an LFRD, and maintain a 2.0 grade point average or equivalent during each grading period in the calendar year.

b. Registration. Volunteers must register with the LFRD LOSAP Coordinator in order to participate in the LOSAP program, receive annual certification of service, and receive any benefits. The LFRD LOSAP Coordinator will update required information on an annual basis.

c. Accrual of Credit. Approval by the Fire and Rescue Commission is required for the award of service credit. A volunteer must accumulate at least 50 points each year to receive credit for one year of active service.

1. Credit is awarded on an annual basis for service provided between January 1st and December 31st of each calendar year. Points may not be transferred from one year to the next.

2. An employee of the Montgomery County Division of Fire and Rescue Services or of a LFRD must not receive points for activities performed as an employee.

3. Volunteers who have accrued no service points for two consecutive years are considered inactive for the purpose of this program. A volunteer's LOSAP status will be re-activated automatically when the LFRD submits the next LOSAP form on his/her behalf.

d. Active Service Standards - Point System. Volunteers earn and accumulate points toward credited active service based upon the standards below.

1. Training Courses. The Fire and Rescue Commission will maintain a standing list of approved training courses that will be reviewed and modified as needed. If a volunteer claims training certification for a course that was not on the list approved by the Fire and Rescue Commission, he/she may request the LFRD's LOSAP Coordinator to seek the Commission's approval for the specific training course. The LOSAP Coordinator must submit the course title, number of hours, location, and a copy of the course outline or syllabus to the Public Safety Training Academy (PSTA), which will determine whether credit may be given for the training course. A maximum of 25 points per year may be earned through training courses.

A. Courses lasting less than 8 hours are counted as drills.

B. Courses lasting less than 20 hours, such as a one-day course, seminar, initial CPR certification, etc., earn 5 points per course.

C. Courses lasting 20 to 45 hours, such as a short course at a seminar or conference, or regional fire school, earn 10 points per course.

D. Courses lasting more than 45 hours, such as the basic, advanced, and emergency care courses offered by the University of Maryland, or a fire science course offered by Montgomery College or Prince George's Community College, earn 15 points per course.

2. Drills. Twenty points maximum per year may be accumulated through drills. Each drill lasting at least 2 hours earns one point. Training courses and Continuing Education courses lasting less than 8 hours may be counted as a drill.

3. Sleep-ins and Standbys. A LOSAP activity report must be completed for each sleep-in or standby activity to be credited. Volunteers must not receive LOSAP credit for simultaneous sleep-in and standby activity, but may earn LOSAP credit for consecutive standby and sleep-in activity. A volunteer may accumulate up to 20 points per year through a combination of sleep-in or standby activity.

A. Sleep-in activity earns one point for each full night, minimum 6 hour continuous period. A volunteer earns credit for a sleep-in and a response when the vehicle to which he/she is assigned is not dispatched and remains in the station for the duration of the call. The purpose of a sleep-in activity is to staff apparatus for emergency responses.

B. Standby activity earns one point for each period of on-duty activity of the LFRDS that lasts for at least 4 hours and does not fall into one of the other categories in [21.02.16.04.d](#). A volunteer will earn credit for a drill and response(s) while performing a standby if he/she

participates in both activities. Not more than 2 standby activities may be credited for any 24-hour period.

4. Elected and Appointed Positions. A volunteer may earn a maximum of 25 points per calendar year for completing a one-year term in an eligible elected or appointed position. A maximum of 25 points per calendar year may be certified for any combination of service in elected and appointed positions.

A. A volunteer who serves in an elected or appointed position for less than a one-year term may earn two points for each complete month of service.

B. The Fire and Rescue Commission annually must approve a list of the elected and appointed positions for which a volunteer may earn points. The list must include:

- i. LFRD officer at the rank of Lieutenant or higher;
- ii. director, trustee, trial board member, or auxiliary member or officer of an LFRD's auxiliary;
- iii. chair of fund raising or membership for an LFRD;
- iv. chaplain of an LFRD;
- v. delegate, alternate, or officer for the Montgomery County Fire Board or the Montgomery County Volunteer Fire Rescue Association;
- vi. member of a committee of the Montgomery County Fire and Rescue Commission, the Fire Board, or the Maryland State Firemen's Association (MSFA), or officer of an MSFA auxiliary.

5. Meeting Attendance. A maximum of 20 points total per year may be accumulated for approved meeting attendance. A volunteer may earn one point credit for attending any official meeting of an organization below:

- A. the LFRD or its auxiliary;
- B. the Montgomery County Fire Board;
- C. the Fire and Rescue Commission-;
- D. the Montgomery County Volunteer Fire/Rescue Association;
- E. the LFRD's Board of Directors/Trustees; and
- F. the Maryland State Firemen's Association or its auxiliary.

6. Participation in LFRD or Station Responses. To receive credit for responses, the volunteer must meet the criteria for emergency service provider. The Fire and Rescue Commission annually must determine for each LFRD whether the total annual calls will be computed by department or by station. The total points may be credited per year for responding on the minimum number of calls, or credited to an individual based upon the calls-to-points ratio indicated in the Point Awards Schedule below. An emergency service provider will be credited for a response when he/she:

A. is in the station when the call is dispatched and rides as an emergency service provider on the dispatched apparatus;

B. is in the station when the call is dispatched and remains there for the duration of the call on a reserve basis as an emergency service provider;

C. responds to the station after the call is dispatched, and remains in the station as an emergency service provider on a reserve basis for the duration of the call; or

D. reports to the Incident Commander when responding directly to the incident scene without having ridden on the apparatus.

#### POINT AWARDS SCHEDULE

Total LFRD/station    000 to 999    1000 to 7499    7500 or more

call responses per year

Responses required to earn    2    4    5

1 point, if not qualified for

maximum 30 points

Responses per year required    50    100    120

to receive maximum 30 points

7. Military Service. A volunteer whose voluntary fire service is interrupted by full-time extended obligatory military service, or by a single voluntary enlistment in the armed forces of the United States not to exceed 4 years, is considered to be on military leave. During this period of military service, the volunteer will receive 50 points of LOSAP service credit for each full year, prorated for military service of less than a full year.

8. Collateral Duties - Twenty-five Points Maximum. One point will be awarded for each qualified activity benefitting the volunteer's LFRD that lasts at least 4 hours, up to a maximum of twenty-five points. The Fire and Rescue Commission annually must approve a list of the collateral duties under which a volunteer may perform qualified activities. These activities include apparatus and building maintenance; fire prevention and education activities; fund raising activities; and administrative or auxiliary duties. Points will be credited for volunteer service for acceptable collateral duties performed per year.

## 21.02.16.05 Benefits

a. Length of Service Benefits. A volunteer is not required to have received 50 points in the year in which he/she applies for LOSAP benefits.

1. A Volunteer Who Qualified before 1985. Effective January 1, 1985, a volunteer who qualified for a monthly award payment before January 1, 1985, must receive monthly award payments equal to 150 percent of the pre-1985 monthly award payment.

2. A Volunteer Who Qualifies in 1985 or Later with 25 Years of Service. Effective January 1, 1985, a volunteer qualifies for a 25-year award payment when he/she has completed 25 years of service as an active volunteer and is at least age 60.

Amount Awarded. A volunteer who satisfies these requirements must receive an award payment of \$230 per month for life, and \$11.50 per month for life for each year of service as an active volunteer over 25 years, up to \$115.00 per month. The maximum total benefit is \$345 per month.

3. A Volunteer Who Qualifies in 1985 or Later with 15 Years of Service. Effective January 1, 1985, a volunteer qualifies for a 15-year award payment when he/she has completed 15 years of service as an active volunteer after January 1, 1955, and is at least age 65.

Amount Awarded. An active volunteer who satisfies these requirements must receive an award payment of \$9.20 per month for life for each year of service as an active volunteer.

4. A Volunteer Who Qualifies in 1985 or Later with 10 Years of Service. Effective January 1, 1985, a volunteer qualifies for a 10-year award payment when he/she has completed 10 years of service as an active volunteer and is at least age 70.

Amount Awarded. An active volunteer who satisfies these requirements must receive an award payment of \$9.20 per month for life for each year of service as an active volunteer.

b. Disability Benefit. A volunteer qualifies for a disability benefit of \$345 per month for life if:

1. he/she becomes disabled as the direct result of active participation as a LFRD volunteer;

2. the disability prevents him/her from pursuing his/her normal occupation; and

3. a State Workers' Compensation Commission finds that the disability is total and permanent, and is a direct result of active participation as a LFRD volunteer.

Length of Service benefits under [21.02.16.05](#).a. must not be paid to volunteers who are receiving award payments under this subsection.

c. Death Benefit. On a volunteer's death, his/her surviving spouse or domestic partner (or estate if no spouse or partner survives), qualifies for a \$2500 death benefit if the volunteer has met either the years of service requirement for a length of service benefit, or the requirements for a disability benefit.

d. Survivor's Benefit. A volunteer's surviving spouse or domestic partner qualifies for a monthly award payment equal to 50 percent of the length of service benefit for which the volunteer met the minimum years of active service requirement, or 50 percent of the volunteer's disability benefit, until the spouse's death or remarriage, or the partner's death or establishment of another domestic partnership.

### **21.02.16.06 Annual Certification Process**

To participate in LOSAP, a volunteer must register with the LFRD LOSAP Coordinator before the annual certification period. On January 1st of each calendar year, a process will be initiated to officially credit service points that each volunteer has accumulated in all service categories between January 1st and December 31st of the prior calendar year. Reports that the LFRD will use to prepare the Annual Certification for the Length of Service Award Program must be maintained in a format approved by the Fire and Rescue Commission.

a. LFRD Administration Process. Each LFRD must appoint a LOSAP Coordinator to register all volunteer members, administer its LOSAP program, and maintain its LOSAP records.

1. Volunteer Registration. The LOSAP Coordinator will verify volunteer member registration information and report any changes on the record form to the LOSAP Administrator with the annual certification.

2. Record Maintenance. LOSAP Coordinators must maintain documentation in a format approved for LOSAP credit. This format requires that records be kept by the year for credit, volunteer's name (last name, first name, middle name, Jr./Sr.), Social Security Number/taxpayer identification number, date of birth, and current home address.

3. Record Verification and Resolution of Discrepancies. The LFRD's LOSAP Coordinator will transfer all required data to the LOSAP annual certification form. The LFRD Member Activity Summary for all volunteer members must be posted in a prominent place in each of the LFRD stations for at least 30 days. Each volunteer must review his/her LOSAP annual certification form and initial the point totals to verify its accuracy. If a volunteer notes that a discrepancy exists on a LOSAP annual certification form, the LOSAP Coordinator and the volunteer must attempt to resolve the discrepancy before the LOSAP Coordinator submits the annual certification form to the LOSAP Administrator. If the discrepancy remains unresolved by the deadline for the LFRD's submission of the annual certification form to the LOSAP Administrator, the LOSAP Coordinator must submit a request for an appeal to the LOSAP Administrator on behalf of the volunteer. The LOSAP appeal must be submitted within the 30-day appeal window noted in subsection c. below, and must include all supporting documentation.

b. Fire and Rescue Commission Administration Process.

1. The LOSAP Administrator:

A. calculates the points awarded by category to determine the total point award and submits the list to the Fire and Rescue Commission for approval;

B. posts the credit/no credit list for LOSAP service in the Commission office for the volunteer's review, and returns the approved list of certified volunteers to each LFRD, which must post the list for at least thirty days for review and verification by volunteers; and

- C. distributes copies of the volunteer's service LOSAP form as follows:
- i. one copy of the verified LOSAP form must be inserted in the County's LOSAP files;
  - ii. two copies of the LOSAP form must be returned to the LFRD's LOSAP Coordinator, one to be provided to the volunteer, and the second to be inserted in the LFRD's files; and
  - iii. one copy of the LOSAP form notice of his/her annual service certification must be mailed to each registered volunteer.
2. The Fire and Rescue Commission will review the verified list of volunteers and approve the final annual certification.

c. Volunteer Annual Certification Appeals Process. A volunteer whose name does not appear on the Fire and Rescue Commission approved certified list, has not received proper point credit, or otherwise has an unresolved discrepancy, has the right to file a LOSAP appeal to the Fire and Rescue Commission within 30 days after the date the LOSAP annual certification form is mailed to the volunteer by the LOSAP Coordinator. The volunteer's appeal of the LOSAP Coordinator's decision must be in writing and must be forwarded to the LOSAP Administrator by the LFRD Coordinator. The appeal must include a cover memo explaining the issue appealed and must provide all relevant documentation to support the appeal. The LOSAP Administrator must then investigate the appeal and make a recommendation to the Fire and Rescue Commission. The Commission's decision on the LOSAP appeal is final.

### **21.02.16.07 Application for Benefits**

A volunteer must complete the Application for Payment form (Appendix A) and submit it to the LFRD's LOSAP Coordinator. The LOSAP Coordinator must verify the accuracy of the information provided and file the form with the LOSAP Administrator.

- a. Application for Length of Service Benefits.
  1. The volunteer must complete the Application for Payment form (Appendix A) to request LOSAP payments and submit it to the LFRD LOSAP Coordinator.
  2. The LOSAP Coordinator must submit the completed form to the LOSAP Administrator at least 45 days before the volunteer's payment eligibility date.
  3. A volunteer who is eligible for a monthly payment increase must complete and submit the Application for Payment form (Appendix A) requesting a monthly increase.
- b. Application for Disability Benefits. A volunteer who becomes disabled as the direct result of active participation as a LFRD volunteer and is prevented from pursuing his or her normal occupation because of a disability incurred while serving as a volunteer may receive a disability benefit. The volunteer must complete the application procedure for the disability benefit, as described in the Fire and Rescue Commission's regulation on Workers' Compensation Claims. The volunteer must provide proof that the Maryland Workers' Compensation Commission has found that the disability is total and permanent, and is a direct result of active participation as a LFRD volunteer. The volunteer must complete and submit the Application for Payment form (Appendix A) to request disability pay.



c. Application for Death Benefits. The volunteer must have met either the years of service eligibility requirement for a length of service benefit, or the requirements for a disability benefit. Within one year of the volunteer's death, his/her surviving spouse or domestic partner (or estate if no spouse or partner survives) must submit an application using the Application for Payment form (Appendix A), with a certified copy of the death certificate, before the benefit can be paid.

d. Application for Survivor's Benefits. The volunteer's spouse or domestic partner may receive a survivor's benefit on the volunteer's death if the volunteer met the years of service requirements for a length of service benefit, or the requirements for a disability benefit. The spouse or domestic partner must submit an application using the Application for Payment form (Appendix A), along with a certified copy of the death certificate, before the benefit can be paid.

### 21.02.16.08 Responsibilities

a. Fire and Rescue Commission:

1. approves certification of annual service;
2. annually approves and distributes a standing list of elected and appointed positions that are eligible for LOSAP credit;
3. annually approves and distributes a standing list of training courses that are eligible for LOSAP credit;
4. annually approves and distributes a standing list of collateral duties that are eligible for LOSAP credit; and
5. hears appeals brought by LFRD volunteers who believe that they are eligible to receive LOSAP benefits and/or annual certification.

b. Fire Administrator:

1. administers the LOSAP program, in coordination with the Fire and Rescue Commission and other appropriate Montgomery County Government agencies; and
2. with the recommendation(s) of the Fire and Rescue Commission, annually submits with the fire and rescue service budget a request for funds to pay administrative costs and benefits for all eligible LOSAP recipients for the next fiscal year.

c. Local Fire and Rescue Department:

1. forwards completed LOSAP registrations to the LOSAP Administrator and retains a copy of all LOSAP registration forms;
2. maintains detailed and accurate records of participation in any activity that qualifies for credit toward active volunteer status for each volunteer;
3. forwards completed Applications for Payment (Appendix A) as appropriate;
4. ensures that its LOSAP Coordinator adheres to the procedures established in this regulation; and

5. when requested by the County Executive, provides the Executive with all available records regarding LFRD volunteers' claims for retroactive benefit payments.

d. Volunteer:

1. completes and submits to the LFRD's LOSAP Coordinator a new member registration form by December 31st of the year joined;

2. provides the LOSAP Coordinator with accurate and timely information to maintain his/her records;

3. reviews and initials his/her annual certification of service summary to verify the accuracy of the information before its submission to the Commission's LOSAP Administrator;

4. resolves any inaccurate information with the LOSAP Coordinator,

5. appeals to the Fire and Rescue Commission any discrepancy not resolved with the LOSAP Coordinator, or any disputed finding by the LOSAP Administrator regarding the number of points he/she received under Sec. 4.d. above;

6. initiates application for payment of appropriate benefits; and

7. if applicable, coordinates the accreditation of points awarded for his or her volunteer service with multiple LFRDs.

e. LOSAP Coordinator:

1. maintains accurate volunteer registration and certification information and files;

2. reviews any discrepancies noted by volunteers in the annual reports,

3. assists volunteers as necessary during the appeals process;

4. submits annual certification information to the LOSAP Administrator by March 31st of each year; and

5. mails or hand delivers to each registered volunteer, his/her annual certification within 20 days of its receipt.

f. LOSAP Administrator:

1. compiles registrations and verifies service data award points based on the volunteer's activity,

2. prepares the "credit/no credit" list for the Commission's approval;

3. files and distributes annual certification copies as appropriate;

4. prepares, approves, and submits LOSAP payment authorizations to the Montgomery County Finance Department;

5. prepares documentation of appeals for the Commission's review;

6. notifies the LOSAP Coordinator and the affected volunteer of the Commission's decision on the appeal; and

7. conducts periodic LOSAP administration training classes for all LOSAP Coordinators.

g. Montgomery County Government Finance Department: maintains the LOSAP payment schedule, in coordination with the Commission, and makes timely payment of LOSAP benefits to volunteers, the surviving spouse or domestic partner, or the volunteer's estate, as appropriate.

#### **21.02.16.09 Effective Date**

This regulation is effective when the Council receives a copy of the regulation adopted by the County Executive.

#### **21.02.16.10 Attachments**

Appendix A - Application for Payment

Appendix B - Request for LOSAP Payment Form

(Administrative History: Reg. No. 17-00 (Method 3); Orig. Dept.: Office of the County Executive and the Fire and Rescue Commission; Supersedes: Reg. No. 82-91)

### **APPENDIX A MONTGOMERY COUNTY FIRE AND RESCUE SERVICE LENGTH OF SERVICE AWARD PROGRAM APPLICATION FOR PAYMENT**

[\[Click here to view Appendix A.\]](#)

### **APPENDIX B REQUEST FOR LOSAP PAYMENT**

[\[Click here to view Appendix B.\]](#)

#### **COMCOR 21.02.17 Reassignment of LOSAP Program Responsibility**

##### **21.02.17.01 Assignment of Responsibility**

The County Executive assigns the responsibility for the administration of the Length of Service Awards Program to the Fire Administrator, in coordination with the Fire and Rescue Commission and other appropriate Montgomery County agencies. The regulation must be administered in accordance with the requirements of Executive Regulation 17-00 and the County Code.

##### **21.02.17.02 Effective Date**

This regulation is effective when the Council receives a copy of the regulation adopted by the County Executive.

(Administrative History: Reg. No. 18-00 (Method 3); Orig. Dept.: Office of the County Executive; Supersedes: Reg. No. 10-92)