OFFICE OF THE INSPECTOR GENERAL

CITY OF BALTIMORE

Isabel Mercedes Cumming

Inspector General

Investigative Report Synopsis

OIG Case # 25-0012-I

Issued: October 14, 2026

OFFICE OF THE INSPECTOR GENERAL
Isabel Mercedes Cumming, Inspector General
City Hall, Suite 635
100 N. Holliday Street
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October 14, 2026

Dear Citizens of Baltimore City,

The mission of the Office of the Inspector General (OIG) is to promote accountability, efficiency, and integrity in City government, as well as to independently investigate complaints of fraud, financial waste, and abuse. The following synopsis is a condensed version of the full report provided to City management officials and does not contain all investigative information. This report was completed prior to the restoration of the OIG's access.

EXECUTIVE SUMMARY

The Baltimore City Fire Department (BCFD) promotional backpay process raised concerns during an investigation. OIG learned the BCFD pays promoted employees backpay to the date that the vacancy was posted. Typically, City employees will receive backpay from when they begin working in the new position, not when the position becomes vacant. However, BCFD employees received backpay to the date when the position first became vacant. This has resulted in thousands of dollars paid for work that was never done by the recipient of the monies. Review of retroactive payments for employees promoted in 2024 to the positions of Pump Operator and Emergency Vehicle Driver revealed that more than $30,000 was paid in total backpay.

The investigation found that BCFD union agreements do not contain clear language mandating the promotional backpay process for employees, but paying since the date of posting has continued as a past practice.

BCFD promotional exams are conducted every two years resulting in the promotional list. The promotional list is exhausted quickly due to fewer applicants than positions. This results in vacancies existing for months or years. Backing the pay to the start of posting caused the City to pay multiple times for the same shifts and pay employees for work they did not perform and were also ineligible to perform during the period in question.

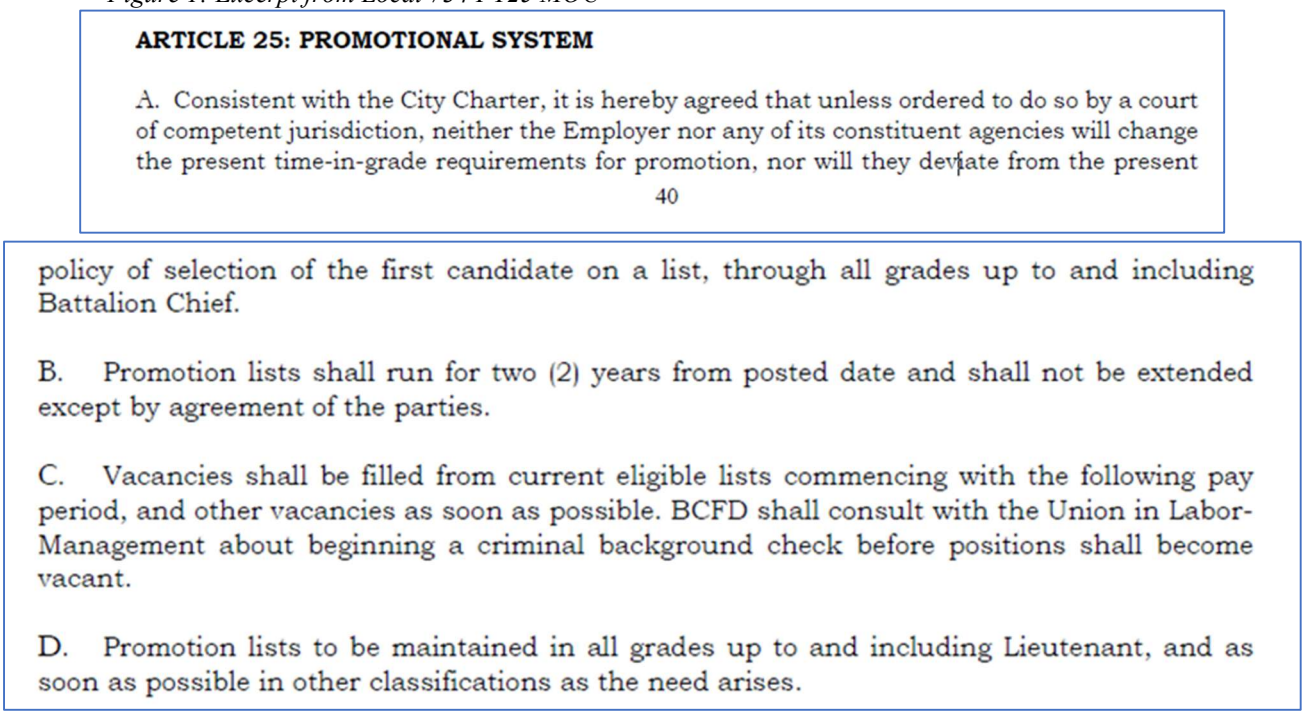
The BCFD's letters to the Fire Unions in August 2025, after the OIG investigation began, claimed the practice would be discontinued. The OIG found this practice to be a waste of taxpayer dollars. The OIG is referring this report to the Department of Audits for a potential audit as this practice has allegedly occurred for decades.

BACKGROUND

Sworn BCFD employees are represented by multiple union groups. Baltimore Firefighters Union IAFF Local 734 (Local 734) represents sworn firefighters below the rank of Lieutenant. Baltimore Fire Officers IAFF Local 964 (Local 964) represents the Battalion Chiefs, Captains, and Lieutenants. Firefighters above the rank of Battalion Chief are represented by the Managerial and Professional Society of Baltimore, Inc. (MAPS).

BCFD is responsible for regularly conducting promotional exams and maintaining a promotion list for two years from the posted date. The promotion list is a list of all employees who passed the promotional exam, ranked by score. According to the Fiscal Year 2025 (FY25) 734 and 964 MOUs, BCFD is required to fill positions up to and including Battalion Chief using a ranked promotional list created with promotional exam results. If a promotional list is exhausted, then BCFD cannot fill vacant positions without holding a new exam and creating a new promotional list. Figure 1, an excerpt of Local 734's MOU, details BCFD's promotion policy.

Figure 1: Excerpt from Local 734 FY25 MOU



ARTICLE 25: PROMOTIONAL SYSTEM

A. Consistent with the City Charter, it is hereby agreed that unless ordered to do so by a court of competent jurisdiction, neither the Employer nor any of its constituent agencies will change the present time-in-grade requirements for promotion, nor will they deviate from the present

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policy of selection of the first candidate on a list, through all grades up to and including Battalion Chief.

B. Promotion lists shall run for two (2) years from posted date and shall not be extended except by agreement of the parties.

C. Vacancies shall be filled from current eligible lists commencing with the following pay period, and other vacancies as soon as possible. BCFD shall consult with the Union in Labor-Management about beginning a criminal background check before positions shall become vacant.

D. Promotion lists to be maintained in all grades up to and including Lieutenant, and as soon as possible in other classifications as the need arises.

When a sworn and rated BCFD employee is promoted and fills a vacant position, they receive backpay at the new position's salary, going back to the date the position became vacant. During the time the positions are vacant, BCFD must fill those positions with employees who are paid for "acting out of title" or with overtime pay at time and a half. BCFD employees explained that members of Local 734 and Local 964 receive promotional retroactive pay, while MAPS members do not.

OIG INVESTIGATION

Promotional Backpay

Witnesses described the promotional backpay process. When a BCFD position becomes vacant, the department uses the active promotion list to promote the employee at the top of the list into the oldest vacant position. The newly promoted employee receives a salary increase and receives backpay. However, the backpay is dated to the day the position became vacant, not to the date that the employee began performing the duties of their new role. Figure 2 below shows an example of how the promotional pay process has worked within BCFD.

Figure 2: Example of Promotional Pay Process



For many positions, there are robust promotion lists that are not regularly exhausted, which causes there to be little to no promotional backpay. BCFD employees explained that for some positions, such as Pump Operators and Emergency Vehicle Drivers, the promotional lists can be exhausted very quickly due to a high number of long-standing vacancies and fewer employees applying for those positions, creating smaller promotion lists. When there are fewer employees on a promotion list than current position openings, vacancies stay vacant for long periods of time.

Fire Union representatives alleged that BCFD was not maintaining active promotion lists, thereby increasing the length of position vacancies and the amount of promotional backpay. One Fire Union representative said that if the Fire Department had a running list, they would be able to fill vacancies immediately, but since they do not, it creates backpay for the longer vacancy period. They added that DHR is responsible for coordinating the promotional exams used to create a list of promotion-eligible employees. The representative said the promotion lists for certain jobs are immediately exhausted due to a large number of job vacancies, as well as fewer people applying.

The OIG reviewed the most recent FY25 MOUs for both Local 734 and Local 964. The MOUs do not include any language describing the promotional retro pay process in place. One Fire Union representative stated that their MOU mandated the promotional backpay policy, while another said it was not explicitly stated in the MOU but that the City has allowed the process for over 30 years. BCFD personnel could not give a precise date when the retro pay process started. One employee recalled receiving retro pay in 2007 or 2008. Another was unsure but said it had gone on for a "substantial amount of time."

The OIG reviewed a sample set of 427 promotions listed on BCFD Promotion General Orders dating from January 2020 to April 2025. Promotional backdating is documented by the payroll purposes dates listed at the bottom of the general orders, as shown in Figure 3. Figure 3 shows a BCFD General Order documenting promotions within the Department. It is notable because it shows the date that an employee is scheduled to report to work in their new position and details a different date for that promotion for "Payroll Purposes".

Figure 3: General Order Example

BALTIMORE CITY FIRE DEPARTMENT	General Order 02-20
Subject: Promotion	January 9, 2020

Promotion:

*Fire Operations Aide [redacted], Logistics	to	Senior Fire Operations Aide, Headquarters	Day
^FFPM [redacted], Engine 31	to	EMS Supply Coordinator, Logistics	Day
**EMTFF [redacted], Engine 41	to	Fire Operations Aide, Headquarters	Day

Promotion pending an approved CBI report

*Effective for Payroll Purposes: 0800 hours October 16, 2019
*Reporting time: 0800 hours January 22, 2020 or as directed

^Effective for Payroll Purposes: 0700 hours May 16, 2018
^Reporting time: 0700 hours January 22, 2020 or as directed

**Effective for Payroll Purposes: 0800 hours October 16, 2019
**Reporting time: 0800 hours January 22, 2020 or as directed

The OIG noted Article 16 in both Local 734 and Local 964's MOUs appeared to contain the only language that could potentially refer to BCFD's promotional backpay system as a past practice (Figure 4).

Figure 4: Excerpt from BCFD MOUs

ARTICLE 16: SAVINGS CLAUSE

All privileges, benefits and rights presently enjoyed by employees covered by this Agreement which are not specifically provided for or abridged in this Agreement, such as, but not limited to, holidays, uniforms, equipment, etc., are hereby included in and protected by this Agreement.

City's Payroll Delays

The City's Payroll System responsible for managing HR, payroll, finance, and business operations was implemented in 2020. A DHR Chief told the OIG that the Payroll System can have issues processing promotional retroactive pay actions. A BCFD Captain (Captain 1) stated that, before the Payroll System rollout, they could access the legacy system, promote employees, manually calculate the back pay they were owed, and submit that information to Central Payroll. After the Payroll System implementation,

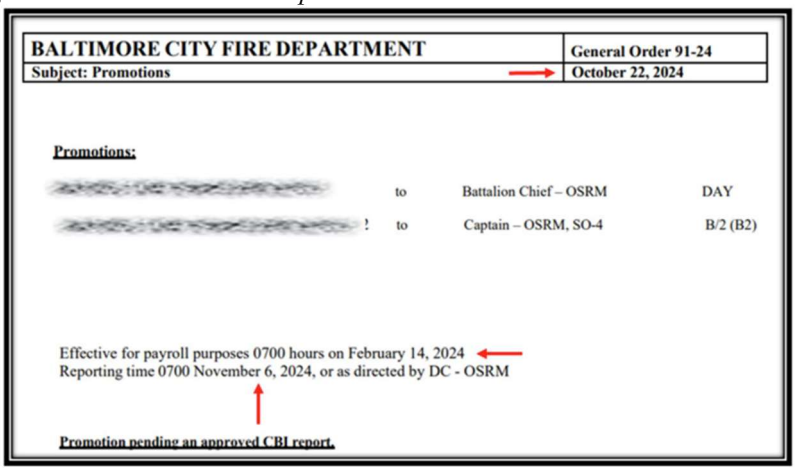
Captain 1's team would promote employees so that their pay would be correct going forward, and they would manually calculate employees' backpay and submit it to Central Payroll for processing.

Multiple individuals stated the Payroll System impacted the City's ability to pay employees timely and accurately, including promotional retro pay. Captain 1 stated the Payroll System could not handle the complexity of BCFD's MOU and that they often had to make manual calculations to determine how much an employee was owed. They said an early 2024 audit[1] detailed various payroll issues, including incorrect or missing retirement deductions. They noted that none of the issues reported in the audit were from BCFD. Nevertheless, following the audit, Central Payroll stopped accepting BCFD's manual calculations for payroll issues and corrections, and back pay was processed in the Payroll System moving forward. Captain 1 explained that the vacancies being open for long periods of time created issues in the Payroll System.

The DHR Chief said that HR IT works with agencies to configure the Payroll System for their needs and that the system works when agencies follow the procedure. They explained the Payroll System is configured to automatically issue payments, including retroactive payments. They explained that some issues with retroactive pay have occurred because BCFD HR did not enter an employee's promotion into the Payroll System in a timely manner. When new data is entered into the Payroll System, it automatically processes that data and processes any necessary payments caused by the change. They said that when agencies change an employee's position or salary backdating to a date that precedes other position or salary changes, then the Payroll System can have challenges, and HR IT must get involved.

The DHR Chief said that for the promotional retro payment, the longer the backpay period, the more likely The Payroll System is unable to process it by itself. They said that no system exists that can execute BCFD's promotional backpay process because it does not make sense. They said BCFD provides paperwork that lists employees' promotion dates as well as a "for payroll purposes" promotion date (Figure 5) and that there are no systems that can configure multiple different promotion dates for the same promotion.

Figure 5: General Order Example



BALTIMORE CITY FIRE DEPARTMENT | **General Order 91-24**
Subject: Promotions → | **October 22, 2024**

Promotions:

[redacted] to Battalion Chief – OSRM DAY
[redacted] ! to Captain – OSRM, SO-4 B/2 (B2)

Effective for payroll purposes 0700 hours on February 14, 2024 ←
Reporting time 0700 November 6, 2024, or as directed by DC - OSRM

↑
Promotion pending an approved CBI report.

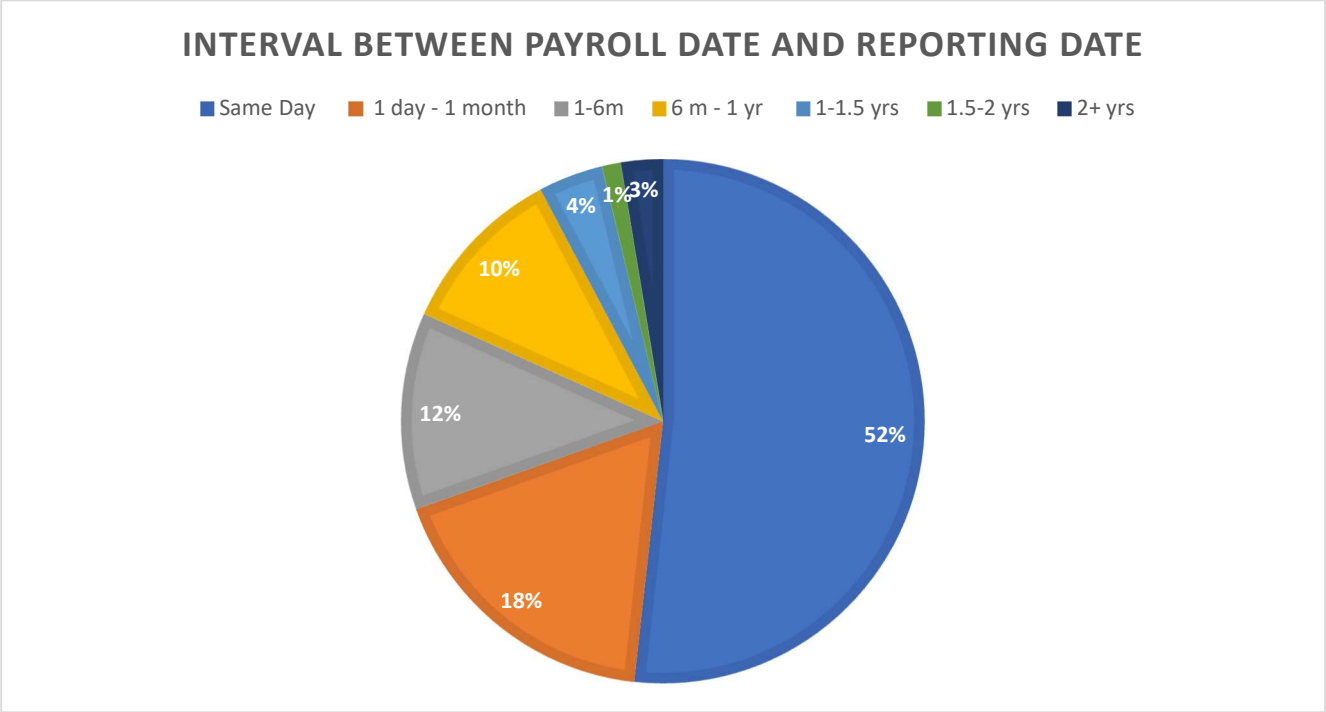
[1] Full audit report available here: https://s3.amazonaws.com/baltimorecity.gov.if-us-east-1/s3fs-public/2025-03/final_dof_perf._audit_fys_2021_and_2022.pdf

The OIG calculated the number of days between the payroll purpose date and the reporting time for the 427 promotions. Table 1 and Figure 6 show a summary of the backdating ranges. The largest interval between the payroll purposes date and the reporting date was 1071 days (2.93 years). Of the 33 promotions with a backdate interval greater than one year, 11 were promotions to Pump Operator positions, and 19 to Emergency Vehicle Driver positions, 33% and 58% respectively. Of 65 total Pump Operator and Emergency Vehicle Driver promotions reviewed, only 11 had the same day interval, with the majority having an interval of 1 month to 2+ years. During the investigation, retroactive payments for employees promoted in 2024 to the positions of Pump Operator and Emergency Vehicle Driver were reviewed, and it was shown that more than $30,000 was paid in backpay.

Table 1: Promotional Backdating Intervals

Date Range	Number of Days	Number of Promotions
Same day	0	221
1 day – 1 month	1-30	76
1 month – 6 months	31-180	52
6 months – 1 year	181-365	45
1 year – 1 ½ years	366-547	17
1 ½ - 2 years	548-730	5
2+ years	730+	11
	Total Promotions	**427**

Figure 6: Promotional Backdating Intervals



The DHR Chief confirmed that the request is ultimately to reconfigure the work record to make it seem like the employee was promoted back to a date that they really were not. However, Payroll System records everything, and the audits would show a timeline of the changes made.

They said that manual backpay calculations and submissions directly to Payroll are heavily frowned upon by audits, and the City prefers that financial calculations occur through the Payroll System, one of the advantages of which is its accountability for these actions. They said while the Payroll System can generate one-time payments for employees, their office would disagree with using the Payroll System in that manner. The DHR Chief said one-time payments have been issued in the past, but it is not recommended.

Promotion Exam Delays

BCFD employees told the OIG that fewer employees have been applying for the Pump Operator and Emergency Vehicle Driver positions. After BCFD conducts a promotional exam for those positions, the promotion lists are exhausted because there are more vacancies than applicants. This causes those position vacancies to grow older. For example, if there were 40 vacant Pump Operator positions, and only 15 employees passed the Pump Operator promotional exam, all 15 will be placed into the vacant positions that have been open the longest. The remaining 25 would stay vacant until the next round of promotional exams, which occur in two-year cycles.

Witnesses said DHR was responsible for coordinating promotional exams. The BCFD Chief said that promotional exams are held every two years. They explained that holding promotional testing every year would be administratively difficult. They went on to say that the Fire Department must provide 10 months' notice on the study material for the exams. So, if BCFD held the exams – different tests for different positions - on January 1, the lists would probably come out in February, when the results were graded, and by March, BCFD would be giving out material for the following year's test. The BCFD Chief said they did not know how BCFD would be able to keep up with that, as BCFD's HR does not have the internal bandwidth, and the study materials need to be vetted and verified.

Impact

BCFD employees told the OIG that during the position vacancies, the department is mandated to fill them. The positions are usually covered by an employee working out of title or an employee working overtime; both methods cost the department additional funding to utilize. Another BCFD Captain (Captain 2) said that BCFD pays multiple times for the same coverage. They said the promotional backpay process affects all sworn and rated positions within BCFD.

The BCFD Chief gave the example that if an Emergency Vehicle Driver promotional list came out on January 1, 2020, but the Fire Department has had vacancies in those positions since May of 2018, they have historically paid the employees at the top of the list back to 2018, when the vacancy occurred. They said, "There's a retro payment that occurs not based on the actual date that you become qualified on the list but based upon the date that the vacancy actually occurred." They further explained that even though

a position may be "vacant", the rated positions (driver positions or officer positions) must be occupied each day. So, even though two Emergency Vehicle Driver positions on a shift may not have people formally assigned to them, BCFD has to either pay employees out-of-title pay or make callbacks to fill those positions. They said, "So, by the time a retro pay is done, I've at the very least paid for the position along the way. In some cases, I've paid people time and a half on overtime to fill the positions, plus I'm paying somebody who is new to a list, who may not have even been qualified to do that job back when it was vacant."

The BCFD Chief said that the department has paid a significant amount of promotional backpay. They also said that it would be difficult to calculate an exact amount due to the complexity of each employee's pay, for example, the amount of overtime that an employee worked during a vacancy period. Captain 2 said that BCFD pays multiple times due to using acting out of title and overtime to cover shifts, only to later also retroactively pay the promoted employee at their new rate covering those shifts.

The BCFD Chief said they are trying to address this issue and provided the OIG with a copy of communications sent to Local 734 and Local 964 regarding BCFD's intention to end the promotional back pay process. The memorandums state that the promotional back pay process is unsustainable and discontinued, effective August 8, 2025. The memorandums state that the policy in effect compensates employees for work they did not perform. Going forward, BCFD will pay promotional increases starting on the effective date of a promotion.

INVESTIGATIVE FINDINGS

The OIG's investigation found that the combination of retro pay past practices, candidate shortages for certain positions, and the two-year examination cycle has caused delays in payment processing. Because there are fewer applicants than vacant positions, promotion lists are exhausted immediately, and vacancies can extend for months or years. The past practice of retroactively paying promoted employees to the vacancy date means that every two years, when the new promotion list is finalized and exhausted, DHR must navigate the case-by-case complexities of promotion-effective dates *and* payment-effective dates that predate the promotions.

The backpay process caused the City to pay multiple times for the same shifts and pay employees for work that they did not perform or were ineligible to perform during the period in question. During the investigation, retroactive payments for employees promoted in 2024 to the positions of Pump Operator and Emergency Vehicle Driver were reviewed and showed that more than $30,000 was paid in total backpay. The OIG recommends the practice be discontinued as it appears to be a waste of taxpayer dollars.

Sincerely,

Isabel Mercedes Cumming
Inspector General

CC: Hon. Brandon M. Scott, Mayor of Baltimore City
Hon. Zeke Cohen, Baltimore City Council President
Hon. Bill Henry, Baltimore City Comptroller
Honorable Members of the Baltimore City Council
Hon. Ebony Thompson, Baltimore City Solicitor

Baltimore City Fire Department

Response

Case #25-0012-I

CITY OF BALTIMORE
BRANDON M. SCOTT
Mayor

BALTIMORE CITY FIRE DEPARTMENT
James W. Wallace
Chief of Fire Department
401 E. Fayette Street, Mezzanine
Baltimore, Maryland 21202

August 7, 2026

Isabel Mercedes Cumming
Inspector General
Office of the Inspector General
City Hall, Room 635
100 N. Holliday Street
Baltimore, MD 21202

Dear Madam Inspector General:

Thank you for your request for an official response to the Confidential OIG Report regarding the promotional pay process for the Baltimore City Fire Department.

BCFD generally agrees with your ultimate recommendation to discontinue the process of backdating promotions to the date of vacancy as a matter of course, and where the date of vacancy precedes a current promotional list .

We agree that the process does not serve the best interest of taxpayer dollars. However, because the Report at times refers to the process as a past practice, we want to make clear that we disagree with any suggestion that the process ever constituted any kind of implied or enforceable benefit to BCFD employees. [redacted]

We believe BCFD had the full discretion and the responsibility to discontinue the process, which, as noted in the Report, BCFD did, effective August 8, 2025. Because the process is currently the subject of a pending arbitration, BCFD cannot comment further on specific details of the Report at this time.

The arbitration took place July 28 and 29, 2026, and the parties' post-hearing briefs are due on September 30, 2026. The arbitrator has not indicated when he likely would issue his decision.

I look forward to responding further after the arbitration has concluded. In the meantime, please do not hesitate to contact me if you have any questions.

Sincerely,

James W. Wallace
Fire Chief
Baltimore City Fire Department