



Baltimore Fire Officers Association

Local No. 964

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CHARTERED FEBRUARY 20, 1948



December 6th, 2024

The Honorable Zeke Cohen, City Council President
Baltimore City Council
100 Holliday Street, Suite 400
Baltimore, MD 21202

SENT VIA EMAIL ONLY

RE: Wage Theft Due to Workday Payroll Configuration

Council President Cohen,

It has been three years since I have written the Office of the City Council President regarding wage theft due to the Workday payroll system. Over those years, there has been an almost Herculean effort by members of the Baltimore City Fire Department (BCFD) of various ranks and bargaining unit representation to correct the continual errors that have occurred and reoccurred. The primary problems that have persisted to this day are related to two issues: (1) promotion; and (2) stipends.

Workday implemented in its current configuration is thieving wages from my members in the amount of hundreds of thousands of dollars. This practice has been brought to the attention the Department of Human Resources (DHR), who control the process, who have made no effort to change this situation. This wage theft is morally wrong, illegal, and must be stopped immediately. Because no effort has been made to correct it, we are humbly asking for the City Council to convene a hearing on the subject with DHR and BCFD officials, hear firsthand that these wages are not being paid or are being paid months or even years past due, and to introduce and pass legislation that holds City officials to account when not paying the wages due to an employee for the performance of their labor.

The primary system failure in constant practice that is shorting our members wages is due to the erroneous practice of requiring a reclassification process for nearly every promotion made in the BCFD. There are three (3) ranks represented by IAFF Local 964: lieutenant, captain, and

battalion chief. Depending on the individual's medical training, they will be compensated for either basic life support (BLS) or advanced life support (ALS) certifications.

In the past, pre-Workday, an employee was promoted to their appropriate rank and appropriate paygrade by the immediate next payroll after the vacancy occurred. Now, due to the configuration of Workday, if the "pin" or "billet" in Workday is for a BLS position, and the person promoting to that position is ALS, the position is sent through the reclassification procedure detailed in the City of Baltimore Administrative Manual 230-4 (AM). This process takes a minimum of three (3) months, as it traverses through Civil Service Commission (DHR), Bureau of Budget and Management Research (BBMR), the Expenditure Control Committee (ECC), and finally the Board of Estimates (BOE). In many instances that we have observed, it is overlooked and can take months to years to be achieved. All the while the affected employee is being paid hundreds to thousands of dollars less than their contractually agreed upon salary. **This procedure does not just risk wage theft, it actually ensures that it happens.** And it happens on a large scale.

The AM has never been weaponized in this form or fashion before. In pertinent part, it reserves reclassification for "the changing of the class of a budgeted position due to a change in the duties and responsibilities of the position."¹ This is *never* the case in these routine fire department promotions. There is *no* change in the duties and responsibilities of the position. They are always the same rank as they always were, just with differing levels of compensation based on how advanced their medical training is. Further, this AM policy has existed unchanged since 1983. There is no satisfactory explanation to justify its sudden use in this way when the result is to short employees hundreds of thousands of dollars. On one recent update in a single pay period, \$260,000.00+ in stolen wages were paid to a large list of employees who had been waiting for their correct wages for many months to years.

The second frequent occurrence is the payment of stipends. Members who have advanced certifications in certain emergency service disciplines receive a small stipend check at the conclusion of the fiscal year. These checks have seen extensive delays, underpayments, and overpayments. This is an even more straightforward issue, which is to say it should be no more difficult than to review the member's certification on file and cut the check. Anything less is more wage theft.

The laws of the State and City are inadequate to address this widespread criminality. Therefore, we implore you to call a public hearing on these issues, see the mountain of evidence we can present to show this is true and is continuing even at the time of this writing, and pass legislation to hold City officials accountable for damages when employee wages are withheld in the absence of any kind of bona fide dispute, but for bureaucracy and mismanagement.

Thank you very much for your time and attention to this matter. Please note that you can rely on our local union to provide any information you may require that may assist in my members receiving their proper compensation for time worked.

¹ City of Baltimore Administrative Manual 230-4, *Reclassification of Positions*, p. 1 of 1, Oct. 21, 1983.

IAFF Local 964 Baltimore Fire Officers
RE: Wage Theft Due to Workday Payroll Configuration

December 6th, 2024
Page 3 of 3

Yours very sincerely and respectfully,



Joshua L. Fannon, President
IAFF Local 964 Baltimore Fire Officers

CC: The Honorable Brandon Scott, Mayor
The Honorable Bill Henry, Comptroller
The Honorable Sharon Green Middleton, Council Vice President, 6th District
The Honorable Mark Parker, 1st District
The Honorable Danielle McCray, 2nd District
The Honorable Ryan Dorsey, 3rd District
The Honorable Mark Conway, 4th District
The Honorable Isaac "Yitzy" Schleifer, 5th District
The Honorable James Torrence, 7th District
The Honorable Paris Gray, 8th District
The Honorable John T. Bullock, 9th District
The Honorable Phylicia Porter, 10th District
The Honorable Zac Blanchard, 11th District
The Honorable Jermaine Jones, 12th District
The Honorable Antonio Glover, 13th District
The Honorable Odette Ramos, 14th District
Mr. Marvin James, Chief of Staff, Office of the Mayor
Ms. Faith Leach, City Administrative Officer
Ms. Simone Johnson, Deputy City Administrative Officer