

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	September 16, 2024
Action Required:	Consideration of Ordinance to Amend City Code
Presenter:	Scott Carpenter, Deputy Chief of Operations
Staff Contacts:	Lisa Burch, Human Resources Benefits Coordinator, Retirement Michael Thomas, Fire Chief
Title:	Ordinance amending the City Code to extend the Public Safety Supplement Retirement Benefit to EMS-only Employees Enrolled in the Defined Benefit plan (2nd reading)

Background

Currently, members of the Charlottesville Fire Department (“CFD”) that are classified as firefighters/EMT’s and enrolled in the Defined Benefit (pension) plan receive a public safety supplement if they retire with at least twenty (20) years of service. The CFD intends to hire EMS-only employees and would like to extend the same public safety pension supplement under the same provisions.

Discussion

A number of localities across the Commonwealth have begun hiring “single-role” or “EMS-only” personnel to meet service and staffing demands. Fire and emergency services in Roanoke City, Augusta County, Fluvanna County, Greene County, Buckingham County, Nelson/Wintergreen, Madison, Newport News, and Norfolk all utilize varying levels of full-time and part-time EMS staff. Additionally, Albemarle County Fire and Rescue is reportedly considering hiring part-time EMS-only personnel to supplement its EMS delivery in the northern part of the county due to high service demand.

CFD made a presentation to the Retirement Commission on May 22, 2024. During that meeting, CFD determined that providing the public safety pension supplement to EMS-only employees is consistent with the intent of the retirement benefit and is necessary to maintain competitive recruitment and retention practices. The CFD has faced challenges with recruiting due to the nationwide shortage of firefighters and EMS providers. Current job qualifications require that all employees, at a minimum, be trained as both firefighters and EMTs. This dual requirement may deter potential applicants who are passionate about emergency medical services but have little interest in firefighting. By extending the ability for EMS-only employees to participate in the public safety pension, the department aims to open up recruiting to a broader pool of candidates who are focused solely on EMS roles, thereby allowing flexibility to address CFD’s staffing needs more effectively.

City Code Sec. 19-150 currently defines a “public safety employee” as a “police officer, firefighter,

sheriff, or deputy sheriff.” This definition would be updated to include “Emergency Medical Service (“EMS”) employee”. City Code Sec. 19-96 would be updated to include “EMS employee” in the class of workers who receive the public safety supplement. Every sentence that currently reads “police officer, firefighter, sheriff or deputy sheriff” would be updated to read “police officer, firefighter, EMS staff, sheriff or deputy sheriff.” The City Code would also be updated to define an “EMS employee” as “any employee whose primary function is to provide emergency medical services, including but not limited to: a medic; paramedic; or a basic, intermediate or advanced Emergency Medical Technician. This change is consistent with Federal policy, as the IRS defines a Public Safety Officer as an employee of a state, county, or city who is a law enforcement officer, firefighter, chaplain, or member of a rescue squad or ambulance crew. This language is consistent with federal legislation such as the Pension Protection Act of 2006 and the Public Safety Employees Act of 2016.

In the Commonwealth, the Virginia Retirement System (VRS), Hazardous Duty Supplement includes language speaking to enhanced hazardous duty benefit availability for ported service if the period of time ported to VRS represents service as a sworn law enforcement officer comparably hazardous to that of a state police officer, firefighter, emergency medical technician (EMT) or deputy sheriff.

Alignment with City Council's Vision and Strategic Plan

The proposed amendments directly align with several aspects of City Council's vision and strategic plans:

- **Public Safety:** Hiring single-role EMS providers enhances Charlottesville's ability to deliver comprehensive, trusted public safety services. This move will improve the quality and reliability of emergency medical services provided to the community.
- **Organizational Excellence:** The City is dedicated to maintaining a well-trained and committed workforce. Extending access to the public safety retirement plan to EMS-only employees helps attract and retain highly skilled EMS professionals, thereby enhancing the overall excellence of the City's public safety services. This ensures that the community continues to receive top-tier emergency medical care from dedicated and experienced staff.
- **Commitment to Justice, Equity, Diversity, and Inclusion:** In addition, the amendment provides the department with greater flexibility in recruitment and hiring, opening opportunities to a more diverse applicant pool. By offering roles specifically for EMS-only positions, the department can attract candidates from varied backgrounds, enhancing access to employment and career advancement. This flexibility not only aligns with the City's goals of diversity, equity, and inclusion but also strengthens the overall effectiveness of our public safety services.

Community Engagement

Department administration has engaged with stakeholders, including current employees, union representatives, to gather input on this proposed amendment. Feedback has been supportive, particularly among current staff who see this as a step toward progressing the department into the future.

Budgetary Impact

The department plans to utilize current vacancies to fill these roles. The overall impact is uncertain due to ongoing negotiations with the union that are parallel to this process. However, since this is not

a request for new full-time employees, but rather allowing the department the flexibility to hire for both firefighter/EMT and EMS-only roles, we anticipate that the outcome of negotiations will result in a budget impact that is equal to or less than our current budget.

Recommendation

Approval of Ordinance, waiving second reading

Alternatives

Decline to approve the amendment.

Attachments

1. ORD - Amend Chapter 19 - EMS public safety benefit - 8.21.24 (2)