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OAKLAND

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City Attorney

OAKLAND CITY COUNCIL
RESOLUTION No. 84631 C.M.S.

RESOLUTION APPROVING AN AMENDMENT TO SECTION 2.9.4 OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OAKLAND AND INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 55 TO ALLOW FOR CONTINUATION OF THE PARAMEDIC SUPPORT PROGRAM FROM JULY 1, 2013 THROUGH JUNE 30, 2014 WITH AN INCREASE IN THE PREMIUM PAY FROM THREE PERCENT (3%) TO THREE AND ONE-HALF PERCENT (3.5%) ABOVE THE TOP STEP FIRE FIGHTER'S REGULAR BASE RATE OF PAY FOR ANY PERIOD IN WHICH AN AUTHORIZED UNIT MEMBER PARTICIPATES IN THE PROGRAM.

WHEREAS, Section 2.9.4 of the Memorandum of Understanding (MOU) between the City and the International Association of Fire Fighters, Local 55, which expires on June 30, 2014, provides for a pilot Paramedic Support Program (PSP) that was to terminate on July 1, 2013, unless the City and Union reached agreement regarding terms for continuing the program;

WHEREAS, the Council authorized extension of the existing PSP through September 17, 2013, while negotiations between the City and Local 55 regarding terms for continuing the program continued;

WHEREAS, the City and Local 55 have reached an agreement to amend Section 2.9.4 of the MOU, providing that the maximum number of participants in the program will be reduced from fifty-six (56) to thirty-six (36) and the premium pay will be increased from three percent (3%) to three and a half percent (3.5%) above the top step fire fighter's regular base rate of pay for any period in which an authorized unit member participates in the program, effective July 1, 2013, along with certain operational changes (*see Exhibit 1*);

WHEREAS, the agreement entered into between the City and Local 55 to amend Section 2.9.4 of the MOU has been presented to the City Council for determination pursuant to Section 3505.1 of the Government Code of the State of California: and

WHEREAS, the terms and conditions of the agreement entered into between the City and Local 55 to amend Section 2.9.4 of the MOU are in the best interests of the City; now, therefore, be it

RESOLVED: That the City Council authorizes the amendment of Section 2.9.4 of the Local 55 MOU to continue the Oakland Fire Department Paramedic Support Program from July 1, 2013 through June 30, 2014, and further authorizes increasing the premium pay from three

percent (3%) to three and one-half percent (3.5%) above the top step fire fighter's regular base rate of pay for any period in which an authorized unit member participates in the program, effective July 1, 2013.

FURTHER RESOLVED: That the City Council authorizes the City Administrator or her designee to negotiate and enter into all required agreements with the County of Alameda for the continuation of the program subject to the terms and conditions of this resolution and the accompanying Council report.

SEP 17 2013

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

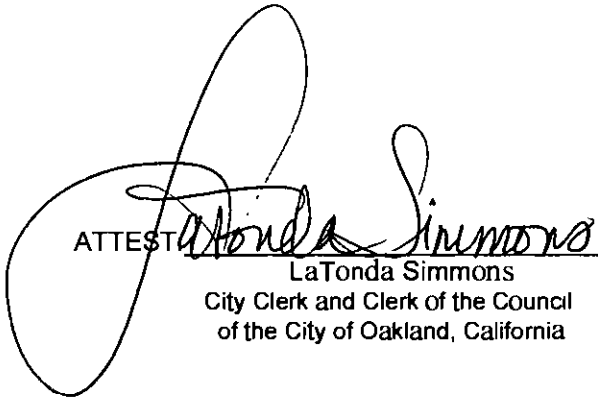
AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, ~~REID~~ SCHAAF and PRESIDENT KERNIGHAN - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid - 1

ATTEST 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DRAFT OF PROPOSED PSP MODIFICATIONS

2.9.4 Promoted Paramedic Support Program.

Effective July 31, 2009~~13~~, the City and the Union agree to establish-a modify the Promoted Paramedic Support Program. The Promoted Paramedic Support Program shall apply to all companies currently rolled out to provide ALS service.

This Promoted Paramedic Support Program is intended to provide enhanced ALS service by supplementing the Firefighter/Paramedic position with an extra licensed paramedics in support. This Promoted Paramedic Support Program is not intended to substitute members of the Promoted Paramedic Support Program for the purpose of rolling out additional ALS companies. Additionally, the Promoted Paramedic Support Program will help reduce mandatory overtime in the Firefighter/Paramedic rank by providing a pool of paramedics in higher ranks that are eligible to work overtime in the Firefighter/Paramedic rank.

2.9.4.1 Maximum Number Of Unit Members.

Depending on paramedic staffing needs, the number of unit members assigned to the Promoted Paramedic Support Program shall not exceed thirty-six (\$36) with a maximum of twelve (12) regularly assigned unit members per shift (A, B, C schedule) in fiscal years 2009-10 through 2012-13.

~~At its sole discretion, the City may increase the number of unit members assigned to the Promoted Paramedic Support Program up to 65.~~

2.9.4.2 Unit Members May Volunteer For Promoted Paramedic Support Program.

Promoted unit members up through the rank of Captain of Fire may volunteer for assignment to the Promoted Paramedic Support Program when openings are available. A promoted unit member assigned to the Promoted Paramedic Support Program may practice as the primary ALS provider for the promoted unit member's company when insufficient Firefighter/Paramedics have volunteered for overtime. The vacancy for the shift may be filled from the Firefighter rank. In the event that mandatory overtime is required in another rank as a result of filling the vacancy from the Firefighter rank, then a Firefighter/Paramedic will be utilized in mandatory overtime and the Promoted Support Paramedic will function in the his/hor regular rank (ordinary support role). Local 55 agrees to waive "rank for rank" within the "offsite" company under the circumstances described in this section. Local 55 and the City agree to jointly prepare and distribute a letter to all unit members encouraging promoted unit members to volunteer for

assignment-to-the-Promoted-Paramedic-Support-Program-
up to eight (8) hours during times when regularly assigned Firefighter/Paramedics
are unavailable. The parties agree to waive "rank for rank" within the "affected"
company under the circumstances described in this section.

Use of Promoted Paramedic Support Program Assignments

With the exception of voluntary overtime assignments, the use of Paramedic
Support Program members, while on regular duty, is limited to the backfill of
Firefighter/Paramedic positions for the purpose of maintaining ALS capability on
an apparatus. Paramedic Support Program members activated to fill a position
may be reassigned to a different station/apparatus for the duration of that
activation.

Promoted Paramedic Support Assignments

Promoted Paramedic Support assignments shall be assigned equitably.
Assignment shall be based on reverse seniority and the least total number of hours
in a unit member's Paramedic Support Program bucket as tracked by Telestaff.
An eight hour activation of a Paramedic Support Program member will count as
one of the four 8 hour details allowed per the MOU. When activated, Paramedic
Support Program members may only work as a Paramedic (no "dual role"). Other
than for overtime, Paramedic Support Program members will not be used for 24
hour increments.

2.9.4.3 City's Commitment.

The City agrees to hire the budgeted number of Firefighter/Paramedic slots using reasonable efforts. The City agrees there will be no impact/impediment to a
Paramedic Support Program member's ability to transfer station / shift
assignments. Each shift (A, B, C) shall have a dedicated number of Paramedic
Support Program slots available. Volunteer transfer of station / shift assignment
may not guarantee continued participation in the Promoted Paramedic Support
Program.

2.9.4.4 Promoted Paramedic Support Pay.

Each unit member assigned to the Promoted Paramedic Support Program shall be paid a flat dollar amount equal to three and one-half percent (3.50%) above the top step firefighter's regular base rate of pay for any period the unit member is participating in the Promoted Paramedic Support Program. Promoted Paramedic Support pay shall be incorporated into the unit member's compensation reported to CalPERS.

2.9.4.5 Condition Of Participation.

As a condition of participation in the Promoted Paramedic Support Program, unit members shall meet the standards established in Section 2.1.2. For unit members assigned to the Promoted Paramedic Support Program, the City shall provide the courtesy notice described in Section 2.1.3 and license

renewal assistance/on duty training described in Section 2.1.2.

2.9.4.6 **Withdrawal From Promoted Paramedic Support Program.**
A promoted unit member who volunteers for and is assigned to the Promoted Paramedic Support Program may withdraw from the Program by giving the Fire Chief or designee at least sixty ~~(60)~~ days fourteen (14) days written notice.

~~2.9.4.7~~ ~~Program Termination Date.~~
~~Unless the City and the Union reach agreement prior to June 30, 2013, the Promoted Paramedic Support Program shall terminate effective July 1, 2013.~~