



FRESNO COUNTY FIRE

PROTECTION DISTRICT

Honor, Integrity, Cooperation & Professionalism

MEMORANDUM

Date: 09/07/2023

To: Board Directors

Attn: Matt Furrer
President

From: Fire District Staff

Subject: Resolution 2023-10 OES Portal to Portal Pay Agreement

BOARD OF DIRECTOR'S BRIEFING PAPER

ISSUE:

In order for the District to receive reimbursement for portal to portal pay for its Schedule C and PCF employees that respond to emergency incidents, the Office of Emergency Services (OES) requires a Board resolution adopting portal to portal pay for specific employees.

BACKGROUND:

The Board approved Resolution 2023-04 in July 2023 with similar language to Resolution 2023-10. OES recently requested that the District resolution language change to meet California Fire Assistance Agreement (CFAA) guidelines. The CFAA allows for the District to receive reimbursement for incidents District personnel respond to after certain requirements are met. OES creates the invoices for reimbursement through the CFAA. One of the requirements to receive reimbursement for portal to portal pay, is the District has to have a resolution adopting portal to portal pay. In 2017, Resolution 2017-04 met these criteria and has been in effect since June 21, 2017.

DISCUSSION:

Since Resolution 2017-04, the District created the Equipment Services Assistant position and identified additional District personnel that have or could respond to

emergency incidents and would be eligible for reimbursement. Resolution 2023-10 addresses these changes and adopts portal to portal pay for PCF, PCF Fire Apparatus Operators, PCF Company Officer, PCF HFEO, HFEO, Heavy Equipment Mechanic, Information Systems Analyst, Geospatial Information Systems Analyst, Equipment Services Assistant, Senior Fire Inspector, and Fire Inspector.

ALTERNATIVES:

Take no action and remain limited on which employees the District can receive reimbursement for portal to portal pay.

IMPACTS *(Consider potential consequences related to each of the following areas of concern for proposed alternatives):*

- Fiscal – Resolution 2023-10 would allow the District to receive reimbursement for portal to portal pay that it would already be providing to its employees.
- Operational – No Known Impact
- Legal – No Known Impact
- Labor – No Known Impact
- Sociopolitical - No Known Impact
- Policy – No Known Impact
- Health and safety - No Known Impact
- Environmental - No Known Impact
- Interagency - No Known Impact

RECOMMENDATION:

Staff is recommending that the Board of Directors approves Resolution 2023-10 OES Portal to Portal Pay Agreement. Staff also asks that any Board of Director make a motion to approve Resolution 2023-10 as presented.

APPROVED:



Josh I. Chrisman, Administrative Officer

September 7, 2023

Date



FRESNO COUNTY FIRE

PROTECTION DISTRICT

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RESOLUTION No. 2023-10

IN THE MATTER OF:

A RESOLUTION OF THE FRESNO COUNTY FIRE PROTECTION DISTRICT BOARD OF DIRECTORS IDENTIFYING THE TERMS AND CONDITIONS FOR FIRE DEPARTMENT RESPONSE AWAY FROM THEIR OFFICIAL DUTY STATION AND ASSIGNED TO AN EMERGENCY INCIDENT

WHEREAS, the Fresno County Fire Protection District is a public agency located in the County of Fresno, State of California, and

WHEREAS, it is the Fresno County Fire Protection District's desire to provide fair and legal payment to all its employees for time worked; and

WHEREAS, the Fresno County Fire Protection District has in its employ, Fire department response personnel including: Paid Call Firefighters, Paid Call Firefighter Fire Apparatus Operators, Paid Call Firefighter Company Officer, Paid Call Firefighter Heavy Equipment Operator, Heavy Equipment Mechanic, Information Systems Analyst, Geospatial Information Systems Analyst, Equipment Services Assistant, Fire Inspector, and Senior Fire Inspector; and

WHEREAS, the Fresno County Fire Protection District will compensate its employees portal to portal while in the course of their employment and away from their official duty station and assigned to an emergency incident, in support of an emergency incident, or pre-positioned for emergency response; and

WHEREAS, the Fresno County Fire Protection District will compensate its employees overtime in accordance with applicable District Personnel Policies and Procedures while in the course of their employment and away from their official duty station and assigned to an emergency incident, in support of an emergency incident, or pre-positioned for emergency response.

NOW, THEREFORE, BE IT RESOLVED by the Fresno County Fire Protection District Board of Directors that:

1. When the District receives compensation and/or reimbursement for incident/event response through an agreement, including compensation and/or reimbursement it will be used for personnel compensation, equipment use, repair, and replacement, and allowable administrative costs as authorized by the agreement or applicable law.

2. Personnel shall be compensated according to an applicable Memorandum of Understanding (MOU), Personnel Rules and Regulations, and/or other District directives that identify personnel compensation in the workplace.
3. The District will maintain a current salary survey or acknowledgement of acceptance of the "base rate" on file with the California Governor's Office of Emergency Services, Fire Rescue Division.
4. District will be compensated for all time committed in incident response, including the use of all District equipment apparatus, portal to portal, beginning at the time of dispatch to the return to the District location when equipment and personnel are in service and available for agency response.
5. District response personnel can include; Paid Call Firefighters, Paid Call Firefighter Fire Apparatus Operators, Paid Call Firefighter Company Officer, Paid Call Firefighter Heavy Equipment Operator, Heavy Equipment Mechanic, Information Systems Analyst, Geospatial Information Systems Analyst, Equipment Services Assistant, Fire Inspector, and Senior Fire Inspector.

The foregoing resolution was PASSED, APPROVED AND ADOPTED on the 20th day of September 2023.

Matt Furrer, Board President

ATTEST:

I **Bailey Castaneda**, Clerk of the Fresno County Fire Protection District, hereby certify that the foregoing resolution was duly passed at a regular meeting of the Fresno County Fire Protection District held on the 20th day of September 2023 by the following vote on roll call:

AYES: _____

NOES: _____

ABSENT: _____

Bailey Castaneda, Clerk of the Board