



# **MONTGOMERY COUNTY EXECUTIVE REGULATION**

OFFICES OF THE COUNTY EXECUTIVE – 101 MONROE STREET –  
ROCKVILLE, MARYLAND 20850

No. 04-03

EFFECTIVE DATE:

09/05/01

SUBJECT

ADMINISTRATION OF THE LOSAP PROGRAM

ORIGINATING DEPARTMENT

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## **MONTGOMERY COUNTY EXECUTIVE REGULATION**

### **ADMINISTRATION OF THE LOSAP PROGRAM**

Issued by: County Executive

Executive Regulation No. 17-00

Authority: Montgomery County Code Section 21-2.(d)(3) and 21-21

Supersedes: Regulation No. 82-91

Council Review: Method (3) under Code Section 2A-15

Register Vol. 17, No. 7

Effective Date: September 5, 2001

#### **SUMMARY:**

In accordance with Montgomery County Code Section 21-21, the County Executive administers the Length of Service Awards Program. In 1992, the County Executive delegated authority for the day-to-day administration of the program to the Fire and Rescue Commission, in coordination with appropriate County Government agencies and the Local Fire and Rescue Departments. In 2001, the County Executive delegated this authority to the Fire Administrator.

#### **DEADLINES:**

Montgomery County Register Comment: July 31, 2000

Montgomery County Fire Board Review: July 31, 2000

Div. of Fire and Rescue Services Review: July 31, 2000

Local Fire and Rescue Departments Review: July 31, 2000

#### **ADDRESS:**

Please send all comments pertaining to the proposed regulation to Beth Feldman, Montgomery County Fire and Rescue Service, 12th Floor, 101 Monroe Street, Rockville, MD 20850.

#### **STAFF:**

For additional information, you may contact Beth Feldman at (240) 777-2423

#### **BACKGROUND:**

The Length of Service Award Program recognizes the service that



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volunteer firefighters, rescuers, emergency medical service providers, and administrative members deliver to the citizens of Montgomery County. This regulation establishes uniform procedural guidelines to administer the LOSAP program.

Sec. 1. **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.

Sec. 2. **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.

Sec. 3. **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, rescue, or emergency medical service.



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- 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 Service and the Division of Volunteer Fire and Rescue Service.
- 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 Service.
- i. **LOSAP.** Acronym for the Length of Service Award 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 the 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.
- l. **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.



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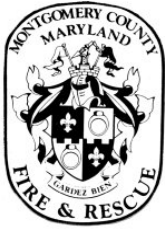
- o. **Volunteer.** A person, who is at least 16 years of age, and who, without salary, performs administrative, firefighting, rescue, and/or emergency medical services for a LFRD. This includes former volunteers who have received appropriate certification for service under this regulation.

## Sec. 4. 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, in 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 on 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 1<sup>st</sup> and December 31<sup>st</sup> of each calendar year. Points may not be transferred for 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.



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3. **Volunteers** who have accrued no service points for two consecutive years and considered inactive for the purpose of this program. A **volunteer's LOSAP** status will be re-activated automatically when the **LFRD** submits the nest **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 then 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 that 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**.



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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 response when the vehicle to which he/she is assigned is not dispatched and remains in the station of 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 **LFRD** that lasts for at least 4 hours and does not fall into one of the other categories in subsection 4. 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;



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- 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 and Rescue Board or the Montgomery County Volunteer Fire and 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 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



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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:

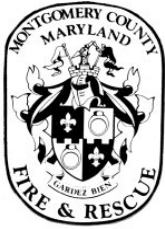
- A. is in the station when the call is dispatched and rides as an **emergency service provider** on the dispatched apparatus;
- B. is in the station when the call is dispatched and remains there for the duration of the call on a reserve basis as an **emergency service provider**;
- C. responds to the 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 <b>LFRD</b> /station	000	1000	7500
Call response per year	to 999	to 7499	or more
Responses required to Earn 1 point, if not Qualified for maximum 30 points	2	4	5
Response per year Required to receive Maximum 30 points	50	100	120

7. **Military Service.** A **volunteer** whose voluntary fire service is interrupted by





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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 benefiting 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.

## Sec. 5. 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 benefit is \$345 per month.



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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, 1985, 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**.

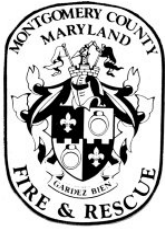
4. A Volunteer Who Qualifies in 1985 or Later with 10 Years of Service. Effective January 1, 1985, a **volunteer** qualifies for a 10-year award payment when he/she has completed 10 years of service as an **active volunteer** and is at least age 70.

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 Worker's 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 subsection 5. a. must not be paid to **volunteers** who are receiving award payments under this subsection.

- c. Death Benefits. A **volunteer's** surviving spouse or **domestic partner** (or estate if no spouse or **partner** survives), qualifies for a \$2500 death benefit if



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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**.

**Sec. 6. Annual Certification Process.** To participate in **LOSAP**, a **volunteer** must register with the **LFRD LOSAP Coordinator** before the annual certification period. On January 1 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 1<sup>st</sup> and December 31<sup>st</sup> 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**



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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 receive his/her **LOSAP** annual certification from 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 certifications 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;



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- 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.**

Sec. 7. **Severability.** If a court of final appeal holds that any part of this regulation is invalid, that ruling does not affect the validity of other parts of the regulation.

Sec. 8. **Effective Date.** This regulation takes effect upon adoption of the resolution approving it or on a later date specified in the regulation.

Attest:

\_\_\_\_\_  
Gordon Aoyagi, Chairman  
Fire and Rescue Commission

\_\_\_\_\_  
Date

Title of regulation/writer's name/date of latest revision