

**MEET AND CONFER PROCESS  
FOR A SIDE LETTER AGREEMENT FOR CHANGES TO THE FIREFIGHTER  
AND FIREFIGHTER/ENGINEER POSITION STRUCTURE  
BETWEEN  
THE SANTA CLARA COUNTY CENTRAL FIRE PROTECTION DISTRICT  
AND  
THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1165  
GENERAL MEMBERSHIP UNIT**

---

District Proposal No. 4

Given on 8/31/2022 @ 2:06 a.m./p.m.

**Background Information**

The purpose of the District's proposal is to return SCCFD to an organization with the majority of entry-level personnel assigned in the Firefighter/Engineer position. The goal of this change is to ensure adequate staffing of apparatus and minimizing the need for force backs at specific classifications to ensure contract and ALS requirements are adhered to.

**Hiring Process**

The District intends to return to primarily hiring at the Firefighter/Engineer classification for open/competitive recruitments. The Firefighter classification will be maintained and may be utilized for open/competitive recruitments at the Fire Chief or designee's discretion.

**Fire Academy**

The fire academy will continue to be an 18-week academy, but may change in duration and content based upon District need or due to changes in training requirements. Driver Operator 1A (DO1A), Driver Operator 1B - Pump Operations (DO1B), Driver Operator 1E - Wildland Apparatus (DO1E), Portable Pumps (S-211) will be provided during the academy, or separately by the District.

**Full Time Equivalent Figures**

Currently, the District has 156 budgeted Firefighter and/or Firefighter/Engineer positions. This budgeted number is subject to change at the discretion of the Fire Chief or designee and with the approval of the District's Board of Directors. The District's intent is to have the majority, if not all, of these positions filled using the Firefighter/Engineer classification. However, at the Fire Chief's or designee's discretion, these budgeted positions may be filled at the Firefighter classification.

**Seniority and the Firefighter/Engineer position**

The Firefighter/Engineer classification is not a promoted rank. While a Firefighter who moves to Firefighter/Engineer will receive a salary step increase and be required to serve a probationary period, there will be no change in their seniority for purposes of vacation bidding or station bidding. Date of hire will remain the official date of seniority for both Firefighter and Firefighter/Engineer.

### **Bid Station Assignments**

Any Firefighter that is in a bid station assignment choosing to pursue the Engineer Challenge process described below will be allowed to retain their bid position. The exception to this would be based on operational needs in accordance with Policy 1223.

## **The District's Proposed Changes**

### **Personnel Rules and Regulations, Section 108 – Employment Lists & Appointments**

This section of the Personnel Rules and Regulations would be revised to specify that the eligibility list for Firefighter and/or Firefighter/Engineer would be abolished following the conclusion of the recruitment process for which the eligibility list was created, unless extended by the Fire Chief, which is the District's current practice. The District's proposed revisions to Personnel Rules and Regulations, Section 108 are attached.

### **Personnel Rules and Regulations, Section 109 – Probationary Periods**

This section of the Personnel Rules and Regulations would be revised to specify that a newly hired Firefighter/Engineer would serve an 18-month probationary period. Individuals in Firefighter positions will continue to serve a 12-month probationary period. A Firefighter who elects to move to a Firefighter/Engineer position will serve a 6-month probationary period in addition to their initial 12-month Firefighter probationary period, for a cumulative total probationary period of 18 months. The District's proposed revisions to Personnel Rules and Regulations, Section 109 are attached.

### **Current Firefighters and Firefighter Trainees**

The District shall use the following process to provide current Firefighters and Firefighter Trainees the opportunity to move to the Firefighter/Engineer classification. This process also provides an alternate path for individuals unable to pass the Firefighter/Engineer probationary period to be retained in the classification of Firefighter at the discretion of the Fire Chief. There is a limited number of individuals currently employed as Firefighters that may choose to remain Firefighters and not pursue the options listed below. In this case those individuals will be allowed to retain their Firefighter position.

This proposed process is broken down into four phases with critical timelines that will allow the different probationary classes to move into Firefighter/Engineer positions as quickly as possible. These timelines may strain the Training Division's staffing. Additional special assignment opportunities may need to be created to support the Training Division, or other Divisions, before, during and potentially after the implementation of the proposed process.

**Phase 1:**

- Finalize the Developing Firefighter/Engineer (DFE) Policy 1233. (Attached)
- Finalize the Acting Firefighter/Engineer task book. (Attached)
- Finalize the Acting Firefighter/Engineer Relief Policy 359 to reflect changes, as specified in the attached.
- Approve and implement policies as soon as possible to prevent staffing shortfalls in the Firefighter/Engineer classification.
- Secure contract training provider, such as South Bay Regional Fire Academy, for applicable training classes.

**Phase 2: (All Firefighters online currently, excluding the MLP3 and SNY15.)**

Some of the current twenty-five Firefighters on the line are off probation and have DO1A and DO1B, and they may also have DO1E and S-211 equivalent certifications on file in target solutions. These eight individuals will be contacted and offered the option to begin the DFE program as soon as Phase 1 of the program is finalized. Firefighters who accept this offer will be issued the DFE task book and encouraged by Training and supported by Operations to complete the sign-offs and driving hours as soon as possible. This will solidify their DFE status and availability for use in exigent circumstances as acting Firefighter/Engineers.

Those Firefighters who do not have the classes will need to obtain the DO1A, DO1B, DO1E, and S-211 classes or equivalent. The District will provide this training by hosting the classes or sending personnel to the classes utilizing approved vendors and in accordance with all applicable department policies and procedures.

**The Engineer Challenge Process:**

The Engineer Challenge process is new and similar to challenging a college course when someone possesses the prerequisites. In this situation, the prerequisites would be as follows:

- Employed as a Firefighter
- Completion of DO1A, DO1B, DO1E, and S-211 or equivalent training
- In possession of the appropriate driver's license and/or endorsements
- Completion of Acting Engineer Task Book
- Completion of required driving hours (20)

The Engineer Challenge will be offered at least annually. Any Firefighter who meets the prerequisites and expresses interest to the Training Deputy Chief will be eligible to participate in the Engineer Challenge. This process is only for current Firefighters on the line, and in the future, any Firefighter/Engineers that did not pass probation as a Firefighter/Engineer but were allowed to be placed at the lower classification of Firefighter by the Fire Chief. The Engineer Challenge process may include, but is not limited to the following knowledge, skills and abilities assessments:

- Drafting
- Pumping Multiple Attack Lines
- Master Stream Operations
- Radio Communications
- Written Test
- Cone Course
- Driving Road Test
- Rural Water Supply Operations

Once the candidate successfully passes the Engineer Challenge, they will be moved to the classification of Firefighter/Engineer at the same salary step they are in currently; for example, a Firefighter at salary step 2 will be placed at Firefighter/Engineer salary step 2. This will provide for a 10% wage increase. They will serve a 6-month probationary period. During this probationary period, there will be FF/E module assessment tests at the 3- and 6-month intervals. These tests will be similar in nature to our previous academies' Module 5 and 6 assessments; with passing the 6-month final exam marking the successful completion of probation. Upon successful completion of this 6-month probationary period, the Firefighter/Engineer will advance to the next salary step of the Firefighter/Engineer salary range. A Firefighter/Engineer who does not successfully complete this probationary period will be placed back in a Firefighter position at their previous salary step and will continue as a DFE per policy 1233 to develop knowledge skills and abilities at the Firefighter/Engineer level. They will be eligible to take the next challenge test.

Please note that probation may be extended as needed or appropriate based on current policies and rules.

The District shall endeavor to provide DO1A, DO1B, DO1E, and S-211 locally. Alternatively, the individual may choose to attend a DO1A, DO1B, DO1E, and S-211 training independently in accordance with all applicable District policies and procedures.

Any tuition and applicable travel costs associated with DO1A, DO1B, DO1E and S-211 incurred between July 1, 2022 to December 31, 2024 for individuals in Phase 2 will be paid by the District separate from the Tuition Reimbursement Program and in accordance with all applicable District policies and procedures.

### **Phase 3: (MLP3, SNY15, SNC5)**

This phase addresses the 3 individuals who completed the MLP JFA (MLP3) and were placed on the line as probationary Firefighters on July 25, 2022, the 15 individuals who completed the SNY JFA (SNY15) and were placed on the line as probationary Firefighters on August 22, 2022, and the 5 Firefighter Trainees in the Santa Clara JFA (SNC5).

The MLP3 received DO1A in July 2022 as part of their base JFA curriculum. The MLP3 will only need to attend DO1B, DO1E, and S-211 in the future. The following process will need to be completed for these 3 probationary Firefighters to attain Firefighter/Engineer:

- Offer these individuals the opportunity to change their job class from Firefighter to Firefighter/Engineer.
- If they accept this opportunity, they will convert to the Firefighter/Engineer classification on a date determined by the District for their class following completion of DO1B, DO1E, and S-211 and they will convert to an 18-month probationary period. Any time served to date as a probationary Firefighter will count toward their 18-month probationary period total.
- If they decline the job class change, they will retain their position as a Firefighter and complete their 12-month probationary period.
- The District will host or send the MLP3 to DO1B, DO1E, and S-211.

Once the individual successfully completes the District provided DO1B, DO1E, and S-211 training for their probationary class, they will be moved to the classification of Firefighter/Engineer and will be converted to an 18 month probationary period where all time spent in the Firefighter classification will count toward the 18 month probationary period. Any individuals who have already completed DO1A, DO1B, DO1E, and S-211 will be moved to Firefighter/Engineer on the date specified by the District for that probationary class. Upon being moved to the Firefighter/Engineer classification, the individual will also be placed at the same salary step they are in currently; for example, a Firefighter at salary step 1 will be placed at Firefighter/Engineer salary step 1. This will provide for a 10% wage increase. Upon successful completion of the 18-month probationary period, the Firefighter/Engineer will advance to the next salary step of the Firefighter/Engineer salary range. A Firefighter/Engineer who does not successfully complete this probationary period will be placed back in a Firefighter position at their previous salary step. They will be eligible to take the next Engineer Challenge test.

The SNY15 will complete their academy and started as probationary Firefighters on August 22, 2022. The SNY15 will need to attend DO1A, DO1B, DO1E, and S-211. The following process will need to be completed for these individuals to attain Firefighter/Engineer:

- Offer these individuals the opportunity to change their job class from Firefighter to Firefighter/Engineer.

- If they accept this opportunity, they will convert to the Firefighter/Engineer classification on a date specified for their probationary class following completion of DO1A, DO1B, DO1E, and S-211 and they will convert to an 18-month probationary period. Any time served to date as a probationary Firefighter will count toward their 18-month probationary period total.
- If they decline the job class change, they will retain their position as a Firefighter and complete their 12-month probationary period.
- The District will host or send these individuals to DO1A, DO1B, DO1E, and S-211.

Once the individual successfully completes the District-provided DO1A, DO1B, DO1E, and S-211 for their class, they will be moved to the classification of Firefighter/Engineer and will be converted to an 18 month probationary period where all time spent in the Firefighter classification will count toward the 18 month probationary period. Any individuals who have already completed DO1A, DO1B, DO1E, and S-211 will be moved to Firefighter/Engineer on the date specified by the District for that probationary class. Upon being moved to the Firefighter/Engineer classification, the individual will also be placed at the same salary step they are in currently; for example, a Firefighter at salary step 1 will be placed at Firefighter/Engineer salary step 1. This will provide for a 10% wage increase. Upon successful completion of the 18-month probationary period, the individual will advance to the next salary step of the Firefighter/Engineer salary range. An individual who does not successfully complete this probationary period will be placed back in a Firefighter position at their previous salary step. They will be eligible to take the next Engineer Challenge test.

The SNC5 will complete their academy and will start as probationary Firefighters on or about January 9, 2023. The SNC5 will need to attend DO1A, DO1B, DO1E, and S-211. The following process will need to be completed for these individuals to attain Firefighter/Engineer:

- Offer these individuals the opportunity to change their job class from Firefighter to Firefighter/Engineer.
- If they accept this opportunity, they will convert to the Firefighter/Engineer classification on a date specified for their probationary class following completion of DO1A, DO1B, DO1E, and S-211 and they will convert to an 18-month probationary period. Any time served to date as a probationary Firefighter will count toward their 18-month probationary period total.
- If they decline the job class change, they will retain their position as a Firefighter and complete their 12-month probationary period.
- The District will host or send these individuals to DO1A, DO1B, DO1E, and S-211.
- Once the individual successfully completes the District-provided DO1A, DO1B, DO1E, and S-211 for their class, they will be moved to the classification of Firefighter/Engineer and will be converted to an 18 month probationary period where all time spent in the Firefighter classification will count toward the 18



month probationary period. Any individuals who have already completed DO1A, DO1B, DO1E, and S-211 will be moved to Firefighter/Engineer on the date specified by the District for that probationary class. Upon being moved to the Firefighter/Engineer classification, the individual will also be placed at the same salary step they are in currently; for example, a Firefighter at salary step 1 will be placed at Firefighter/Engineer salary step 1. This will provide for a 10% wage increase.

Upon successful completion of the 18-month probationary period, those individuals who accepted Firefighter/Engineer positions will advance to salary step 2 of the Firefighter/Engineer salary range. A Firefighter/Engineer who does not successfully complete this probationary period will be placed in a Firefighter position at the applicable salary step. They will be eligible to take the next Engineer Challenge test.

Please note that probation may be extended as needed or appropriate based on current policies and rules.

The District shall endeavor to provide DO1A, DO1B, DO1E, and S-211 locally. Alternatively, the individual may choose to attend a DO1A, DO1B, DO1E, and S-211 training independently in accordance with all applicable District policies and procedures.

Any tuition and applicable travel costs associated with DO1A, DO1B, DO1E, and S-211 incurred between July 1, 2022 to December 31, 2024 for individuals in Phase 3 will be paid by the District separate from the Tuition Reimbursement Program and in accordance with all applicable District policies and procedures.

**Phase 4: (Fall 2022 ALA)**

The SCCFD Accredited Local Academy (ALA) is scheduled to begin in December 2022. Those hired to attend the ALA will, upon successful completion of the academy, be hired as Firefighter/Engineers at salary step 1 of the Firefighter/Engineer salary range and will serve an 18-month probationary period. This ALA class will attend DO1A, DO1B, DO1E, and S-211.

Upon successful completion of the 18-month probationary period, individuals will advance to salary step 2 of the Firefighter/Engineer salary range. An individual who does not successfully complete this probationary period may be placed in a Firefighter position at the applicable salary step at the discretion of the Fire Chief or designee and they will be eligible to take the next Engineer Challenge test.

Please note that probation may be extended as needed or appropriate based on current policies and rules.

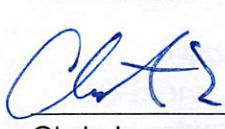
Any item contained in the September 26, 2019 Firefighter Position Proposal agreement not addressed in this August 31, 2022 proposal are intended to remain in effect. For any item contained in this August 31, 2022 proposal that conflicts with any item in the September 26, 2019, this August 31, 2022 proposal shall control.

The District has not updated its August 17, 2022 graphic chart to conform to any subsequent proposals, so that graphic chart is no longer part of the District's proposal.

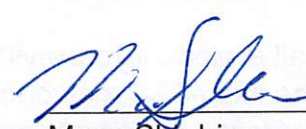
---

### TENTATIVE AGREEMENT

For the Union:

 8/31/22  
Chris Ingram                      Date  
President

For the District:

 8/31/2022  
Masa Shiohira                      Date  
Lead Deputy County Counsel