



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: CEO
Department No.: 012
For Agenda Of: May 19, 2015
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Jeri Muth, Human Resources Director, 568-2816
Director(s)
Contact Info: Joseph Pisano, Employee Relations Manager, 568-2839
SUBJECT: Portal to Portal Pay for Certain Fire Department Employees

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: Select_Concurrence

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

1. Approve the side letter agreements regarding portal-to-portal pay in Attachment A between the County and the Santa Barbara County Fire Fighters, Local 2046; Service Employees International Union, Local 620; and the Engineers and Technicians Association, effective May 11, 2015;
2. Approve the resolution in Attachment B providing the same portal-to-portal provisions to Extra Help Employees in the Fire Department deployed during covered emergency incidents, effective May 11, 2015;
3. Approve the changes in the overtime provisions of the Management Resolution, which are tracked in Attachment C, to update the language and extend the same portal-to-portal provisions to unrepresented Battalion Chiefs and Division Chiefs, effective May 11, 2015; and
4. Determine that this action is exempt from the California Environmental Quality Act (CEQA) review as it is not a project pursuant to CEQA Guidelines section 15378 (b) (2).

Summary Text:

Santa Barbara County participates in the California Fire and Rescue Mutual Aid System, which is governed by the California Fire Assistance Agreement (CFAA). The CFAA outlines the responsibilities and reimbursement guidelines for fire agencies that send staff and other resources to emergency incidents in another fire agency's jurisdiction.

The recommended actions implement changes to the terms and conditions of employment of certain Fire Department employees, including certain Extra Help employees. These changes are required to satisfy provisions in the current CFAA governing continued reimbursement to the County for portal-to-portal pay for employees assigned to emergency incidents.

Background:

Historically, funds have been available through the CFAA to pay County employees assigned to incidents covered by the agreement from the time of their initial deployment from their home base in Santa Barbara County until the time they return to home base from the incident ("portal-to-portal"). Recent changes to the CFAA stipulate that reimbursement for portal-to-portal pay will only be available if there is specific language in a Memorandum of Understanding (MOU), Board Resolution, or equivalent document that requires it.

The Fire Department requested that Human Resources negotiate the side letter agreements in Attachment A, and bring the other changes in terms and conditions of employment set forth in Attachment B and Attachment C to the Board for adoption, in order to maintain funding streams for the Fire Department to continue to pay employees on a portal-to-portal basis in covered emergencies. Because Extra Help employees are not covered by MOUs their portal-to-portal compensation must be specified in a Board Resolution in order for the County to be reimbursed.

The Fire Department's portal-to-portal compensation structure recognizes the fact that the employees assigned to these incidents cannot go home nor can they leave an incident during their deployment. As such, the employees are compensated for all hours assigned to the incident. The recommended actions will facilitate the continued recovery of incident-related eligible personnel costs when Fire Department employees are assigned, on a portal-to-portal basis, to an emergency incident through the statewide California Fire Assistance Agreement.

Fiscal and Facilities Impacts:

Budgeted: Yes .

Fiscal Analysis:

It is anticipated that there will be minimal Fire Department/District costs associated with these changes.

Key Contract Risks: N/A

Staffing Impacts:

Legal Positions:
N/A

FTEs:
N/A

Special Instructions:

Attachments:

Authored by: Joseph Pisano and Diane Sauer

cc: Mona H. Miyasato, County Executive Officer
Michael C. Ghizzoni, County Counsel
Robert W. Geis Auditor-Controller
Eric Peterson, Fire Chief
Fire Fighters Local 2046
SEIU Local 620
Engineers and Technicians Association

Attachment A: Side Letter Agreements

Attachment B: Proposed Extra Help Employee Resolution

Attachment C: Proposed Revision to Management Resolution (Changes Tracked)

Attachment D: Proposed Revision to Management Resolution (Changes Not Tracked)