



CITY OF RICHMOND
CITY AUDITOR

DATE: September 4, 2019

TO: Mrs. Selena Cuffee-Glenn
Chief Administrative Officer

FROM: Louis Lassiter *LL*
City Auditor

SUBJECT: Department of Fire and Emergency Services (RFD)
Fire Special Events Overtime

The City Auditor's Office has completed the RFD Fire Special Events Overtime audit and the final report is attached.

We would like to thank the RFD staff for their cooperation and assistance during this audit.

Attachment

cc: The Richmond Audit Committee
The Richmond City Council
Chief Melvin Carter, RFD

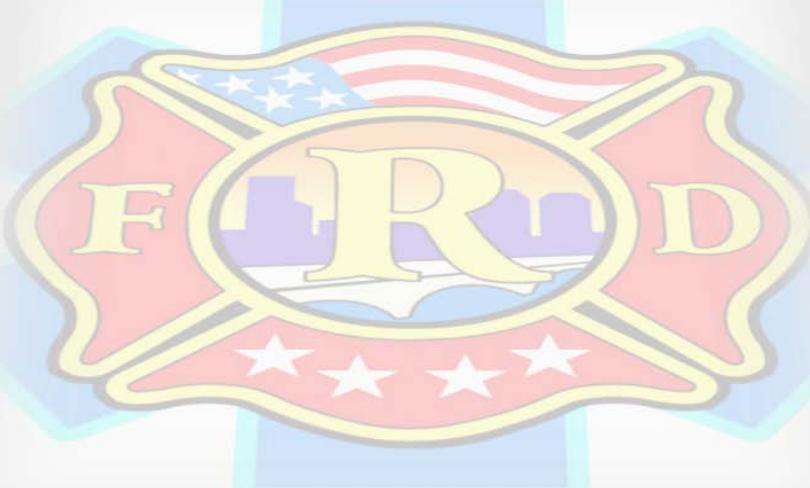
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City of
RICHMOND
Office of the City Auditor

Audit Report# 2020-04

Department of Fire and Emergency Services
Fire Special Events Overtime

September 4, 2019



Audit Report Staff

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Highlights

Audit Report to the Audit Committee, City Council, and the Administration.

Why We Did This Audit

The Office of the City Auditor conducted this audit as part of the FY19 audit plan approved by the Audit Committee. This audit focused on the process for scheduling RFD staffing overtime for special events.

What We Recommend

The Fire Chief:

- Ensure compliance with City Code §12-119 by establishing formal special events contracts with private vendors at the required rate.
- Establish an oversight process to ensure all employees who work the Special Events comply with Administration Regulation 5.5.
- Designate an Administrative position, who is not eligible to work any off duty events, to oversee the Special Events staffing process using a scheduling software.
- Implement the staffing solution software purchased to schedule Special Events, train personnel and designate a position to administer the software.
- Update the Special Events Policy to reflect current practice.
- Develop and implement a policy and procedures for the proper handling of EMS Special Events Bags that includes a standardized checklist of required items.



Fire Special Events Overtime

Background - The Richmond Fire Department (RFD) operates twenty fire stations, and three support facilities throughout the City prioritizing safety efforts for the community. The fire stations' employees work:

- 24-hour rotating shifts (A, B or C) to maintain coverage,
- 11 days a month,
- 53 hours a week, and
- Receive six hours of built-in overtime.

Administrative employees, which include Fire Marshals, work 40 hours per week with no built in overtime. They are located at Fire Headquarters.

Special Events

RFD's sworn personnel that are EMS certified and/or designated Fire Marshals have the opportunity to work Special Events that are held at various venues and private locations within the City. The Special Events Coordinator is responsible for coordinating all Special Events for EMS and Fire Marshal Staff for vendors/venues interested in having onsite coverage for their events.

Needs Improvement

Finding #1 – Special Events Contracts – RFD entered into informal agreements with vendors for EMS staffing for private events within the City. The employees were paid a flat rate of \$35 per hour by the vendors. This practice differs from City Code §12-119 which requires a fee of \$45. The employees were compensated as either independent contractors or employees.

Finding #2 – Secondary Employment – RFD did not have proper oversight of the secondary employment forms for Special Events. A specific individual was not assigned the responsibility of obtaining and tracking the forms.

Finding #3 – Scheduling – RFD has a manual scheduling process for staffing Special Events which led to an inequitable distribution of off-duty work assignments.

Finding #4 – Staffing Solution Software – RFD has a manual process for scheduling sworn personnel to staff off-duty Special Events.

Finding #5 – Update Standard Operating Manual – RFD Special Events Policy #270 has not been updated since September 2014. Additionally, Policy #270 is not congruent with the current practice.

Finding #6 - Special Events EMS Bags – There are no established guidelines for packing and restocking Special Events EMS Bags.

Management concurred with 5 of 6 recommendations. We appreciate the cooperation received from management and staff while conducting this audit.

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BACKGROUND, OBJECTIVES, SCOPE, METHODOLOGY, MANAGEMENT RESPONSIBILITY and INTERNAL CONTROLS

This audit was conducted in accordance with the Generally Accepted Government Auditing Standards promulgated by the Comptroller General of the United States. Those Standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on the audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on the audit objectives.

BACKGROUND

Overview

RFD operates out of twenty fire stations, and three support facilities throughout the City prioritizing safety efforts for the community. The fire stations' employees work:

- 24 hour rotating (A, B or C) shifts to maintain coverage,
- 11 days a month,
- 53 hours a week, and
- Receive six hours of built-in overtime per pay period.

Administrative employees, which include Fire Marshals work 40 hours per week with no built in overtime. They are located at Fire Headquarters.

Special Events

RFD's sworn Fire personnel who are EMS certified and/or designated Fire Marshals have the opportunity to work Special Events held at various venues and private locations within the City.

RFD's Special Events Coordinator enters into an informal agreement either by email or phone with private vendors on behalf of the employees to provide staffing for their events. These employees are considered independent contractors when providing these services because these events are held outside of regular business hours.

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The Special Events Coordinator is responsible for coordinating all special events for EMS and Fire Marshal Staff for vendors/venues that are interested in having onsite medical coverage for their events. Monthly, all Fire staff send their availability to the Special Events Coordinator who organizes their work schedules, and invoices the vendor on behalf of the Fire Marshals and EMS.

When the RFD provides onsite medical coverage for the vendors, the EMS and Fire Marshals are granted access to use the City's equipment (e.g. EMS Bags). These EMS bags are signed in and out for each event held. All EMS bags typically contain equipment to aid in lifesaving efforts and are stored at Fire Headquarters.

OBJECTIVES

The objectives for this audit were to evaluate the Richmond Fire Department's internal controls over the administration and staffing of Special Events and compliance with rules that govern overtime opportunities.

SCOPE

Our scope includes the five months ending May 31, 2019 and the current operating environment.

METHODOLOGY

The auditors performed the following procedures to complete this audit:

- Interviewed management and staff;
- Documented and evaluated relevant policies and procedures and tested for compliance;
- Analyzed events and assigned staff; and
- Performed other tests, as deemed necessary.

MANAGEMENT RESPONSIBILITY

City management is responsible for ensuring resources are managed properly and used in compliance with laws and regulations; programs are achieving their objectives; and services are being provided efficiently, effectively, and economically.

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INTERNAL CONTROLS

According to the Government Auditing Standards, internal control, in the broadest sense, encompasses the agency's plan, policies, procedures, methods, and processes adopted by management to meet its mission, goals, and objectives. Internal control includes the processes for planning, organizing, directing, and controlling program operations. It also includes systems for measuring, reporting, and monitoring program performance. An effective control structure is one that provides reasonable assurance regarding:

- Efficiency and effectiveness of operations; and
- Compliance with laws and regulations.

Based on the audit test work, the auditors concluded internal controls related to the City Richmond Fire Department's Special Events staffing process needs improvements, which are discussed throughout this report.

FINDINGS and RECOMMENDATIONS

What Needs Improvement

Finding #1 – Special Events Contracts

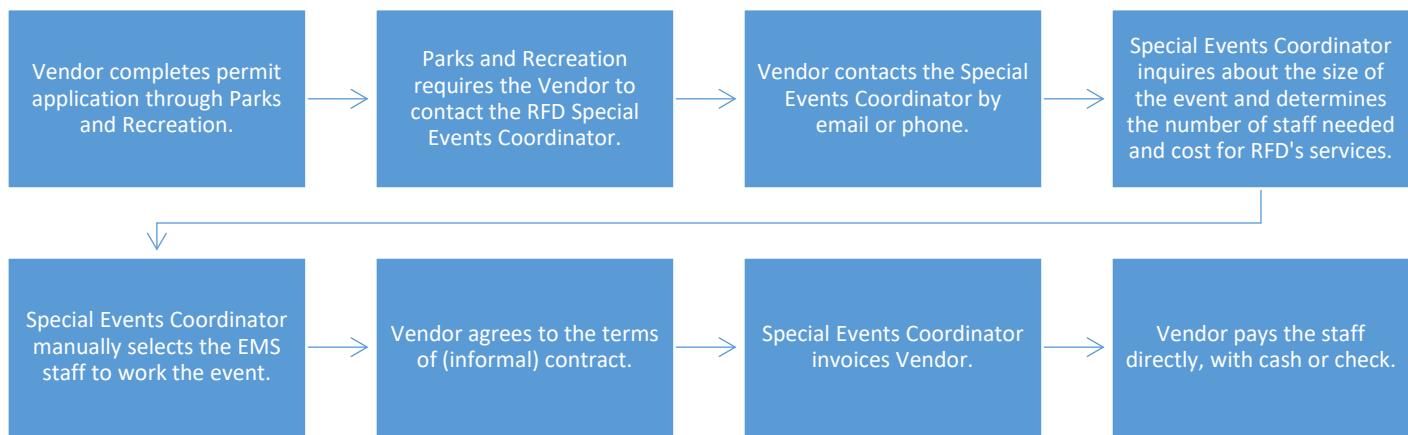
The Auditors found that RFD entered into informal agreements with vendors for EMS and Fire Marshals to staff private events within the City. The employees were paid a flat rate of \$35 per hour by the vendors in the form of cash or checks. This practice differs from City Code §12-119

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which requires a fee of \$45 per hour. The current process of EMS staffing for private contracts is depicted below.



Without a formal contract for contracting EMS staff with vendors, the City would assume all of the risks, which they may not indemnify against possible litigation.

Recommendation:

- 1. We recommend the Fire Chief complies with City Code §12-119 by establishing formal Special Events contracts with private vendors at the required rate.*

Finding #2 – Secondary Employment

The auditors sampled 10 of 51 Fire personnel who worked off-duty Special Events from January 1, 2019 through May 31, 2019 to determine whether management approved their secondary employment forms. Testing revealed:

- 5 of 10 – Approval forms were not on file.
- 2 of 10 – Forms were properly approved for the specified vendors.
- 2 of 10 – Approval forms were associated with secondary employment unrelated to Special Events.
- 1 of 10 – Form was approved for a specific vendor. However, the employee worked an event that was not identified on the form.

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According to Administrative Regulation 5.5, “employees are required to seek written approval of the CAO or his designee prior to engaging in any outside employment, activity or enterprise. A copy of such approval will be actively maintained in the employees City personnel files.”

Not filling out the secondary employment form could lead to conflicts of interest and management not being aware of staff’s off-duty activities.

Recommendation:

- 2. We recommend the Fire Chief establish an oversight process to ensure all employees who work the Special Events comply with Administration Regulation 5.5.*

Finding #3 – Scheduling

RFD has a manual scheduling process for staffing Special Events that has led to an inequitable distribution of off-duty work assignments.

The auditors reviewed 51 Fire staff who worked off-duty Special Events assignments from January 2019 through May 2019 as documentation prior to this period was not available. The auditors assembled a list of the top 10 employees who worked the most for the months selected, as shown below:

- 8 of 10 Fire staff that worked Special Events were all Fire Headquarters employees (see individuals in red text below).
- The top three individuals that worked the majority of the overtime assignments were the Special Events Coordinators for Fire Marshals and EMS.

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Fire Staff	# of Events		Total Events Worked
	Fire Marshal	EMS	
Employee 1	18	9	27
Employee 2	2	17	19
Employee 3	8	11	19
Employee 4	6	12	18
Employee 5	0	17	17
Employee 6	0	15	15
Employee 7	0	15	15
Employee 8	6	7	13
Employee 9	1	10	11
Employee 10	3	6	9

Source: Auditor Prepared

RFD's Special Events Policy PPG #270 – states, "All jobs will be scheduled by the Special Event Coordinator or designee, who will fairly and impartially select employees on an "as needed" basis, using a rotation list..." According to the Special Events Coordinator, Fire Headquarters' employees were given preference over Fire station personnel for overtime opportunities.

Overall, the Fire Department processes were not documented in a way to show that overtime is distributed equitably. Individuals overseeing the process were able to schedule themselves for overtime without management oversight or review.

Recommendation:

3. *We recommend the Fire Chief assign a designated Administrative position that is not eligible to work any off-duty events, to oversee the special events staffing process using a scheduling software.*

Finding #4 – Staffing Solution Software

RFD uses a manual process to schedule sworn personnel to off-Duty Special Events, whereas many other departments have a staffing solution software to assist in managing complex and variable schedules.

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RFD purchased an automated staffing solution software in 2019, however the process to acquire the software was lengthy. A manual scheduling process for Special Events could be prone to an inequitable distribution of off-duty work, as well as overlap with the regular scheduling of Fire staff.

Recommendation:

- 4. We recommend the Fire Chief implement the staffing solution software purchased to schedule Special Events, train personnel and designate a position to administer the software.*

Finding #5 –Update Standard Operating Manual

RFD's Special Events Policy PPG #270 has not been updated since September 2014. The Special Events Coordinator references the Policy for training purposes. Additionally, Policy #270 is not congruent with the current practice. The current practice does not address the following as outlined in the Policy:

- Special Events Definition
 - Eligibility Pools (Open/ Closed)
- Administration
 - Employment Agreements
 - Selection Process
 - Paperwork Requirements
 - Supplies and Equipment
 - Compensation
 - Radio/Telecommunication Procedures

Written policies and procedures provide guidance for employees to perform their duties. Without properly updated written policies and procedures, compliance cannot be evaluated.

Recommendation:

- 5. We recommend the Fire Chief update the Special Events Policy to reflect current practices.*

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Finding #6 – Special Events EMS Bags

The Special Events Coordinator did not establish guidelines for packing and restocking of the special event bags. There was no oversight for the special event bags and the EMS staff were left to use their own judgment for handling the bags. The auditors noted the following:

- No standardized checklist of required items,
- EMS bags were left with trash inside of them,
- Basic items missing from the EMS bags,
- Items not properly placed in the EMS bags, and
- EMS bags not restocked.

If the EMS bags are not restocked with essential items for future events, there could be a delay in treatment.

Recommendation:

6. *We recommend the Fire Chief develop and implement policies and procedures for the proper handling of EMS Special Events Bags that includes a standardized checklist of required items.*

APPENDIX B: MANAGEMENT RESPONSE FORM

2020-04 RFD Special Events Overtime

#	RECOMMENDATION	CONCUR Y/N	ACTION STEPS
1	We recommend the Fire Chief complies with City Code §12-119 by establishing formal special events contracts with private vendors at the required rate.	Y	1. identify venues; 2. draft agreements; 3. run agreements through the COR contract process; 4. execute agreement; 5. employees will be paid OT
	TITLE OF RESPONSIBLE PERSON		TARGET DATE
	Business Services Manager		5/30/2020
	IF IN PROGRESS, EXPLAIN ANY DELAYS		IF IMPLEMENTED, DETAILS OF IMPLEMENTATION
#	RECOMMENDATION	CONCUR Y/N	ACTION STEPS
2	We recommend the Fire Chief establish an oversight process to ensure all employees who work the Special Events comply with Administration Regulation 5.5.	N	The department agrees that proper oversight is critical, however the department will not employ individuals for special events as part-time private contractors. The department will pay COR employees with OT. Therefore no need to oversee compliance with AR 5.5
	TITLE OF RESPONSIBLE PERSON		TARGET DATE
	Deputy Chief of Operations		11/30/2019
	IF IN PROGRESS, EXPLAIN ANY DELAYS		IF IMPLEMENTED, DETAILS OF IMPLEMENTATION
#	RECOMMENDATION	CONCUR Y/N	ACTION STEPS
3	We recommend the Fire Chief assign a designated Administrative position, who is not eligible to work any off-duty events, to oversee the special events staffing process using a scheduling software.	Y	Cannot comply until resource is allocated. 1. Request dedicated civilian resources to manage SpecEvents and SpecEvents staffing. 2. Once FTE is approved the department will hire and train. 3. Staffing solution will be implemented.
	TITLE OF RESPONSIBLE PERSON		TARGET DATE
	Deputy Chief of Operations		9/30/2020
	IF IN PROGRESS, EXPLAIN ANY DELAYS		IF IMPLEMENTED, DETAILS OF IMPLEMENTATION
#	RECOMMENDATION	CONCUR Y/N	ACTION STEPS
4	We recommend the Fire Chief implement the staffing solution software purchased to schedule Special Events, train personnel and designate a position to administer the software.	Y	1. Request dedicated civilian resources to manage SpecEvents and SpecEvents staffing. 2. Once FTE is approved the department will hire and train. 3. Staffing solution will be implemented
	TITLE OF RESPONSIBLE PERSON		TARGET DATE
	Deputy Chief of Operations		9/30/2020
	IF IN PROGRESS, EXPLAIN ANY DELAYS		IF IMPLEMENTED, DETAILS OF IMPLEMENTATION
#	RECOMMENDATION	CONCUR Y/N	ACTION STEPS
5	We recommend the Fire Chief update the Special Events Policy to reflect current practices.	Y	Draft policy for review and approval
	TITLE OF RESPONSIBLE PERSON		TARGET DATE
	Deputy Chief of Operations		11/30/2019
	IF IN PROGRESS, EXPLAIN ANY DELAYS		IF IMPLEMENTED, DETAILS OF IMPLEMENTATION

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2020-04 RFD Special Events Overtime

#	RECOMMENDATION	CONCUR Y/N	ACTION STEPS
6	We recommend the Fire Chief develop and implement policies and procedures for the proper handling of EMS Special Events Bags that includes a standardized checklist of required items.	Y	Enforce the current policy. Implement routine random audits to ensure compliance.
	TITLE OF RESPONSIBLE PERSON		TARGET DATE
	Deputy Chief of Operations		11/30/2019
	IF IN PROGRESS, EXPLAIN ANY DELAYS		IF IMPLEMENTED, DETAILS OF IMPLEMENTATION