

2017-2018 BUDGET QUESTION

Response to Request for Information

DEPARTMENT: Police, Fire, and EMS

REQUEST NO.: 42

REQUESTED BY: Alter

DATE REQUESTED: 5/15/17

DATE POSTED: 5/16/17

REQUEST: Regarding the \$3.5 million budget amendment for the Austin Fire Department (AFD), why and how did we end up in a situation of relying on so much overtime to now be funded out of our reserves? Please provide responses to the following questions as well.

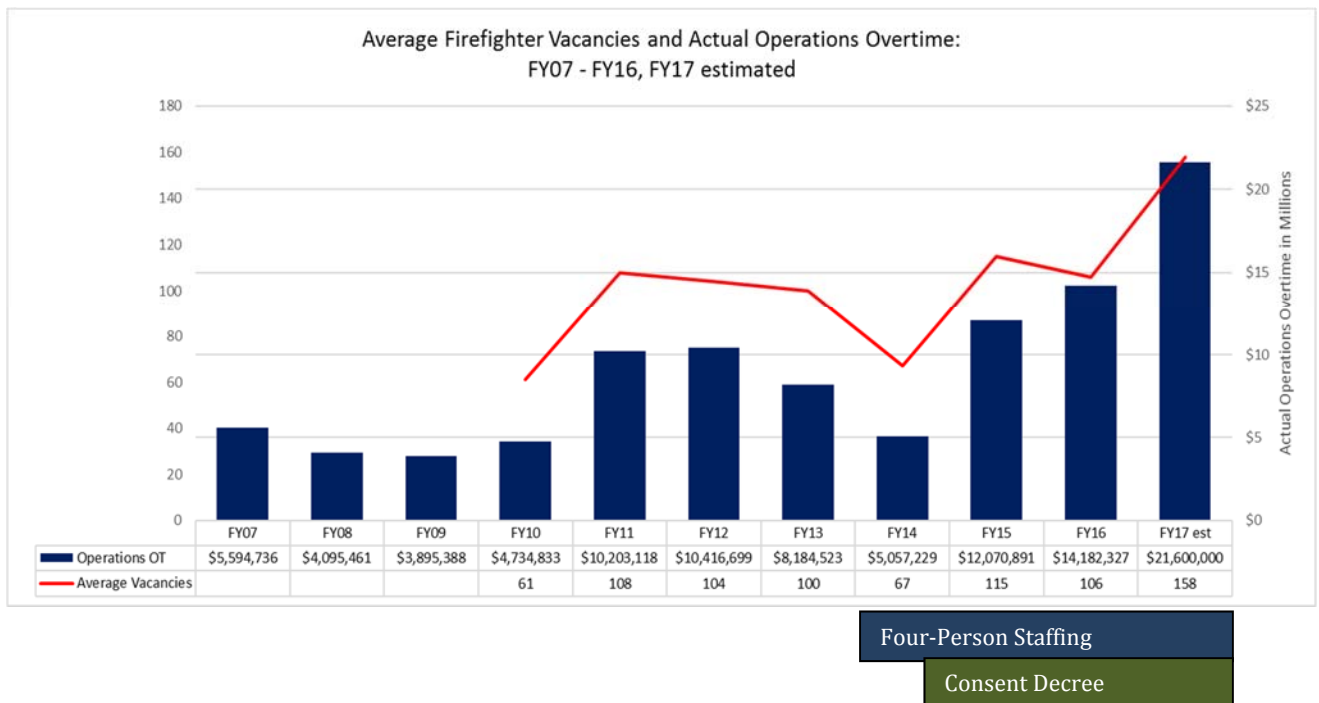
1. Since 2007 what have been our overtime costs incurred?
 2. Please provide data or graphics on AFD overtime that would help us understand how long there has been a trend in increasing overtime expenditures?
 3. Please provide data or graphics to help me better understand in real time how overtime expenditures map with the evolution of 4 person staffing (including its introduction and full implementation phases).
 4. Please provide the same overtime mapping for the period extending from prior to and post the justice department's consent decree.
 5. Please provide detail as to when vacation was included in the contract as productive time and provide a graphic of vacancies to overtime for the last 10 years.
 6. What portion of overtime comes from reimbursed special events for all public safety departments?
 7. What portion comes from officers taking vacation as productive time for all public safety departments?
 8. Which staff are taking overtime - thinking in terms of rank and pay for all public safety departments?
 9. Broadly speaking how do special events contribute to overtime?
 10. How much overtime do we pay that is driven by special events?
 11. Please clarify how we calculate a given officer's overtime in a given week if they work a special event.
 12. Is there a trigger with respect to special events similar to the vacation productive pay example that leads us to have to pay overtime for the officer's regular duties?
 13. How much do we charge for overtime on special events and does that rate actually cover our costs?
 14. What options do we have to alter that fee and when in the budget process might we address that?
 15. Were there any unexpected, emergency or catastrophic events this year that drove overtime?
 16. Provide the exact number of hours that were driven by these events and the percentage they represent of the overtime cost for this year.
 17. How much overtime have we been incurring in order to spot vacancies? How many vacant positions are we spotting with overtime in this fiscal year?
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RESPONSE:

- Since 2007 what have been our overtime costs incurred?
The below chart, initially presented to Council on May 3, 2017 with data through FY 2010, has been extended back to FY 2007.



- Please provide data or graphics on AFD overtime that would help us understand how long there has been a trend in increasing overtime expenditures? Please see graphic in response to question 1.
- Please provide data or graphics to help me better understand in real time how overtime expenditures map with the evolution of 4 person staffing (including its introduction and full implementation phases). Four-person staffing began, in earnest, in FY14 after Council approved acceptance of a Staffing for Adequate Fire & Emergency Response (SAFER) grant in 2013. The grant funded 36 Firefighter positions in the FY14 Budget to complete four-person staffing on Ladders and Rescues. Please see graphic in response to question 1.
- Please provide the same overtime mapping for the period extending from prior to and post the justice department’s consent decree. The Department of Justice (DOJ) consent decree was signed in June 2014 and it is focused on the cadet hiring process. Please see graphic in response to question 1.
- Please provide detail as to when vacation was included in the contract as productive time and provide a graphic of vacancies to overtime for the last 10 years. Vacation was “productive time” through September 2008 when bargaining went to impasse. Vacation was “unproductive time” from October 2008 to September 2009. It was productive from

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October 2009 through September 2013. There was another bargaining impasse from October 2013 to May 2015 and vacation was “unproductive time”. On June 4, 2015, a new collective bargaining contract was signed, and Vacation went back to being “productive time”. Please see graphic in response to question 1.

6. What portion of overtime comes from reimbursed special events for all public safety departments? For the Austin Police Department, this varies from year to year based on assignments that come through the special events office. The special events billings, which include traffic and security assignments as well as parades, races and other road closure events, represented 67% of the total reimbursed overtime in FY16 for a total of \$3.9 million.

For the Austin Fire Department, on average, 0.6% of all overtime is related to special events.

Lastly, the total EMS overtime paid for special events in FY16 is \$619,809. The total overtime from reimbursed special events is \$592,137 which is 7% of the total overtime paid to employees in FY16.

7. What portion comes from officers taking vacation as productive time for all public safety departments? Approximately \$500,000 in FY16 can be attributed to APD. For Fire, \$1.1 million in FY16 is the impact from productive time. EMS does not have productive time included in their contract.
8. Which staff are taking overtime - thinking in terms of rank and pay for all public safety departments? Based on hours paid for APD overtime in FY16, approximately 65% of overtime was paid to the rank of police officer, 27% to the rank of corporal/detective and the remaining 8% to the Sergeant rank. All higher ranks are exempt and are not eligible for overtime.

For EMS, the below chart details overtime by rank in FY16:

EMS Commander	\$ 956,952
EMS Captain - Communications	\$ 144,521
EMS Captain - Field	\$1,618,968
EMS Medic II - Communications	\$ 188,957
EMS Medic II - Field	\$4,262,815
EMS Medic I - Communications	\$ 52,596
EMS Medic I - Field	\$1,536,010

*This included scheduled overtime for 48 & 42 hour work weeks

9. Broadly speaking how do special events contribute to overtime? Large scale and/or spontaneous special events may require additional staffing or resources that cannot be accommodated with sworn staff during their regularly scheduled hours. Therefore, to ensure adequate staffing levels are met based on event size, city code and/or state law requirements, or safety issues, overtime may be required.

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The majority of special events worked by ATCEMS staff are overtime hours above their scheduled work week. It is important to note that ATCEMS employees are currently scheduled on a 48-hour or 42-hour work week and are paid overtime for any additional hours worked over 40 hours each week. There are some instances where an employee will get reassigned to a special event as part of his regular duties and there are also three employees who are permanently assigned to the special events unit.

10. How much overtime do we pay that is driven by special events? For APD, in FY16, approximately \$3.9 million in reimbursed overtime and \$2.0 million in non-reimbursed overtime for special events occurred. Reimbursed overtime primarily includes traffic assignments, security assignments, parades, and billed special events. Non-reimbursed overtime during this period was largely driven by South by Southwest, Texas Relays, holiday events (such as Mardi Gras, New Year's Eve, Halloween, etc.), and other activities in downtown Austin during Circuit of the America's events, car shows, motorcycle rallies, and smaller fee waiver events.

For AFD, in FY16, \$97,033 of reimbursed overtime for special events occurred, representing less than 1% of the department's total overtime expenditures that year.

ATCEMS paid \$619,809 in overtime related to special events. It is difficult to determine if the overtime paid was driven by the time worked at the special event or during regularly scheduled duties because overtime is not calculated until an employee exceeds 40 hours. If the time worked at the special event is in the beginning of the work week, those hours could be captured at overtime; however, the time worked at the special event is at the end of the work week and after the employee has worked his regular work shift, overtime would be captured during the hours worked at the special event.

11. Please clarify how we calculate a given officer's overtime in a given week if they work a special event. All hours for APD are calculated together per FLSA and contract provisions regardless if the officer works a special event or not in any given workweek. Regarding AFD, working a special event is productive time that can trigger overtime later in the pay cycle. It has the same impact as working regular time or using vacation leave.

For EMS, Overtime for ATCEMS begins once an employee exceeds 40 hours in a work week. If a medic (Medic I, Medic II, or Captain) works a special event at the beginning of the work week prior to his regular schedule, the time that is worked on his regular duties may be calculated at the overtime rate if he exceeds 40 hours during his scheduled work.

12. Is there a trigger with respect to special events similar to the vacation productive pay example that leads us to have to pay overtime for the officer's regular duties? There is no specific cause that initiates APD to pay overtime for special events. For AFD, similar to the response to Question No. 11, working a special event is productive time that can trigger overtime later in the pay cycle (see Council Budget Question No. 38). Lastly,

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vacation pay is not productive for ATCEMS sworn employees. However, because the time worked at a special event is considered productive hours, it can lead to overtime pay for a medics regular duties.

13. How much do we charge for overtime on special events and does that rate actually cover our costs? Please see the responses below by department.

Police: Based on fee schedule adopted annually by Council:

- 10 year officer, detective and sergeant rates (plus FICA and Medicare)
 - The average pretty closely reflects the cost paid by the City
 - Officers working an event can be on the bottom or the top of the pay scale. Corporal / Detectives and Sergeants are usually higher up in the pay scale.

Fire: AFD's fee for overtime is \$123.00 per hour with a minimum of 2 hours per individual. The fee also covers AFD's overtime and overhead costs.

EMS: The table below provides the ATCEMS fees for standby (special events) services. In FY16, ATCEMS received \$783,933 in revenue for standby services. The revenue generated by special events covers 78% of the total related expenses (this does not include events that receive council waivers or city co-sponsored events).

FY17 Standby Fees for Emergency Service	Fee
Basic Standby Bike Medic Unit	\$ 125.00
Basic Standby Bike Medic Unit (1/4/ hr rate)	\$ 31.25
Basic Standby Unit	\$ 125.00
Basic Standby Unit (1/4/ hr rate)	\$ 31.25
Set-up/Take-down Fee	\$ 100.00
Supplemental Standby Paramedic	\$ 40.00
Supplemental Standby Paramedic (1/4 hr rate)	\$ 10.00

14. What options do we have to alter that fee and when in the budget process might we address that? City fees are adopted annually by Council as part of the budget adoption process in September and may be amended by Council ordinance anytime during the year. Council may elect to set fees up to, but not exceeding, the cost of service.

15. Were there any unexpected, emergency or catastrophic events this year that drove overtime? For APD, approximately \$4.0 million in overtime was due to unexpected, emergency or catastrophic events. These included tactical alerts based on national events, protests, crowd control activities, late calls and arrests, hold over calls, continued investigations, and bad weather. Conversely, AFD experienced no significant emergency or catastrophic events as of the end of April 2017.

16. Provide the exact number of hours that were driven by these events and the percentage they represent of the overtime cost for this year. For APD, these types of events required 68,685 hours equating to 31.7% of total overtime used in FY16. Of these total hours, 33,265 hours were due to multiple tactical alerts based on national events, protests and crowd control activities, 28,782 hours were attributable to late calls and arrests,

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continued investigations, and hold over calls, and 6,638 hours were logged related to bad weather.

As of April 2017, AFD had incurred 380 hours of emergency deployments for catastrophic events and they represented only 0.14% of current overtime expenditures.

17. How much overtime have we been incurring in order to spot vacancies? How many vacant positions are we spotting with overtime in this fiscal year? Please see the responses below by department.

APD:

- \$2.6 million was spent filling in for vacancies – 45,425 hours
- These hours divided by 2,080 annual working hours equates to approximately 22 fulltime positions
- Austin Police re-deployed officers and corporal/detectives assigned to non-patrol duties back to patrol as a cost saving measure for several months during the year. This was slowly rolled back during the current fiscal year because it was causing delays in investigation of cases and other required job duties of the staff being redeployed.

Fire: As of April 2017, AFD has incurred 241,141 hours and \$10,128,048 of overtime related to vacancies. At present, AFD has 126 vacancies and we anticipate that growing to near 150 vacancies by the end of the fiscal year.

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DEPARTMENT: Fire

REQUEST NO.: 38

REQUESTED BY: Alter, Flannigan

DATE REQUESTED: 5/9/17

DATE POSTED: 5/15/17

REQUEST: Explain how Vacation as “productive” time impacts overtime.

1. What is the average total hours and overtime hours firefighters are working per week?
2. What is the average number of overtime hours worked by rank?
3. How many overtime hours year-to-date have been triggered by using leave time in the same pay period? What percentage of firefighters have used leave and overtime in the same pay period?

RESPONSE: “Regular” time is productive time when calculating pay and benefits. The labor agreements for Fire and Police include provisions that make Vacation leave “productive time” in the calculation of overtime premiums. That means a Firefighter who is on vacation for one 24-hour shift and works at regular pay for a second 24-hour shift, could easily be paid the overtime premium (time and a half) for part of the time worked on a third shift. On average, firefighters work 53 hours per week. Two shifts of productive time equals 48 hours, so only 5 hours of the third shift would be paid at the regular rate and the other 19 hours could be paid as overtime.

Because firefighters routinely work three 24-hour shifts one week and two shifts the next, they are tracked on a 19-day work cycle. The expectation is that they will work five shifts or 120 hours in 19 days. This differs from the City’s 14-day pay cycle so pay averaging and Kelly Days are implemented to reconcile the two cycles. This smooths out the hours so that firefighters get roughly the same amount of pay each pay period.

AFD does not have a database to pull actual numbers of hours for firefighter pay over long periods of time. In order to approximate “hours per week”, four months of individual pay data for the pay periods between January 1 and April 29, 2017, for 894 firefighters was downloaded and sorted manually. Then 100 firefighters were selected for closer examination making sure there was representation at all ranks.

Question #1. It is estimated that Firefighters work an average of 50 hours per week and 9 hours of that time is paid out with an Overtime Premium. A table describing firefighter pay codes and a calculation of that estimate can be found below.

Jan-Apr 2017 (9 pay periods) PAY CODES	Total Hours	Average Hours per Pay Period	Average Hours per Week	Average Hours per Week per Firefighter	Percent per Pay Period
Regular (Productive)	668,602	74,289	37,145	42	82.4%
Vacation (Productive)	48,713	5,412	2,706	3	6.0%
Other (Productive)	51,237	5,693	2,847	3	6.3%
Sick (Nonproductive)	41,318	4,591	2,296	3	5.1%
Military (Nonproductive)	2,039	227	114	0	0.3%
Other (Nonproductive)	216	24	12	0	0.0%
Pay Averaging	-881	-98	-49	0	-0.1%
Total Scheduled Hours	811,244	90,138	45,069	50	
Added Time (unscheduled hours worked that were not eligible for OT premium)	12,145	14,893	7,447	8	16.5%
Overtime Premium (unscheduled hours worked and paid OT premium)	134,033	16,242	8,121	9	18.0%
Total Unscheduled Hours	146,178	31,135	15,568	17	

Question #2. The estimated average overtime hours used by rank is shown below. Because this is a sample, please note that this average does not apply to everyone in the rank and does not apply to every pay period worked.

Rank	Division Chief	Battalion Chief	Captain	Lieutenant	Specialist	Firefighter	TOTAL
# Persons in Sample	1	12	17	27	19	24	100
# Persons with OT Premium Paid	1	11	13	26	16	23	90
# of Pay Periods Persons Paid OT Premium	3	46	57	99	65	97	367
# of OT Premium Hours	60	1,537	1,700	3,145	2,049	3,292	11,783
Average OT Hours per Person (not every Pay Period)	20.0	3.0	2.3	1.2	2.0	1.5	0.4
# of Times Vacation Impacts OT Premium	1	18	57	35	25	31	167
# OT Premium Hours Impacted by Vacation	16.50	399.75	221	782.75	442.50	614.25	2,476.75
% of OT Premium Hours Impacted by Vacation	27.5%	26.0%	13.0%	24.9%	21.6%	18.7%	21.0%

Question #3. Using the total number of “Overtime Premium Hours Impacted by Vacation” above as a basis for a full year estimate, FY 2017 might see as many as 59,424 overtime hours triggered by using vacation as productive leave time.

The percentage of the firefighters in the sample who used leave and overtime in the same pay period was 62%. In other words, 56 of the 90 firefighters used Vacation and Overtime in the same 19-day cycle during the four months in the sample.